



**MENDOCINO COUNTY PLANNING COMMISSION**

**MINUTES FOR THE MEETING HELD ON:** **October 17, 2019**

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

**COMMISSIONERS PRESENT:** Perkins, Pernell, Jacobszoon, Holtkamp, Wiedemann, Ogle

**COMMISSIONERS ABSENT:** Nelson

**PLANNING & BLDG SVC STAFF PRESENT:** Brent Schultz, Director  
James Feenan, Commission Services Supervisor  
Adrienne Thompson, Administrative Services Manager  
Jesse Davis, Senior Planner  
Julia Acker-Krog, Chief Planner  
Susan Summerford, Planner III  
Mio Mendez, Planner I  
Russell Ford, Planner III

**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.**

**Mr. Schultz** did not present 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#: A\_2019-0002**

DATE FILED: 4/15/2019

OWNER/APPLICANT: LANCE & JAMIE STORNETTA

AGENT: JAMES BARRETT

REQUEST: Agricultural Preserve application to establish a new preserve and Williamson Act contract on 39± acres of

Rangeland (RL) currently used as part of the Windy Hollow dairy.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Coastal Zone, 0.35± miles south of Manchester on the west side of State Route 1 (SR 1) at its intersection with Biaggi Road (private), located at 44151 Biaggi Rd., Manchester (APN: 133-020-09).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: RUSSELL FORD

Russell Ford, staff planner, reviewed the staff report and noted this Agricultural Preserve application is to establish a new preserve and extend an existing Williamson Act contract over 39± Acres of Rangeland currently used as part of the Windy Hollow Dairy. In the Coastal Zone 0.35± miles south of Manchester on the west side of State Route 1 (SR 1) at its intersection with Biaggi Road (private), located at 44151 Biaggi Road and 44501 Kinney Road, Manchester. Mr. Ford brought up the map on the screen and discussed the different parcels that are being considered. Mr. Ford stated it is categorically exempt from CEQA. Referrals were sent out to the agencies noted in the staff report in May of 2019.

Ms. Acker-Krog stated there is an updated resolution and it was distributed to the Commissioners.

James Beard is present representing the Sornetta family explained how the land will be divided and how the dairy operation will function.

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

Commissioner Wiedemann stated she does not have a problem with the project.

Upon motion by Commissioner Wiedemann, seconded by Commissioner Holtkamp and carried by the following roll call vote (6-0-1), IT IS ORDERED: The Planning Commission recommends approval of A\_2019-0002 to the Board of Supervisors, making the following findings, consistent with the General Plan and Mendocino County Code Section 22.08:

**Environmental Findings:** This project is categorically exempt from CEQA review per Section 15317 of the CEQA Guidelines (Class 17).

**Agricultural Preserve Findings:** The lands referenced in this Staff Report are currently zoned RL (Rangeland). Per Section 4.2(a) of the Revised Policies and Procedures, only lands zoned AG (Agriculture), RL (Rangeland) or FL (Forestland) are eligible to qualify as Agricultural Preserves. Staff finds that the proposed addition to the existing contract qualifies based on this criteria.

**Williamson Act Findings:** The proposed Williamson Act contract is consistent with requirements as specified in the Revised Policies and Procedures with regard to lot size, agricultural use type, accessory development and income threshold including the Amended Resolution presented to the board this morning.

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

**6b. CASE#: GP\_2019-0001/R\_2019-0002**

DATE FILED: 1/28/2019

OWNER/APPLICANT: CHRISTOPHER SAVAGE

AGENT: JIM RONCO

REQUEST: Rezone to change the existing designations from Suburban Residential (SR 40K) to Upland Residential Contract Rezone (UR 20-CR) and a General Plan Amendment from Suburban Residential (SR) to Remote Residential (RMR).

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

LOCATION: 0.3± miles north of Potter Valley town center, on the east side of Powerhouse Road (CR 248 A), 0.2 miles north of its intersection with Main Street (CR 245), located at 12201 Powerhouse Rd., Potter Valley (APN: 174-100-02).

