



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

IGNACIO GONZALEZ, INTERIM DIRECTOR
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

June 16, 2021

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Zoning Administrator, at its regular meeting on Thursday, July 8, 2021, at 1:30 pm will conduct a public hearing on the following project(s) at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending written comments to pbscommissions@mendocinocounty.org, or via telecomment. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>. The meeting is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>.

CASE#: U_2021-0003

DATE FILED: 3/25/2021

OWNER: ROMAN CATHOLIC BISHOP OF SANTA ROSA

APPLICANT: ST. ELIZABETH SETON CATHOLIC MISSION

AGENT: JOHN F. SCHULTZ

REQUEST: Minor Use Permit for construction of a 1,050 square feet outdoor pavilion to be used for religious services. Applicant proposes future modifications to pavilion with the intention of fully enclosing it.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 1.8± miles northwest of Boonville town center, on the west side of State Route 128 (SR 128), 0.1± miles northwest of its intersection with Road 150A (CR 150A), located at 12761 Anderson Valley Way, Boonville; APN: 046-200-75.

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: MARK CLISER

The staff report and notice will be available for public review 10 days prior to the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/zoning-administrator>.

In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org by July 7, 2021, or orally via telecomment in lieu of personal attendance. All public comment will be made available to the Zoning Administrator, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/zoning-administrator>.

To submit public comments via telecomment, a request form must be received by 7:00 a.m. the morning of the meeting. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>

The Zoning Administrator's action regarding this item shall be final unless appealed to the Board of Supervisors. The last day to file an appeal of the Zoning Administrator's decision is the 10th day after the hearing. To file an appeal, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this

notice, or in written correspondence delivered to the Department of Planning and Building Services at, or prior to, the public hearing. All persons are invited to present testimony in this matter.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling (707) 234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Zoning Administrator's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

IGNACIO GONZALEZ, Interim Director of Planning and Building Services



**ZONING ADMINISTRATOR
STAFF REPORT- MINOR USE PERMIT**

**JULY 8, 2021
U_2021-0003**

SUMMARY

OWNER: ROMAN CATHOLIC BISHOP OF SANTA ROSA
PO BOX 761
BOONVILLE, CA 95415

APPLICANT: SAINT ELIZABETH SETON CATHOLIC
MISSION
PO BOX 761
BOONVILLE, CA 95415

AGENT: JOHN SCHULTZ
PO BOX 649
BOONVILLE, CA 95415

REQUEST: Minor Use Permit for construction of a 1,050 square feet outdoor pavilion to be used for religious services. Applicant proposes future modifications to pavilion with the intention of fully enclosing it.

LOCATION: 1.8± miles northwest of Boonville town center, on the west side of State Route 128 (SR 128), 0.1± miles northwest of its intersection with Road 150A (CR 150A); located at 12761 Anderson Valley Way, Boonville; APN: 046-200-75.

TOTAL ACREAGE: 8.7± Acres

GENERAL PLAN: Rural Residential, minimum parcel size five acres, (RR:5)

ZONING: Rural Residential, minimum parcel size five acres, (RR:5)

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorical Exemption

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: MARK CLISER

BACKGROUND

PROJECT DESCRIPTION: Minor Use Permit for construction of a 1,050 square feet outdoor pavilion to be used for Religious Assembly during Covid-19 pandemic. Applicant proposes future modifications to the pavilion with the intention of fully enclosing it.

RELATED APPLICATIONS:

- BU_2007-0498 (Commercial Storage Building)
- BU_2010-0087 (Rewire of Single Family Home)
- TU_2019-0106 (Encroachment - Private Road Approach)
- BP_2020-0182 (Re-roof)
- TU_2020-0132 (Encroachment - Field Entrance)

