



MENDOCINO COUNTY PLANNING COMMISSION

MINUTES FOR THE MEETING HELD ON:

September 19, 2019

LOCATION:

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

COMMISSIONERS PRESENT:

Pernell, Nelson, Jacobszoon, Holtkamp, Wiedemann, Ogle

COMMISSIONERS ABSENT:

None

PLANNING & BLDG SVC STAFF PRESENT:

Julia Acker Krog, Chief Planner
Adrienne Thompson, Administrative Services Manager
James Feenan, Commission Services Supervisor
Eduardo Hernandez, Planner I
Jesse Davis, Senior Planner

OTHER COUNTY DEPARTMENTS PRESENT:

Matthew Kiedrowski, Deputy County Counsel
Amber Munoz, Department of Transportation

1. Roll Call.

The meeting was called to order at 9:02 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.

Ms. Acker Krog, Chief Planner, stated that the Director was not available to present a report, however she was available for questions.

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_2017-0032

DATE FILED: 12/13/2017

OWNER: KYLE RAND & STACY SQUIRE

APPLICANT: STACY SQUIRE

REQUEST: Use Permit to formalize an existing short-term rental in an accessory residential structure. The short-term rental is processed under Mendocino County Code Section 20.164.015 (L): Room and Board.

ENVIRONMENTAL DETERMINATION: Categorically Exempt, Section 15301 (Existing Facilities). Categorically Exempt

LOCATION: 1.5± miles east of the Navarro town center, lying at the end of a private unnamed access easement, 1.4± miles east of its intersection with Wendling Soda Creek Road (CR134), located at 973 and 975 Highway 128, Philo, CA 95466 (APN: 026-030-40).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: JESSE DAVIS

Julia Acker Krog, Chief Planner, discussed the use permit to formalize an existing short-term rental in an accessory residential structure due to its location on a private road. Ms. Acker Krog stated that there was a memo before the Commission, requesting a continuance of the hearing to a date uncertain, but noted that the Chair may wish to accept public comment, as the request to continue from the applicant was received just before the hearing. Ms. Acker Krog stated that there would be a more formal presentation when the applicant was able to attend.

The public hearing was declared open.

Laura Quatrochi stated that she was strongly opposed to the use permit and wished to be notified when the next hearing was scheduled. Ms. Quatrochi asked how long an application could be placed on hold.

Ms. Acker Krog stated there was not a particular time period under the County Code, however, if an applicant had not shown movement within one year of the filing date, than the process of Administrative withdrawal would occur due to inactivity.

Ms. Quatrochi asked how many times an applicant could request a continuance.

Jesse Davis, Senior Planner, stated the applicant had been informed that they were responsible for any fees related to rescheduling the public hearing once a date had been selected.

Ms. Acker Krog stated that, according to County Code, there was no limit on how many times an applicant could request a continuance.

Ms. Quatrochi asked how far in advance they would be notified of the next hearing.

Ms. Acker Krog stated that the notification would be ten days prior to the public hearing.

Chair Ogle asked if the notification was posted at the property.

Ms. Acker Krog stated that the process would be mailing to adjacent property owners, as well as printing in the local newspaper. She also stated that anyone who had filled out a request to be notified of the hearing would receive the notice ten days prior and encouraged those in the audience to fill out a form at the Planning & Building Department. .

The Chair noted that the public hearing would remain open.

Upon motion by Commissioner Holtkamp, seconded by Commissioner Jacobszoon and carried by the following voice vote (6-0), IT IS ORDERED: That above entitled case be continued to a date uncertain.

AYES: Pernell, Nelson, Holtkamp, Jacobszoon, Wiedemann, Ogle

NOES: None

ABSENT: None

6b. CASE#: MS_2018-0006

DATE FILED: 12/17/2018

OWNER/APPLICANT: DONALD J & SHELLI I CORNS

AGENT: RON W FRANZ

REQUEST: Minor Subdivision of a 7.3± acre parcel creating three (3) parcels, ranging in size from 1.31± to 3.09± acres.

ENVIRONMENTAL DETERMINATION: Negative Declaration

LOCATION: 1.2± miles southwest of Redwood Valley town center, lying east of Uva Drive (CR 239), 0.3 ± miles southeast of its intersection with Bel Arbres Drive (CR 238B), located at 7899 & 7915 Uva Dr., Redwood Valley (APN: 165-040-14).

SUPERVISORIAL DISTRICT: 1

STAFF PLANNER: EDUARDO HERNANDEZ

Eduardo Hernandez, staff planner, reviewed the staff report and noted that project was a minor subdivision of a 7.3 acre parcel, creating three parcels, ranging in size from 1.31 to 3.09 acres. He discussed the location of the parcel in Redwood Valley and noted the zoning was Rural Residential, which was in conformance with the General Plan and Zoning Code. Mr. Hernandez stated that the project was referred to agencies, but no substantial comments had been received. Mr. Hernandez stated that an Initial Study for this proposed project was completed in accordance with the California Environmental Quality Act (CEQA), which resulted in a Negative Declaration, and staff had distributed a Memo for the deletion of Condition 17c, renumbering accordingly. He noted that comments were received from Environmental Health, pertaining to water usage and sanitation issues, and staff was recommending approval of the project.