SUPERVISORIAL DISTRICT: 1

STAFF PLANNER: MIO MENDEZ

Mio Mendez, staff planner, reviewed the staff report and presented that is project was a Rezone to change the existing designations from Suburban Residential (SR 40K) to Upland Residential with a Contract Rezone combining district (UR 20[CR]) and a General Plan Amendment from Suburban Residential (SR 40K) 40,000 square-foot minimum parcel size to Remote Residential (RMR 20) 20 acre minimum parcel size. Located 0.3± miles north of Potter Valley town center, on the east side of Powerhouse Road (CR 248 A), 0.2 miles north of its intersection with Main Street (CR 245). Located at 12201 Powerhouse Road, Potter Valley. Mr. Mendez stated that this land was located in the Potter Valley Water district and the fire zone is the Potter Valley Community Services District. The school district was the Potter Valley Unified School District. There is no sewer district since septic is handled on site. Mr. Mendez stated the land is designated as residential and prime farmland. The parcel is In the Russian river water district. Low cost housing use and incompatibility of surrounding neighbor area. Mr. Mendez stated that this parcel is designated as prime farmland. Mr. Mendez pointed out some of the resource management policies that apply to this project. Mr. Mendez stated that here will be greater protection of the parcel. Mr. Mendez reviewed the Resource Manage section of the General Plan. Mr. Mendez reviewed the ordinance that was used for the Initial study and the preparation of mitigated negative declaration. There are two plants that are protected under this rezone. Mr. Mendez stated that there would be a 50 feet irrigation buffer from the northern and southern irrigation ditches and 100 feet buffer from the seasonal wet depression areas. No trimming of blackberry tree. Three phone calls were received: One call questioned the expansion of a cannabis cultivation site. Mr. Mendez showed the Commission a map on screen. The other phone calls involved the subdivision of the parcel. Planning department recommends approval of the project.

Commission Perkins asked would staff be aware of the if there was an future application for a Accessory Dwelling Unit (ADU).

Mr. Mendez stated there will be a deed restriction on these parcels.

Commissioner Ogle and Mr. Davis discussed why the parcel was designated as Upland residential and not RR10 or Ag.

Commissioner Wiedemann, Mr. Mendez and Mr. Kiedrowski discussed if the parcel could be subdivide in the future.

Commissioner Jacobszoon, Mr. Mendez, Commissioner Wiedemann, Chair Ogle and Mr. Davis discussed the setbacks for the plant species. Chair Ogle asked for clarification of Page 2 of the Summary of the staff report regarding setbacks.

Commissioner Jacobszoon asked to see a map of the buffer zones of schools and churches.

Mr. Mendez showed on the screen where the child care center was located.

Jim Ronco, agent, stated that he very happy with the process the staff has used to prepare this project. Mr. Ronco stated that he does not know how this received a zoning site.

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

Upon motion by Commissioner Holtkamp, seconded by Commissioner Pernell and carried by the following roll call vote (6-0-1), IT IS ORDERED: By Resolution, the Planning Commission recommends the Board of Supervisors adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, approve a General Plan Land Use Amendment to change 20.23± acres (APN: 174-100-02) from Suburban Residential with a 40,000 square feet minimum lot size (SR 40K) to Remote Residential with a 20 acre minimum parcel size (RMR 20) and, by ordinance, Rezone 20.23± acres (APN: 174-100-02) from Suburban Residential with a 40,000 square feet minimum lot size (SR 40K) to Upland Residential with a 20 acre minimum parcel size and a Contract Rezone Combining District (UR 20[CR]), subject to the conditions and requirements of the Contract Rezone attached to the Resolution.

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

**[Break 9:40 AM – 9:53 AM]**

**6c. CASE#: GP\_2019-0002/R\_2019-0003**

DATE FILED: 1/28/2019

OWNER/APPLICANT: DONALD LUCCHESI

AGENT: JAMES BARRETT AND JIM RONCO

REQUEST: Rezoning and General Plan Amendment from AG:40 (Zoning) and AG40 (General Plan) to Suburban Residential (SR) [Zoning and General Plan] to allow for future subdivision and residential housing.

ENVIRONMENTAL DETERMINATION: Negative Declaration

LOCATION: 3± miles south of Ukiah city center, on the north side of Talmage Road (State Highway 222), to the south and east of Sanford Ranch Road (CR 200), 0.4± miles north of its intersection with Talmage Rd., located at 1251 Sanford Ranch Rd., Talmage (APN's: 181-050-30 and a portion of 181-050-31).

SUPERVISORIAL DISTRICT: 1

STAFF PLANNER: SUSAN SUMMERFORD

Susan Summerford, staff planner, reviewed the staff report and noted that this was a General Plan Amendment and Rezoning to change 10.7± acres (APN: 181-050-30 [7.42 ± acres] and APN: 181-050-31 [3.28± acres]) from Agricultural (AG40) to Suburban Residential (SR-12K) for the General Plan designation and from Agricultural (AG:40) to Suburban Residential (SR: 12K) for zoning. The project is located 3± miles south of Ukiah city center, on the north side of Talmage Road (State Highway 222), to the south and east of Sanford Ranch Road (CR 200), 0.4± miles north of its intersection with Talmage Road, located at 1251 Sanford Ranch Road, Talmage (APN's: 181-050-30 and a port of 181-050-31). The environmental determination is a negative declaration based on an initial study that was prepared by staff. The recommendation is an approval with a recommendation to the Board of Supervisors. The subject site is located in the Regina Water District. Ms. Summerford is listed under State of California as prime farmland. A custom soil report was prepared for this parcel. Ms. Summerford stated that there a list of criteria listed in the staff report. Ms. Summerford noted that there were several public comments received for the project. Staff recommends approval of the project.

