



## MENDOCINO COUNTY PLANNING COMMISSION

### MINUTES FOR THE MEETING HELD ON:

**February 15, 2018**

### LOCATION:

Mendocino County Board of Supervisors Chambers  
501 Low Gap Road, Room 1070  
Ukiah, California

### COMMISSIONERS PRESENT:

Pernell, Krueger, Nelson, Warner, Holtkamp, Hall

### COMMISSIONERS ABSENT:

Ogle

### PLANNING & BLDG SVC STAFF PRESENT:

Ignacio Gonzalez, Interim Director  
Mary Lynn Hunt, Chief Planner  
Juliana Cherry, Planner III  
Victoria Davis, Commission Services Supervisor

### OTHER COUNTY DEPARTMENTS PRESENT:

Matthew Kiedrowski, Deputy County Counsel  
Dave Jenson, Environmental Health  
Marlayna Duley, Environmental Health

#### 1. Roll Call.

The meeting was called to order at 9:00 a.m.

#### 2. Planning Commission Administration.

##### 2a. Determination of Legal Notice.

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

#### 3. Director's Report and Miscellaneous.

**Mr. Gonzalez** presented a verbal Director's Report and noted that the Army Corp of Engineers was expected to be done with the clean up by the end of the month but will still be in the area to complete testing on the sites, and that 39 Administrative Permits for Temporary Occupancy of Trailers had been issued.

#### 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#:** UR\_2013-0002

**DATE FILED:** 6/25/2013

**OWNER:** WILDWOOD CAMPGROUND, LLC

**APPLICANT:** LEE EXUM

**REQUEST:** Renewal of Use Permit U #30-72 for a Campground Transient Habitation land use,

approved in 1973 and renewed in 1993, and allowing staggered implementation. Phase I includes 73 developed campsites, manager's quarters, office, and two restroom and shower facilities and, yet to be implemented, Phase II would include 101 primitive campsites.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt Previously adopted Negative Declaration

**LOCATION:** Located 3.5 miles east of the intersection of Highways 1 and 20. 29700 West Highway 20, Fort Bragg (APN 020-421-11).

**STAFF PLANNER:** Juliana Cherry.

**Juliana Cherry**, staff planner, reviewed the staff report and noted that the applicant and the Department of Fish and Wildlife agreed with the proposed Conditions and the removal of Phase II which was previously adopted with this use permit. She also stated that staff was requesting this item be continued to the May 3, 2018 Planning Commission agenda.

**Commissioner Warner** noted concern for the residents of the campground being homeless if not allowed to stay as long term residents.

**Commissioner Krueger** noted concern about the term of the permit.

**Mrs. Cherry** noted that the original permit was granted for a 20 year term, and it had now been expired for 5 years. The new expiration date requested for the permit would allow the campground 5 years to operate and show compliance with the Conditions of Approval.

**Commissioner Pernell** agreed with **Commissioner Warner's** concern and asked about Condition 9a which revoked Condition B9 from the original use permit.

**Mrs. Cherry** reviewed Condition 9a and noted that it would strike the previously existing Condition and allow for more flexibility related to the amount of time a site was occupied to allow continued residency at the project site.

**Commissioner Pernell** asked staff to clarify the time frame associated with the list of incidents submitted by the Sheriff's Department and requested that staff have an updated list of incidents for the Commission to review when the project comes back to the Planning Commission. She also asked for the exact number of sites being requested.

**Mrs. Cherry** stated that there were 73 sites established as part of Phase I, and the 101 tent sites that were included in the use permit's Phase II be excluded from the project.

**Mr. Kiedrowski** noted that this use permit was for a campground and a transient occupancy which conflicted with the Mendocino County Zoning Code.

**Mr. Gonzalez** noted that the County Code had changed since the original use permit was granted and that staff would review the project for a different permit type for this project.

**Commissioner Pernell** noted that the number of plumbed sites stated in the staff report exceeded the number approved by the state, the Department of Environment Health (EH), and the Conditions in the original permit.

**Dave Jenson** explained that EH had a method for evaluating septic needs related to campgrounds and referred to the memo he distributed to the Commission.

**Commissioner Warner** asked staff to contact Social Services for feedback prior to the next meeting related the list of incidents provided by the Sheriff's Department.

**Commissioner Warner** and **Chair Holtkamp** expressed concern for the residents of the campground if they were not allowed to live there, and noted the housing shortage in Mendocino County.

**Lee Exum**, the applicant, stated he applied for the renewal of this use permit 5 years ago and this was the first hearing. He also felt there was a drug problem on the coast, and spoke of his dedicated efforts

to improve the site. He objected to hiring security because he felt the crime statistics included in the staff report were old and he could not afford such a service.

**Commissioner Warner** asked if the applicant would install the back-up septic system.

**Mr. Exum** stated that it was included in their improvement plan and would be installed in May 2018.

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

**Commissioner Pernell** asked if the number of sites could be increased with the installation of the additional septic system.

**Mr. Gonzalez** noted that the zoning associated with the parcel determined the number of sites.

Upon motion by **Commissioner Warner**, seconded by **Commissioner Hall** and carried by the following roll call vote (6-0), IT IS ORDERED: To continue this matter to the May 3, 2018 Planning Commission meeting.

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

[Break 10:18 AM – 10:28 AM]

**6b. CASE#: R\_2017-0007**

**DATE FILED:** 10/2/2017

**OWNER/APPLICANT:** ABULIAK PABLO & ALICIA ISABEL

**AGENT:** JAVIER J. RAU

**REQUEST:** Rezone 20± acres from Rural Residential (R-R:L-5) to Rural Residential (R-R:L-10).

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt. Article 12: Special Situations. Section 15183: Projects Consistent with a Community Plan, General Plan, or Zoning

**LOCATION:** 1± mile east of Boonville, a census designated place (CDP), located at 13016 Ornbaun Rd., Boonville (APN: 029-370-11).

**STAFF PLANNER:** Jesse Davis

**Jesse Davis**, staff planner, reviewed the staff report and noted that no General Plan Amendment would be required with this rezone because the current parcel met the requirements of the requested zoning.

**Commissioner Hall** noted that staff wrote incorrect directions for this site in the location field.

**Mr. Davis** stated that the location would be corrected.

**Javier Rau**, agent, supported approval of the project.

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

Upon motion by **Commissioner Hall**, seconded by **Commissioner Pernell** and carried by the following roll call vote (6-0), IT IS ORDERED: By resolution, the Planning Commission recommends that the Board of Supervisors Approve the Rezone.

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

**7. Matters from Staff.**

None.

8. **Matters from Commission.**

**Commissioner Nelson** noted that the power grid was shut-down during the fire.

**Chair Holtkamp** stated the County offered classes to teach radio operations since it was the only method of communication during the fire.

9. **Approval of the October 5, 2017 Planning Commission Minutes.**

**Commissioner Ogle** submitted revisions to **Mrs. Davis** prior to the hearing.

**Commissioner Warner** read corrections into the record.

Upon motion by **Commissioner Nelson**, seconded by **Commissioner Warner** and carried by the following roll call vote (6-0), IT IS ORDERED: That the approval of the October 5, 2017 Planning Commission minutes as revised at hearing.

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

10. **Adjournment.**

Upon motion by **Commissioner Nelson**, seconded by **Commissioner Hall**, and unanimously carried (6-0), IT IS ORDERED that the Planning Commission hearing adjourn at 10:42 a.m.