MENDOCINO COUNTY PLANNING COMMISSION

MINUTES FOR THE MEETING HELD ON:	February 1, 2018
LOCATION:	Mendocino County Board of Supervisors Chambers 501 Low Gap Road, Room 1070 Ukiah, California
COMMISSIONERS PRESENT:	Pernell, Krueger, Nelson, Warner, Holtkamp, Hall, Ogle
COMMISSIONERS ABSENT:	None
PLANNING & BLDG SVC STAFF PRESENT:	Ignacio Gonzalez, Interim Director Mary Lynn Hunt, Chief Planner Julia Acker, Senior Planner Jesse Davis, Planner III Mio Mendez, Planner I Victoria Davis, Commission Services Supervisor
OTHER COUNTY DEPARTMENTS PRESENT:	Matthew Kiedrowski, Deputy County Counsel Diane Curry, Interim Director of Agriculture Amber Munoz, Department of Transportation

1. Roll Call.

The meeting was called to order at 9:01 a.m.

2. Planning Commission Administration.

2a. Determination of Legal Notice.

The Clerk advised the Commission that all items had been properly noticed.

2b. Acceptance of the 2018 Planning Commission Calendar.

By a unanimous voice vote (7-0), IT IS ORDERED: That the 2018 Planning Commission Calendar was accepted.

3. Director's Report and Miscellaneous.

Mr. Gonzalez presented a verbal Director's Report.

4. Matters from Public.

No one was present from the public who indicated a desire to address the Commission.

5. Consent Calendar.

None.

6. Regular Calendar.

6a. CASE#: U_2017-0008
DATE FILED: 6/1/2017
OWNER: MORRIS RANDOLPH LEE 1/2
APPLICANT/AGENT: JAMIE KNOWLTON, BETTER PLACE FORESTS
REQUEST: Coastal Development Use Permit to establish a cemetery. The proposed cemetery would allow people to spread the ashes of a loved one who has been cremated around a dedicated family tree. The proposed project includes the site office which will contain a meeting room, restroom and storage area, a windmill, steel vine arbor, memorial ring, septic system, parking area, trails, entry gate, grading to improve the existing entry road, various bench/seating areas, and signage. Existing development includes a well and water storage tank, a driveway, and clearing at the top of the site where the proposed development is located.
ENVIRONMENTAL DETERMINATION: Negative Declaration
LOCATION: In the Coastal Zone, 3± miles southeast of the City of Point Arena, on the west side of Ten Mile Rd. (CR 506), 1± mile south of its intersection with Eureka Hill Rd., (CR 505). Located at 25284 Ten Mile Rd., Point Arena (APN: 027-306-31).
STAFF PLANNER: Julia Acker

Ms. Acker, staff planner, reviewed the staff report.

[Break 9:18 AM – 9:27 AM]

Jamie Knowlton, applicant, spoke in support of his project.

The **public hearing** was declared open, seeing no one come forward, the **public hearing** was declared closed.

Upon motion by **Commissioner Hall**, seconded by **Commissioner Ogle** and carried by the following roll call vote (7-0), IT IS ORDERED: By resolution, adopt a Negative Declaration and grant Coastal Development Use Permit U_2017-0008 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

AYES: Pernell, Krueger, Nelson, Warner, Holtkamp, Hall, Ogle
NOES: None
ABSENT: None

6b. CASE#: U_2017-0013
DATE FILED: 6/23/2017
OWNER/APPLICANT: CALONICO JOY ANN TTEE
REQUEST: Major Use Permit to establish accessory room and board in two (2) dwelling units. Bedroom 1 would comprise the entirety of the adjacent dwelling unit (commonly referred to as a Vacation Home Rental). Bedroom 2 would be a partitioned guest bedroom within the owner occupied primary dwelling unit.
ENVIRONMENTAL DETERMINATION: Categorically Exempt, Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures)
LOCATION: 8.0± miles northwest of the Willits city center, on the west side of Metzler Ridge Rd. (private). Adjacent to Sherwood Rd., (CR 311), located at 30250 Metzler Ridge Rd., Willits (APN: 037-630-02).
STAFF PLANNER: Jesse Davis

Mr. Davis, staff planner, reviewed the staff report and noted that only one agency, the county addressor, responded to the referrals sent out on this project.

Commissioner Ogle noted that Condition 9 had a typo, and should state residences not residence, and Condition 19 should state finalize not finalized.

Mr. Davis noted that a refund was made to the applicant because the use permit has been reduced from a major use permit to a minor use permit.

Joy Calonico, owner/applicant, stated that she had heard nothing about her use permit being reduced from major to a minor use permit except for a $761 refund. She also noted her outrage with the process and the application cost.

Commissioner Nelson asked the about the initial $5,000 cost of the permit, and $2,000 cost to renew.

Ms. Hunt noted that the permit did not need to be renewed, only the business license needed to be renewed on an annual basis at a cost of $40.

The **public hearing** was declared open, seeing no one come forward, the **public hearing** was declared closed.

Upon motion by **Commissioner Pernell**, seconded by **Commissioner Nelson** and carried by the following roll call vote (7-0), IT IS ORDERED: By resolution, adopt the Categorical Exemption and grant Use Permit, U_2017-0013, for the Project based on the approved project description and findings and subject to the conditions of approval in Exhibit A with corrections made to Condition 9 and Condition 19.