Chair Ogle, Ms. Summerford, and Ms. Acker Krog discussed the one of the maps that was labeled attachment C.

Ms. Acker Krog walked the Commission thru two changes to the resolution.

Commissioner Wiedemann and Ms. Summerford discussed the figures regarding the rezone.

Ms. Summerford used the screen to explain the different parcels.

Ms. Acker Krog referred the Commission to exhibit A and B of the resolution.

Commissioner Pernell, Ms. Summerford discussed the aerial view of the parcels.

Commissioner Jacobszoon, Ms. Summerford, Ms. Acker Krog and Chair Ogle discussed the map on the screen and Attachment C on where the boundary lines are located.

Commissioner Pernell and Ms. Summerford discussed page 2 of the staff report under the section labeled site characteristics. The section that reads "1 unit per 0.05± acres" is incorrect and should read ".50 acres".

Commissioner Jacobszoon asked if the adjacent parcels are on half acre lots.

Ms. Summerford stated that is what it appears.

Ms. Acker-Krog noted on Attachment B and pointed out the parcels show up under the GIS information.

Ms. Summerford noted that on page 4 of the staff under the table labeled "surrounding land use zoning" there are approximate parcel sizes listed.

Commissioner Ogle asked if the section labeled East AG 40 the Lucchesi property.

Ms. Summerford answered yes.

Commissioner Jacobszoon stated that there is a range of parcel sizes from .2 acres to what amount.

Ms. Summerford stated the range is up to 15 acres.

Commissioner Wiedemann noted that a contiguous photo would give a better view of the parcel that is beyond the parcel that is being discussed.

Ms. Acker Krog wanted to know where the photo that Commissioner Wiedemann was holding. Ms. Acker Krog asked her to give the photo to the Clerk to be entered into the record.

Commissioner Perkins and Ms. Summerford discussed the analysis that occurred during the subdivision phase and why it did not occur during this phase. They also discussed the differences between the two phases.

Chair Ogle asked about page 3 of the staff report in the last paragraph discussing the "purple pipe project".

Ms. Summerford stated that she is not qualified to speak regarding the statement, she stated it came from the applicants statement and he would be more qualified to speak on that topic.

Chair Ogle asked about page 5 of the staff report regarding Ukiah City Planning Department comments. Where they included in the packet.

Ms. Acker Krog stated that were distributed to the Commissioners in a separate packet today.

Chair Ogle noted corrections on page 4 of the initial study under "agriculture and forestry resources", part C two boxes were checked.

Ms. Summerford stated that is should be marked "no impact".

Chair Ogle noted corrections on page 27 of the initial study, paragraph 3 that "wastewater" should be removed.

Ms. Summerford stated yes that work should be removed.

Commissioner Pernell wanted clarification on the General Plan if that would require a amendment to the U-Vap of the General Plan

Ms. Acker-Krog stated that yes since the U-Vap is a part of the General Plan.

Commissioner Pernell asked to see the U-Vap land use map.

Ms. Acker Krog stated that that could be pulled up during the public comment section of the meeting.

Commissioner Jacobszoon asked if all the adjacent parcels are on septic systems.

Ms. Acker-Krog stated yes, since there is no waste water service provider in this area.

Commissioner Jacobszoon and Ms. Acker-Krog discussed how the parcel description is noted and how the parcel description needs to be more specific.

Chair Ogle wanted to know the minimum lot size is for a septic.

Ms. Summerford stated that is 12,000 lot size.

Ms. Acker-Krog clarified that 12,000 lot size only applies when you have service by either a water or sewer district to the parcel, but if you have to have septic and a well than the minimum is 40,000.

Commissioner Perkins asked about the resolution and the findings. Commissioner Perkins wanted to know if this the full extent of the findings required for a General Plan and Zoning amendment and since there is no finding regarding traffic or infrastructure listed here those would assume that those are findings that need to be approved for a subdivision.

Ms. Summerford stated that the statement was accurate.

James Barrett, agent, stated there is confusion on what the project entails and the location.. Mr. Barrett stated that the soils needed to be tested. Mr. Barrett stated that there has been no decision on the development of the parcel in question. Mr. Barrett discusses the seven parcels in question. Mr. Barrett stated there are no flood zones on these parcels. Mr. Barrett stated that there are no earthquake zones in this area. There has been no decision on what type of housing will be constructed. Mr. Barrett stated that they would be looking from low to medium housing. Mr. Barrett stated this land is not Ag land and is less than prime farmland.