SITE CHARACTERISTICS: The subject property is a 8.7± acre parcel that includes a 2,800 square foot barn, a 480 square foot garage, a 1,740 square foot residence which is utilized for storage, a 1,500 square foot residence with is a long-term rental, an 80 square foot well house, and a 408 square foot, a 180 square foot, and two (2) 100 square foot storage structures. Saint Elizabeth Seton Catholic Mission has been in operation since the mid-1950s, utilizing the church on their Philo property on School House Road. The Applicant proposes a 1,050 square foot outdoor pavilion, with a height of 25 feet, as they have outgrown the Philo location. The grading of approximately 4,228 square feet for the pavilion, and a "plaza", to be used for church members to congregate before or after Mass, will be required. Future modifications include enclosing the pavilion, adding a 10 x 10 foot shelter at the front door, and an additional structure for an altar at the back. A septic tank will be installed as part of the future modifications for two (2) Americans with Disabilities Act restrooms. An approximate total of 0.13 acres of land previously used for agriculture will be converted for the pavilion and plaza. No other structures or modifications to existing structures are proposed at this time. The site is accessed via Andersen Valley Way (CR 150). The Department of Transportation was sent a referral for the project and responded with "No Comment at this time."

Services will take place on Sundays at 10:30 a.m. It is anticipated that members will begin arriving at 9:30 a.m. and will have left by noon, and it is anticipated that approximately 80 to 100 people will be in attendance at any given service. Parking will be provided for 48-50 cars, including two (2) ADA parking spaces. In addition to Sunday services, the pavilion will be used for seven (7) Feast Days during the year which will vary on date and time, and on the first Fridays of each month where Mass will also be held.

The residences on the parcel are currently served by septic and two (2) wells. Propane is delivered by Ferrell Gas and electricity is provided by PG&E. Additional septic and leach field capacity will be installed prior to the pavilion being enclosed. While the pavilion is open, restrooms in the old home will be utilized. Mendocino County Environmental Health was sent a referral for the project and responded with "No Comment at this time." However, Condition number 15 requires the Applicant finalize septic permit ST1076 prior to enclosing the pavilion.

A seasonal watercourse, Anderson Creek, is located approximately 1,240 feet west of the project site. The property is within both medium density interface and medium density intermix Wildland-Urban Interface Zones as shown on the attachment, and is not in an "at risk community" for wildfire. Additionally, the parcel is primarily clear of trees and shrubs. The property is in an area classified as Moderate Fire Hazard as shown on Attachment G. Fire protection services are provided by the California Department of Forestry and Fire Protection (CalFire), although Anderson Valley Community Services District is the nearest local responsible entity. There are no recorded sensitive species on the subject parcel. A State Fire Safe Regulations Applications Form, dated March 31, 2021, was submitted for this project.

The nearest off-site residence is located approximately 470 feet west of the proposed Pavilion. Churches with a large number of people singing can reach 95 decibels (dBA). Maximum permissible dBA levels for residential zones is 80 dBA. Condition 12 has been included to reduce potential nuisance issues. Noise is not expected to be an issue when the pavilion is fully enclosed.

The subject parcel is located within Zone "C" of the Boonville Airport Zone. As a Public Building, this use is compatible with the zone per the Mendocino County Airport Comprehensive Land Use Plan. A referral was sent to the Airport Land Use Commission and staff received no response.

SURROUNDING LAND USE AND ZONING: As indicated on the table below, the surrounding lands to the east, west, and south are classified and zoned similarly to the project site. Parcels to the north and south are zoned for agricultural uses and are sparsely developed. As previously indicated, the nearest residential structure staff is aware of is located approximately 470 feet west of the pavilion.

TABLE 1: SURROUNDING LAND USE AND ZONING

| | GENERAL PLAN | ZONING | LOT SIZES | USES |
|--------------|--------------------------|------------------------|------------------------------------|-------------|
| NORTH | Rural Residential (RR:5) | Rural Residential (RR) | 2.4± Acres | Residential |
| EAST | Agricultural (AG40) | Agricultural (AG:40) | 65± Acres | Agriculture |
| SOUTH | Rural Residential (RR:5) | Rural Residential (RR) | 1.9± Acres | Residential |
| WEST | Rural Residential (RR:5) | Rural Residential (RR) | 0.8±; 0.4±; 0.4±; 0.9±; 0.9± Acres | Residential |

PUBLIC SERVICES:

Access: ANDERSON VALLEY WAY (CR 150A)
 Fire District: CALFIRE / ANDERSON VALLEY COMMUNITY SERVICES DISTRICT
 Water District: NONE
 Sewer District: NONE
 School District: ANDERSON VALLEY UNIFIED SCHOOL DISTRICT