Commissioner Pernell asked why the Condition was being deleted.

Mr. Hernandez stated that the Department had received communication from Department of Transportation that Condition 17c would not be needed at this time.

Commissioner Jacobszoon asked clarification of the water source for Parcel 1.

Mr. Hernandez stated that Parcel 1 was vacant, and deferred to the applicant.

Donald Corns, owner, stated that they were using well water

Commissioner Jacobszoon asked the location of the well.

Mr. Corns stated it was located on Parcel 3.

Commissioner Nelson noted that there is a vineyard at the location and asked if the right to farm language was needed.

Ms. Acker Krog noted that the right to farm language would be appropriate for sites adjacent to Williamson Act contract parcels, as well as, Ag or Rangeland zoning, but would not be necessary for residential parcels.

The Commission and staff discussed the location of the vineyard to the south of the requested subdivision, and zoning as RR5, as illustrated on Attachment H of the staff report.

Ms. Acker Krog commented that the right to farm language generally did not apply to residential zones, however the Commission could add additional conditions.

Commissioner Jacobszoon asked if the olives were used for olive oil.

Mr. Corns stated that the olives were just done for fun.

Chair Ogle noted that she had driven by the site and thought it could not be further developed.

Commissioner Nelson discussed the dedication of the road and potential connection of adjoining roadways.

Ms. Acker Krog noted that dedications were typically used for future expansion of infrastructure, however the County could not take responsibility for all the private roads that were established.

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

Upon motion by Commissioner Holtkamp, seconded by Commissioner Jacobszoon and carried by the following roll call vote (6-0), IT IS ORDERED that the Planning Commission, by resolution, adopt a Negative Declaration and grant MS_2018-0006 subject to the Conditions of Approval in Exhibit A of the Resolution as modified by the Memo presented by staff.

AYES: Pernell, Nelson, Holtkamp, Jacobszoon, Wiedemann, Ogle
NOES: None
ABSENT: None

7. Matters from Staff.

Ms. Acker Krog noted the Brown Act and Ethics training scheduled at 1:30 PM. She also discussed the Housing Element Update and Oak Woodland Ordinance that would be brought to the Commission.

Commissioner Holtkamp asked if there had been funds set aside for the Oak Woodland Ordinance.

Ms. Acker Krog stated that she was not sure, but could update the Commission at the next meeting.

Commissioner Pernell asked if the Housing Element was being developed by a consultant.

Ms. Acker Krog stated that Placeworks has been hired by the County.

Commissioner Pernell noted that she was pleased to hear about the Oak Woodlands Ordinance and asked if the Commission could make a recommendation regarding the development of a Pygmy forest Ordinance.

Ms. Acker Krog stated if there was going to be a discussion regarding a Pygmy Forest Ordinance it would need to be agenized. She also emphasized that the department goals and objectives were set by the Board of Supervisors each fiscal year, and the ability to add extra projects was limited.

Commissioner Holtkamp asked if the Planning Commission could make recommendations of priorities to the Board of Supervisors.

Ms. Acker Krog stated that County Counsel would provide further details regarding this question at a later date.

Commissioner Nelson asked if the next meeting was October 3rd.

Ms. Acker Krog stated yes and it would be a short agenda.

Chair Ogle noted that the Commissioners could speak to their specific Supervisor representative for items they would like as priorities.

Ms. Acker Krog further discussed the Draft Housing Element Update and noted it would be brought before the Planning Commission for a recommendation to the Board of Supervisors in order to extend the document from a four year cycle to an eight year cycle.

Commissioner Wiedemann stated that she felt a coalition was needed to work on the project, which included Environmental Health, Planning and Building, and the Department of Transportation.

Commissioner Nelson asked about future zoning for cluster housing in the General Plan.

Ms. Acker Krog stated that there was already a zoning for cluster housing, called the CL combining district; she stated that it was not used in many areas, and usually required a rezoning.

Chair Ogle asked if there was a Planning Commission meeting on October 17, 2019 and if the Board had filled Commissioner Warner's vacant Commission position.

Ms. Acker Krog noted she would follow-up with a phone call regarding the Commission seat.

Chair Ogle noted that Commissioner Pernell would be absent from the afternoon session.

[Break 9:35 am – 1:30 PM]

7a. TIMED ITEM: BROWN ACT ETHICS TRAINING, PRESENTED BY COUNTY COUNSEL.

The Planning Commission moved to the audience to receive the Brown Act and Ethics Training.

The Planning Commission reconvened after the training at 3:30 and took their seats on the dais.

8. Matters from Commission.

None.

9. Approval of Minutes.

None.

10. Adjournment.

Upon motion by Commissioner Jacobszoon seconded by Commissioner Nelson, and carried by a voice vote of (6-0), IT IS ORDERED that the Planning Commission hearing adjourned at 3:31 p.m.

DRAFT