Commissioner Perkins asked if the properties to the South were under the Williamson Act contract.

Mr. Barrett stated that the attached area has not been in the Williamson Act or designated as Ag land.

**The public hearing was declared open.**

Frank McGarvey stated his concerns regarding safety, flooding and fire danger. He is also concerned about safety for walkers and bikers.

Sandy Hopper stated that there is a flood problem. She would not like the Commission to change the land from Ag land.

Erin Simmons stated that there is a flooding issues. She stated that the flood plain maps are incorrect. She is against the plan.

Susan Era stated that there is walkability in the area. No busses run through the area.

Pete Rushby stated that it does flood on the south end quite heavily. He stated that he worries that it will grow to a larger area for housing. He is concerned about the speed of the vehicles in the area. He is not in favor of the project.

Sara Kennedy Owen stated that she was here in 1985 before the board of supervisors and that she does not understand why there is encroachment. She has concerns about the speed of cars on Stanford Ranch Road.

Michael Owen stated that this was decided by the Board of Supervisors and feels that the Commission should not approve this.

Teresa Wells stated she would like the Commission to take a look at Stanford Ranch Road. She wanted to know if Stanford Ranch Road will be expanded. She stated the noise level will be increased. She stated she has concern about the wildlife and animal impact.

Alan Nicholson stated he opposed the proposal of the zoning change. Terrible place for high density housing. Feels this project should be denied.

Denise Hatt stated she is speaking for her friend so she will not be evicted. There is garbage issue along Stanford Ranch Road. She stated the vehicles are hitting 70 to 80 MPH. The crime rate will increase.

Zink Seacrest stated he was shocked how the impact report was written. He stated that a contractor will come in and put in 12,000 homes.

Craig Schlatter noted page 6 of the staff report. He also addressed the use of the ADU's.

Mary Ann Vilwalk stated that would like the Commission to take a look at the area. She feels that the Ag land is being divided.

Phyllis Bluesteen stated that Stanford Ranch Road is dangerous. She would like the Commission to take a look at the road.

Mary Miller stated her concern was that the Ag land was going to be turned into housing. She would not like the board to approve this project.

Jacob Patterson stated that the IS report is incorrect. He pointed out issues with the report. He stated that there should be a traffic study done.

Erin Simmons stated she contacted the CHP to patrol the area more and she was told to contact the county for a speed survey. She ended up cancelling the speed survey is fear they would raise the speed limit.

**Public hearing was declared closed.**

Commissioner Wiedemann thanked all the community and staff. She noted a section from the Housing Element document. She stated resource lands cannot keep getting threatened. She stated she cannot support this project.

Commissioner Holtkamp asked county counsel question regarding one of the public comments that the rezone was being broken up into different sections.

Mr. Kiedrowski stated that he cannot give his legal advice on what others are saying. He stated what is here is the applying for a rezone and the initial study was taken into account and further environmental review will be done once we have a project for development.

Commissioner Perkins wanted to know if the public information about flooding affect the conclusion of the environment review that there is not significant impact to hydrology of water resources.

Ms. Summerford brought up the flood plain map. Ms. Summerford noted that none of the subject parcel is located in the flood zone.

Commissioner Perkins read issues from the initial study.

Ms. Summerford stated she has no information regarding the flood plain issue at this time.

Commissioner Perkins asked what the maximum buy right residential development on the project area if it was just rezone and a subdivision would follow.

Ms. Acker Krog stated the person would be allowed a primary residence and potentially an accessory dwelling unit or a junior accessory dwelling unit provided you could support it and as agricultural land you to do temporary uses such as farm worker housing, family care units. There would be the need for subsequent applications. There would three dwelling units allowed per legal parcel.

Commissioner Perkins noted that the applicant stated that under the Ag designation there are other intense uses allowed by right and ask for an explanation of other uses that could show up in the future with or without a rezoning.

Ms. Acker Krog noted that she can pull up the zoning district off of the municipal code.

Commissioner Perkins stated that he agrees with a couple of the comments and found it very difficult to review the project not knowing what will come next. Commissioner Perkins stated that it would have been great if the application has involved the subdivision.

Ms. Acker Krog showed the screen with the difference zoning codes and explained the different types of zoning areas.

Commissioner Ogle asked Julia to explain Accessory Dwelling Units and Junior Accessory Dwelling units.

Ms. Acker Krog explained the ADU and Jr ADU units.

Commissioner Jacobszoon noted that the purchaser of the land could be a member of the Cannabis industry.