AGENCY COMMENTS: On April 27, 2021 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below:

| REFERRAL AGENCIES | COMMENT |
|---------------------------------|-------------|
| Department of Transportation | No Comments |
| Environmental Health | No Response |
| Building Division Ukiah | Comments |
| CALFIRE | No Response |
| Air Quality Management District | No Response |
| Sherwood Valley Rancheria | No Response |
| Cloverdale Rancheria | No Response |
| Redwood Valley Rancheria | No Response |
| Anderson Valley Fire District | No Response |
| Airport Land Use Commission | No Response |
| Archaeological Commission | No Comments |
| Assessor's Office | No Response |
| Sonoma State University | Comments |

KEY ISSUES

- 1. General Plan and Zoning Consistency:** The proposed project would facilitate construction of a 1,050 square foot outdoor pavilion to be used for religious services. The applicant proposes future modifications to the pavilion with the intention of fully enclosing it. The described use is related to, and compatible with, the General Uses for the Rural Residential General Plan designation which includes public facilities and public services such as churches.

As a public facility serving the community, his project is found to be compatible with the following Goals and Policies of the Mendocino County General Plan:

Policy DE-14: "General Uses: Residential uses, agricultural uses, cottage industries, residential clustering, public facilities, public services, conservation and development of natural resources, utility installations.

- 2. Use Permit Findings:** The Project is required to meet the use permit findings set forth in the Mendocino County Code (MCC Section 20.196.020). Below is the discussion of each finding and how the use permit appropriately meets those requirements.

- a. *That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan;*

The project is aligned with the Goals and Policies of the General Plan, as described above. With the inclusion of the recommended conditions of approval, the project is found to be consistent with the Mendocino County General Plan; this finding can be made.

- b. *That adequate utilities, access roads, drainage and other necessary facilities have been, and are being provided;*

The project site is accessed via a public road; Anderson Valley Way. The Mendocino County Department of Transportation (MCDOT) was provided with an opportunity to comment; a 'no comment' response was received. Staff has reviewed the project and provided conditions to ensure appropriate site improvements or processes are continued. The subject property is served by Pacific Gas & Electric and is otherwise provided with water sufficient to support the operations via two (2) permitted wells and permitted septic. Therefore, the finding can be made.

- c. *That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, that if any proposed building or use is necessary of the public health, safety or general welfare, the finding shall be to that effect;*

The proposed project would allow church members to park and congregate at least once a week between the hours of 9:30 a.m. and Noon, once a month on First Fridays, and seven (7) other days during the year for Feast Days. This can lead to nuisances, because the proposed project has the potential for noise, a condition has been included to help mitigate any nuisance issues. Conditions have been included to address issues regarding noise and special events. If operated in conformance with the recommended Conditions of Approval, the project is found to be consistent with the Mendocino County General Plan. Therefore, the finding can be made.

- d. *That such use preserves the integrity of the zoning district.*

Through granting a Minor Use Permit to authorize Religious Assembly, per section 20.020.085 of the Mendocino County Code, and as conditioned, the project would be in conformance with the Rural Residential (RR) zoning designation, and would not undermine the integrity of the zoning district. Therefore, the finding can be made.

- 3. Cultural Resources:** The project was referred to the Northwest Information Center (NWIC) at Sonoma State University for review. Comments received from NWIC state "The proposed project area has a low possibility of containing unrecorded archaeological site(s) Therefore, no further study for archaeological resources is recommended."

The project was referred to local tribes for review and comment, including Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, and the Redwood Valley Little River Band of Pomo Indians. As of May 17, 2021, no response has been received from local representatives of the aforementioned entities.

Staff recommends a standard condition advising the applicant of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

- 4. Airport Discussion:** The subject parcel is located within Zone "C" of the Boonville Airport Zone. As a Public Building, this use is compatible with the zone per the Mendocino County Airport Comprehensive Land Use Plan. A referral was sent to the Airport Land Use Commission and staff received no response.

5. Environmental Protection: The project has been determined to be categorically exempt from CEQA via a Categorical Exemption, specifically a Class 3, Section 15303 (New Construction) exemption that allows for construction of a structure not exceeding 2,500 square feet. The project is not located in an area of any recorded sensitive species, nor will it utilize any hazardous substances.