AYES: Pernell, Krueger, Nelson, Warner, Holtkamp, Hall, Ogle
NOES: None
ABSENT: None

[Break 10:05 AM – 10:14 AM]

6c. CASE#: OA_2018-0001
DATE FILED: 1/9/18
APPLICANT: COUNTY OF MENDOCINO
AGENT: DEPARTMENT OF PLANNING AND BUILDING SERVICES
REQUEST: The Mendocino County Board of Supervisors proposes to amend Mendocino County Code Chapter 20.242.040 Table 1, Medical Cannabis Cultivation Site, to the Inland Zoning Ordinance (Mendocino County Code, Title 20, Division I), which is administered by the Department of Planning and Building Services.
STAFF PLANNER: Mary Lynn Hunt
LOCATION: All unincorporated inland areas within Mendocino County. The areas not included are, the city limits of Ukiah, Fort Bragg, Willits and Point Arena. Not applicable to those areas within the designated Coastal Zone Areas of the County.

Ms. Hunt, staff planner, reviewed the staff report and noted that this amendment was being reviewed at the direction of the Board of Supervisors. She also noted that on page 2 of the redline version of the proposed Ordinance, Table 1 contained a red underlined double asterisk, and that the double asterisk should have a red strike out instead.

Mr. Keidrowski noted that potential use of an Administrative Permit in the Rangeland Zoning (RL) was not included in the mitigated negative declaration documents that were reviewed by the Board of Supervisors or by the Planning Commission, but that it did appear in the final draft of the adopted Ordinance. He further noted that this discrepancy would be corrected with the proposed Amendment.

Commissioner Pernell expressed gratitude to staff for clarifying the issue.

Commissioner Warner noted that her impression was that expansion in rangeland was not allowed.

Chair Holtkamp asked if road building activities were allowed in RL.

Ms. Hunt stated that creating a road would be allowed in RL, as long as the applicant had a grading permit. She also noted that in the year 2020, no new cannabis applications would be allowed in RL or Timber Production Zone (TPZ).

The **public hearing** was declared open.

Roger Wheeler spoke in support of the project.

Chris McCraw spoke in support of the project.

Aaron Greene spoke in support of the project.

Zack Ahrens spoke in support of the project.

Bill Gross spoke in support of the project.

Casey O'Neill spoke in support of the project.

Swami Chaitanga spoke in support of the project.

Hannah Nelson spoke in support of the project.

Ellen Drell was not in support of the project.

Matt Maguire expressed frustration at his permit application still being on hold, and not having clear direction on what was needed to complete the permit process.

The **public hearing** was declared closed.

Commissioner Nelson stated that he was in support of cultivation in RL, and noted he felt that the agencies regulating cultivation were being over burdensome.

Commissioner Warner asked if microbusiness were allowed in RL.

Ms. Hunt noted that microbusinesses were currently not allowed in RL for medical cultivation.

Mr. Kiedrowski stated that the Ordinance Amendment related to microbusinesses would come before the Planning Commission on March 15, 2018.

Commissioner Warner noted she was unsure if she could support the project.

Commissioner Pernell asked if road access was looked at during the cannabis permitting process.

Mr. Kiedrowski noted that all site plans are required to have all easements included.

Ms. Hunt noted that there was not a mandate to require evaluation of road access, but did note that the building department did review and approve each permit and could require a grading permit related to road access.

Mr. Kiedrowski noted that if any site contained a road impeding a water way, it would be looked at by Fish and Wildlife.

Ms. Curry, Interim Agriculture Commissioner, noted that the County was not specifically looking at road access but that it was evaluated by the State Department of Water Resources and Fish and Wildlife.

Commissioner Pernell noted that her main concern about the expansion in RL was the negative impact it would have on the quality and upkeep of private roads, however she was in support of the project.

[Break 11:18 AM – 11:21 AM]

Upon motion by **Commissioner Nelson**, seconded by **Commissioner Ogle** and carried by the following roll call vote (7-0), IT IS ORDERED: Adopt resolution making the necessary findings and recommend that the Board of Supervisors approve Ordinance Amendment No. OA_2018-0001 which will modify the Inland Zoning Ordinance of Chapter 20 of the Mendocino County Code specifically

section 20.242.040, finding that the Addendum to the adopted Mitigated negative Declaration is appropriate to address the requirements under CEQA for the proposed ordinance changes and that no additional subsequent environmental review is needed to review the impact of the proposed ordinance changes.

AYES: Krueger, Nelson, Warner, Holtkamp, Hall, Ogle, Pernell
NOES: None
ABSENT: None

7. Matters from Staff.

None.

8. Matters from Commission.

Commissioner Ogle noted that she would not be able to attend any Planning Commission meetings until the second meeting in April.

Commissioner Nelson noted that he would not be attending the March 2018 Planning Commission meetings.

9. Adjournment.

Upon motion by **Commissioner Nelson**, seconded by **Commissioner Pernell**, and unanimously carried (7-0), IT IS ORDERED that the Planning Commission hearing adjourn at 10:45 am