Commissioner Pernell stated that the county does need more housing. She asked staff to pull up the UVAP map. She struggled the rational and support from the public that keeps her from supporting this project.

Mr. Schultz stated that the county needs to build Look for opportunities to build housing.

Commissioner Holtkamp stated that he agrees with Mr. Schultz and finds it offensive that low cost housing is considered to be a slum and a treat.

Commissioner Wiedemann commented on Mr. Schultz's comment. Commissioner Wiedemann quoted the Housing Element by saying that land to be rezoned shall be located in areas with both water and sewer districts.

Commissioner Holtkamp stated that she would support anyone who wanted to purchase the land for open space.

Commissioner Wiedemann stated there was a reason this was not put under the Williamson Act.

Commissioner Jacobszoon stated that Stanford Ranch Road is a problem. He stated he would like to see the zoning changed.

Commissioner Perkins stated this is not a subdivision application and the zoning issue is not before the Commission.

Commissioner Wiedemann stated why didn't they do an RR5 instead a SR.

Commissioner Perkins stated that he sees it surrounded on the north and south by SR.

Chair Ogle stated we are not seeing the full picture. This is rezone and not a subdivision. Chair Ogle stated she is sympatric with the public views. She states she would side with the public and vote against this.

Ms. Acker Krog stated that the resolution before the Commission today is a recommendation to the Board of Supervisors, if the Commission wishes to deny the application than there the resolution will need to be re-written.

Discussion occurred between the board and staff regarding the re-writing of the resolution.

**[Lunch 12:15 pm – 1:15 pm]**

Ms. Acker-Krog stated there is a new document before the Commission and reviewed the new resolution with the board.



Commissioner Perkins asked if this resolution does not receive the support of at least four Commissioners, what is the next step is.

Mr. Kiedrowski explained to the Commission that there needs to be a majority vote in order for the resolution to pass.

**1<sup>st</sup> Motion**

Commissioner Wiedemann made a motion for denial which was seconded by Commissioner Pernell which resulted in a three way tie.

AYES: Wiedemann, Ogle, Pernell  
NOES: Perkins, Holtkamp, Jacobszoon  
ABSENT: Nelson

**2<sup>nd</sup> Motion**

Commissioner Holtkamp made a motion to approve the original resolution which was seconded by Commissioner Perkins which resulted in a three way tie.

AYES: Perkins, Holtkamp, Jacobszoon  
NOES: Wiedemann, Ogle, Pernell  
ABSENT: Nelson

**3<sup>rd</sup> Motion**

NOW, THEREFORE, BE IT RESOLVED, based on the evidence in the record before it, that the Planning Commission makes the following findings

Upon motion by Commissioner Holtkamp seconded by Commissioner Jacobszoon and carried by the following roll call vote (6-0-1), IT IS ORDERED: A motion of the Planning Commission recommending this project GP\_2019-0002/R\_2019-0003 Lucchesi be **moved to the Board of Supervisors without the recommendation of the Planning Commission** and directing Staff to provide a summary of today's proceedings and staff report to the Board of Supervisors

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

Ms. Acker Krog stated that the next hearing will be before the Board of Supervisor and legal notice will be mailed. If you would like to be notified please let the office know you would like legal notice sent to you and we they will be added to the mailing list.

Commissioner Holtkamp asked if the legal notice are on line on the Ukiah Daily Journal website.

Ms. Aker Krog stated that she was not sure if they were published on line. Other staff during the meeting are verifying that they are not published on line.

**6d. CASE#: GP 2019-0004**

DATE FILED: 03/28/2019

APPLICANT: COUNTY OF MENDOCINO

AGENT: PLANNING AND BUILDING SERVICES

REQUEST: The proposed project is a general plan amendment to update the Housing Element for the County of Mendocino as required by State law (Section 65580 – 65589.8 of the California Government Code). The 2019-2027 Housing Element draft identifies residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups defined under State law (Section 65583 of the California Government Code), analyzes governmental constraints to housing maintenance, improvement and development and outlines policies to promote housing opportunities for all persons.

ENVIRONMENTAL DETERMINATION: Addendum to the previously adopted Negative Declaration for the 2014-2019 Mendocino County Housing Element Update.

LOCATION: All unincorporated areas within Mendocino County, excluding those areas within the City limits of Ukiah, Fort Bragg, Willits and Point Arena.  
SUPERVISORIAL DISTRICT: All  
STAFF PLANNER: JESSE DAVIS

Julia Acker-Krog, stated that is the Housing Element Update. She stated that there was a resolution that was handed to the Commission today. She also stated that there are small formatting and typographical errors in the Housing Element that was provided to the Board in their packet.