RECOMMENDATION

By resolution, the Zoning Administrator grant Use Permit U_2021-0003 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

6/22/2021

DATE



MARK CLISER
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$1616.00




ATTACHMENTS:

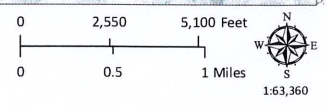
- A. Location Map
- B. Aerial Imagery
- C. Site Map
- D. Zoning
- E. General Plan Classifications
- F. Adjacent Parcels
- G. Fire Hazard Zones & Responsibility Areas
- H. Wildland-Urban Interface
- I. Mendocino County Exterior Noise Limit Standards

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):



CASE: U 2021-0003
 OWNER: Roman Catholic Bishop of Santa Rosa
 APN: 046-200-75
 APLCT: St. Elizabeth Seton Catholic Mission
 AGENT: John F. Schultz
 ADDRESS: 12761 Anderson Valley Way, Boonville

-  Major Towns & Places
-  Highways
-  Major Roads





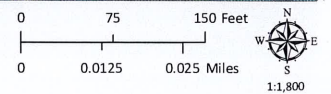
LOCATION MAP
 ATTACHMENT A

SOURCE: PUBLIC DOMAIN; FLYING WING DEPARTMENT # 4742 2020

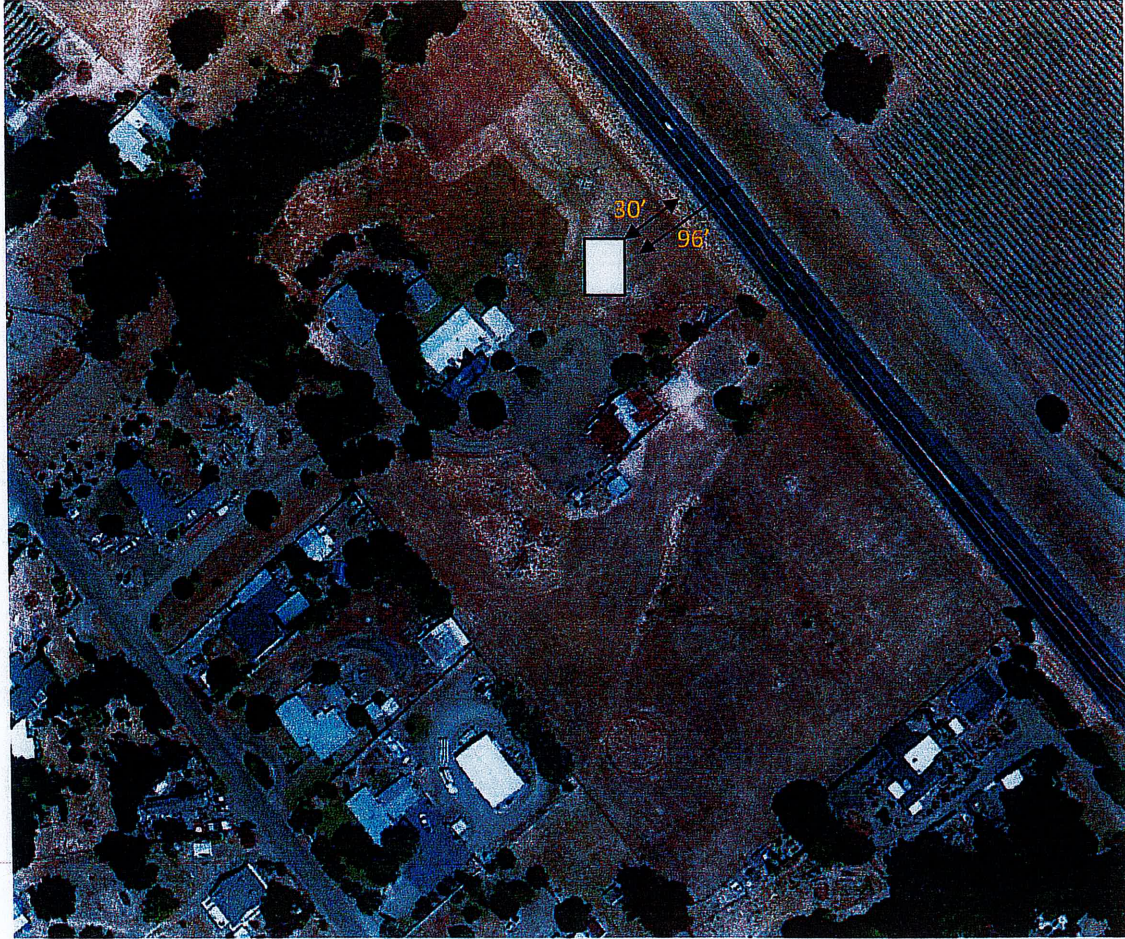


CASE: U 2021-0003
 OWNER: Roman Catholic Bishop of Santa Rosa
 APN: 046-200-75
 APLCT: St. Elizabeth Seton Catholic Mission
 AGENT: John F. Schultz
 ADDRESS: 12761 Anderson Valley Way, Boonville