Mr. Davis noted the differences between the previous housing element and current document. One being the consolidation of goals and actions identified in the 2014 Housing Element. Second, we have included in the new Housing Element increment site inventory to convey to the State that there is adequate sites for construction for housing in Mendocino County.

**Ms. Nicole West, from Placeworks** stated that the Housing Element is a large part of the General Plan. HCD is encouraging the expansion of housing in the state. She stated there is a great deal of changes in the new housing elements. She stated the document shows the State that we are meeting current requirements. The document will be submitted to HDC on October 18, 2019.

Commissioner Holtkamp asked how the State recognized restrictions regarding water and sewage issues..

Ms. Acker-Krog stated they assign the numbers to Mendocino County and it is very challenging to provide low income housing.

Mr. Davis stated that they look at all the water constraints for many sites. They will select the areas with the proper infrastructure.

Commissioner Pernell has noted that there are several items she would like to address once they start reviewing the document.

Commissioner Wiedemann clarified how comments on the document would be addressed.

Ms. Acker-Krog stated that if it was a grammatical error formatting error just let them know after the meeting. If they wanted certain items of the report discussed they would do this during the meeting.

Commissioner Perkins asked about the action items in the document and if the Planning and Building department were staffed to handle these items. He mention 3.5c and 3.3a dealing with Community Land Trust and would question if Planning and Building has the staff to carry out these two items.

Ms. Acker-Krog stated that there will be the issue of staff and believes that this could be a recommendation to the Board of Supervisors to bring on more staff to handle the influx of housing. She deferred to County Counsel.

Mr. Kiedrowski stated that the staffing issues are not part of the Housing Element and he would defer to the Director of Planning and Building regarding staffing.

Commissioner Perkins discussed Goal #6 on Page 21. Under 6-1-a and 6-2-a it is stated that if staffing time and levels permit and if there are matching funds available. He asked if there is capacity to fulfill these required action items.

Commissioner Pernell asked if there is an mechanism for prioritizing implementation of the document and what body is responsible for giving direction.

Mr. Davis stated he understands that there does need to have dedicated staff in order to carry out the requirements in the document.

Commissioner Pernell asked if the discussion would happen today or is that a future agenda item.

Mr. Davis stated the documents are based on the regulations set forward.

Mr. Schultz stated they apply for different grants to help complete projects. He stated it takes something 12 grants to get one project off the ground.

Commissioner Perkins stated that he would like Action Item #6.1a and #6.2b modified to remove "if time and staffing levels permits".

Ms. Acker Krog stated that this would be action item #6.1a , fifth line down, we would remove "if time and staffing level permits",

Commissioner Holtkamp if that item is removed she feels that the item would also be incorrect.

Commissioner Perkins stated that when this is presented to HCD each item is addressed one by one.

Ms. Acker-Krog stated there is not issue to change the wording.

Commissioner Perkins discussed page 92 regarding vacation rental units. He also refers to Appendix A.

Ms. Acker-Krog stated that vacation rentals elements will be coming back before this board.

Commissioner Perkins stated the information in Appendix A should be included in the plan itself under Action Item on page 92.

Ms. Acker Krog stated that there could be a modification put into the document itself.

Commissioner Pernell did not understand the item at the bottom of page 91, second to last paragraph, fourth line down.

Mr. Davis clarified this section to the board.

Commissioner Holtkamp stated that she has done this study in the past and found that half of the participants were living in a campground for the summer.

Commissioner Pernell stated that if this paragraph is clear to others than she will not questioned it.

Chair Ogle stated that if you look at the paragraph before it makes a little more sense.

Commissioner Wiedemann noted Page 91, paragraph two would like to add a comma and add " long term rentals".

Mr. Davis addressed Action Item #1.4b and #1.5b, Page 11 which addresses Commissioner Perkins request. Discussion occurred among the board regarding re-writing of this action item.

Commissioner Pernell addressed Page 58 regarding mobile homes. She asked a question regarding the zero spaces that was listed in the document. Discussion occurred with Mr. Davis regarding the differences between mobile home parks and RV parks.

Commissioner Ogle had another question regarding the coastal housing regarding Wildwood.

Ms. Acker-Krog stated that Wildwood are not entitled as long term housing and are limited to transient stays.

Chair Ogle asked if they appear before this board will they be added to the housing element.

Ms. Acker Krog stated that their zoning does not allow them to become included as long term housing.

Chair Ogle asked if they would have to be rezoned.

Ms. Acker Krog yes they would.

Commissioner Pernell discussed Page 92 regarding subdivisions and new housing with staff and the Commission. Staff will work on revising this section with regards to future housing.

Commissioner Pernell noted some changes to the section on state mandated solar panels. The Commissioner refers to page 89 and 90.

Ms. Acker-Krog stated there would add a line stating that the building code now requires solar panels to be added to any new residential structures. She also stated that it is not a fee added but rather a cost to the applicant.

Commissioner Pernell discussed with staff and Commission page 160, Action Item 3.5a. Mr. Davis referred Commission to the Addendum on page 10-11.

Commissioner Pernell discussed with staff and Commission on page 185 Action Item #5.3. Commissioner Pernell would like to add an Action Item regarding greenhouse effect. Ms. Acker refers to Table 11. County Counsel would like to know if they are in support of requested change.

Chair Ogle stated under the Addendum under Action Item #3.5d in the section where fee waivers are discussed and asked if it could be added to this section.

Ms. Acker-Krog stated that it would be placed under page 20, Policy 5-2 and add Policy 5.1c to the language that is located in Action Item #5.3a of the previous Housing Element. Ms. Acker Krog read the changes into the record. Discussion occurred regarding adding Action Item #5.1c. Commission and staff agreed to add the word "incentivizes".

Commissioner Wiedemann referred to page 16, Policy #3.5a Section 5. The Commissioner would like to add language regarding Environment Health. Discussion occurred between staff and Commission. Ms. Acker-Krog asked the board if they agreed to change. They concurred. Ms. Acker-Krog read the new section to the Commission. Additions added to page 17 of the document.

Commissioner Wiedemann noted on page 189, Action Item #6-1a. Discussion occurred with staff and Commission regarding revisions. Mr. Davis stated there is language on Page 11, Policy 1.4a which speaks to the county housing needs.

Ms. Acker Krog stated there ia a correction to Action Item #1.4a stating they are referred to as Municipal Advisory Council as opposed to committees.

Commissioner Wiedemann asked how many units HCD oversees.

Ms. Acker-Krog stated that a presentation from HCD could be scheduled in the future to inform the Commission of current status within Mendocino County.

Commissioner Perkins discussed with the staff and Commission issues regarding the fallbacks from Accessory Dwelling Units. Mr. Davis stated that the State has passed additional ADU laws. Commissioner Pernell commented that lenders are allowing buyers to qualify from the value of the second unit. Commissioner Wiedemann noted information regarding ADU's.

Commissioner Perkins wanted to know if they had any response from City of Ukiah.

Mr. Davis stated he reviewed the letter from City of Ukiah.

Commissioner Perkins stated that a staff report would have been helpful to outline the changes and the new items that were included in the new Housing Element.

Mr. Davis stated he agreed with Commissioner Perkins.

**The public hearing was declared open**

Jacob Patterson stated that there is missing information in the Housing Element. He also stated has concerned about the City of Ukiah letter.

Amy Wynn stated that there were a couple of great workshops. She stated that there is clustering development in clustering groups. She would like a minor use permit on the coast that mirrors the inland minor permit use program. She supports the goals of Environmental Health. She noted a lack of coastal barriers addressed in the document, there is incorrect information regarding permit fees.

Mr. Phillip Williams requested additional four minutes from chair. He wanted to discuss water resources and stated the draft could get more public comment before it gets released. Mr. Phillips addressed the water supply issues on page 117. He stated that Ukiah donated excess water back to Russian River Watershed.

Discussion with the board occurred regarding the water board issue as stated in the Housing Element document.

Ms. Acker-Krog stated if they will work the City of Ukiah regarding the water board issues.

Commissioner Jacobszoon and Commissioner Pernell discussed with Mr. Williams the water board issues. Ms. Acker Krog stated this will take a bit of work.

Commissioner Pernell asked if the document goes out to the public and is adjusted.

Ms. Acker-Krog stated we need to update this document as soon as possible.

Commissioner Wiedemann asked the City of Ukiah, she wanted to know if the water system is correctly defined.

Mr. Williams does not think that is so. He stated he will check.

Ms. West thanked Mr. Williams for the comments and there will be corrections to the document.

John Bower stated that housing is very scarce.

Ms. Acker-Krog stated that she has been meeting Mr. Bower and Gualala Planning Division.

**The public hearing was declared closed.**

Chair Ogle, Commission, and staff discussed some of the comments addressed by the public and if they would be addressed in some of the changes that Ms. Acker Krog will review.