-  Public Roads
-  Private Roads



SHERIDAN COUNTY PLANNING DEPARTMENT 4/12/2021

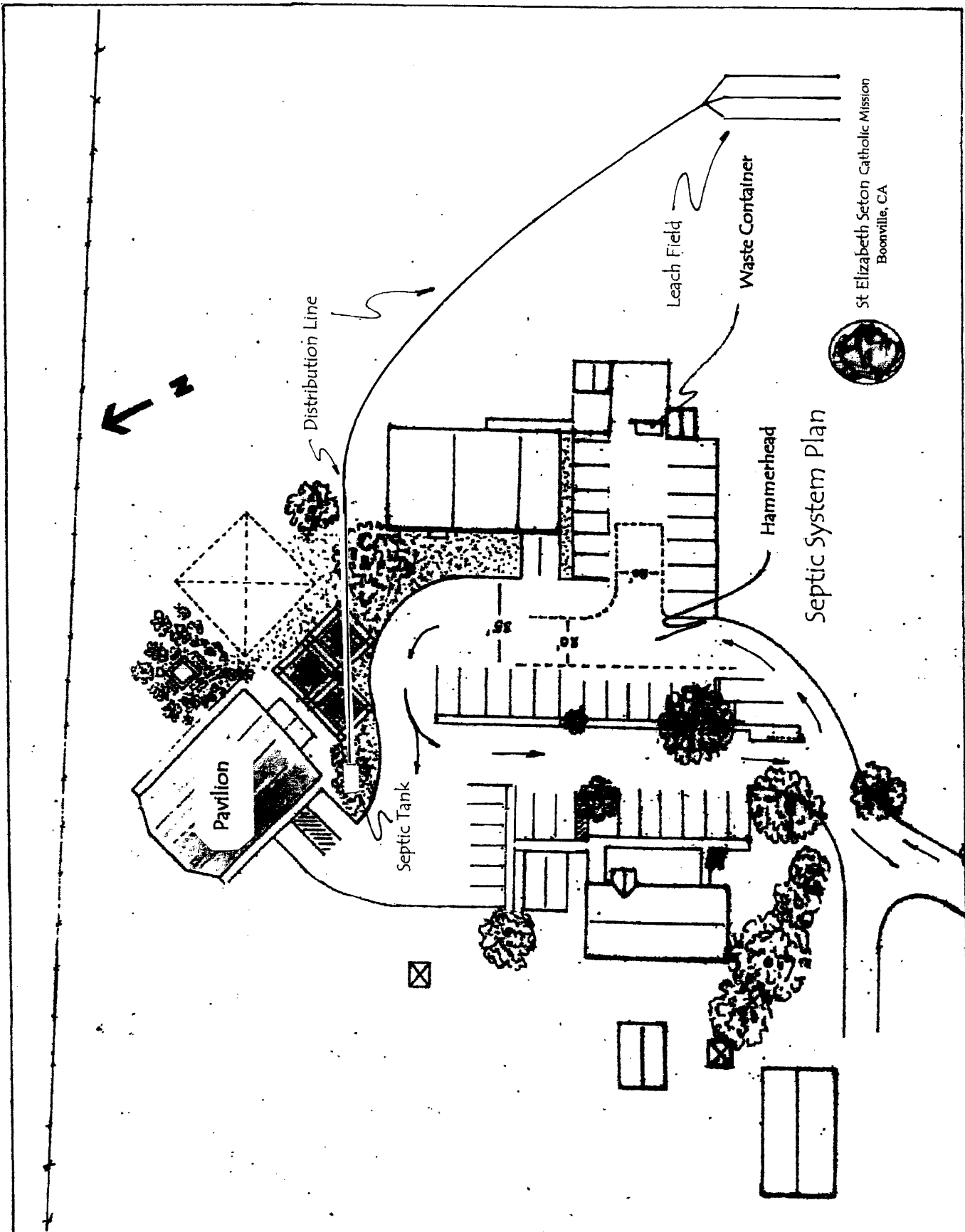


White box approximate location of 40' x 60' Pavilion