Ms. Acker-Krog reviews all the changes with the Commission:

- Page 11, Policy 1.4 update Action #1.4a to reflect that it reads municipal advisory "council" as opposed to "committees". Item #1-4b will be added to address issues associated with vacation home rentals in residential communities to ensure safe and healthy housing are provided, this would be responsibility of Planning and Building Services and the time frame would be ongoing.
- Page 16 Policy 3.5, Action Item # 3.5a, Item #5 add a sentence, "encourage the County to develop innovated requirements for water and sewer for small rural and clustering development ". There would also be a correction to the responsibility aspect to remove Building and Planning Services (BPS) and add Division of Environmental Health (DEH).
- Page 21, Policy 5.1, adding Action Item #5.1c., "incentivize green building resource conservation and alternative energy generation and establish green building and sustainable practice requirements for new developments, remodels and retrofits, topics to be included are green building materials and construction techniques path of solar design and siding,

energy efficient, heating and cooling technology, alternative water storage, place water treatment and reclamations and storm water management assistance in small scale and community energy generation systems.

- Page 22, amend Action Item # 6.1a to remove the fifth line which is the section that refers to, “if time and staffing levels permit” and now reads, “provide planning and/or grant writing assistance and matching funds if available”. Policy 6.2 and Action Item #6.2a would have the last sentence stricken “as time and funding permit”, would now read “assist agencies and organizations in their pursuit of funding by providing technical assistance when requested”.
- Page 90 under the building code section; add in, “California building code now requires that solar is a requirement on new residential development”.
- Page 91 would be amended to add in the second paragraph at the end of the very last sentence, “to increase the supply of non-transient housing”, would now say “and long term housing”. In the 2<sup>nd</sup> to last paragraph there would be clarification “the ability of these platforms to reduce the cost of information and leverage the sharing economy”, to clarify these are internet platforms, the sentence would read “the ability of these internet platforms to reduce costs of information and the leverage the sharing economy has allowed local landlords to facilitate usage by non-residents in ways that would have been impractical only years earlier.
- Page 93 amended to add to the last sentence, “the County is actively reviewing our inclusionary housing ordinance and will be pursuing ordinance amendments to reduce barriers to housing.
- Page 116 table 5-3-2.1 striking sentence under water supply for the City of Ukiah stating, “water still adequate in dry years but not nearly as robust of face value of water rights would suggest”. This line would be struck.

Ms. Acker Krog also stated that Planning and Building would be working with City of Ukiah to update and reflect the accurate water rights, water supply and water system criteria in their current entitlements.

Mr. Kiedrowski asked for a 5 minute break to edit the resolution.

**[Break 3:14 PM – 3:25 PM]**

Mr. Kiedrowski reads the resolution to the Commission.

Upon motion by Commissioner Holtkamp seconded by Commissioner Jacobszoon and carried by the following roll call vote (6-0-1), IT IS ORDERED: NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based on the evidence in the record before it, makes the following report and recommendation to the Mendocino County Board of Supervisors regarding General Plan Amendment GP\_2019-0004 and the Addendum:

1. The Planning Commission recommends that the Board of Supervisors review and consider approval of the Addendum prepared for General Plan Amendment GP\_2019-0004 and make the findings required by CEQA Guidelines section 15164.
2. The Planning Commission recommends that the Board of Supervisors find the 2019-2027 Housing Element draft was prepared in accordance with the California Planning and Zoning laws and complies with all applicable provisions of the Housing Element Law.
3. The Planning Commission recommends that the Board of Supervisors find the 2019-2027 Housing Element draft consistent with the Land Use Element and other elements of the County's General Plan.

4. The Planning Commission recommends that the Board of Supervisors adopt General Plan Amendment GP\_2019-0004, making the amendment to the Mendocino County General Plan, including changes to the Housing Element draft made at the October 17, 2019, public hearing, and subject to the following additional direction to staff:

- a. Work with the City of Ukiah and other water agencies to review and revise Table 5-3-21 to ensure accurate reporting of water rights and water supply.
- b. Update the fee schedule in Table 5-3-12 and Table 5-3-15 to reflect current County fees.
- c. Make any necessary, non-substantive typographical and formatting errors.

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

NOES: Nelson

ABSENT: None

7. **Matters from Staff.**

None.

8. **Matters from Commission.**

Determination of next meeting. The Commissioner Supervisor stated the next meeting will occur on January 16, 2020 @ 10:00 AM. The Commission is also advised that the January 2, 2020 meeting has been cancelled.

9. **Approval of Minutes.**

**9a. Approval of the August 1, 2019 Planning Commission Minutes.**

Upon motion by Commissioner Wiedemann, seconded by Commissioner Jacobszoon and carried by the following roll call vote (6-1-1), IT IS ORDERED: That the August 1, 2019 Planning Commission minutes have been approved.

AYES: Perkins, Holtkamp, Jacobszoon, Wiedemann, Ogle

ABSTAIN: Pernell

ABSENT: Nelson

10. **Adjournment.**

Upon motion by Commissioner Jacobszoon, seconded by Commissioner Pernell, and by a voice vote unanimously carried (6-0), IT IS ORDERED that the Planning Commission hearing adjourn at 3:21 PM.