NW corner of pavilion will be 30' from property line

NW corner of pavilion will be 96' from centerline of permitted 4 lane Hwy 128

Use Permit Site Photo

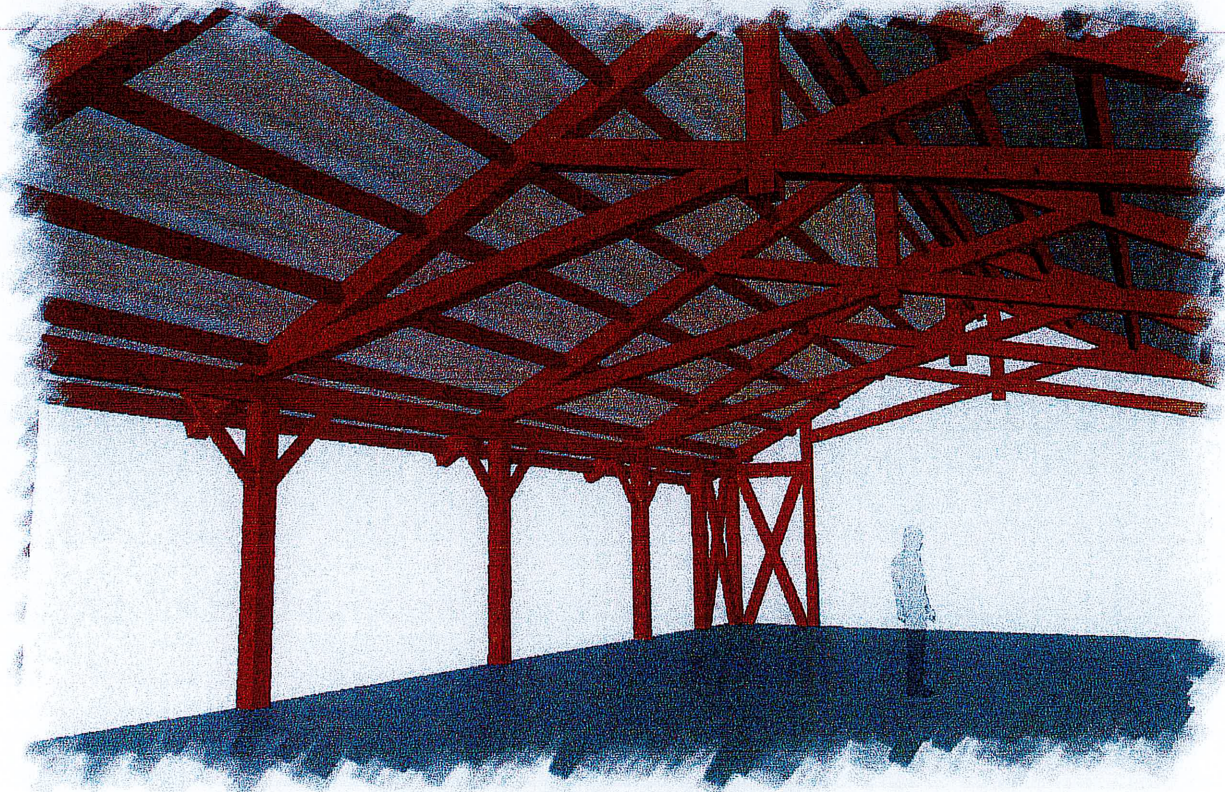
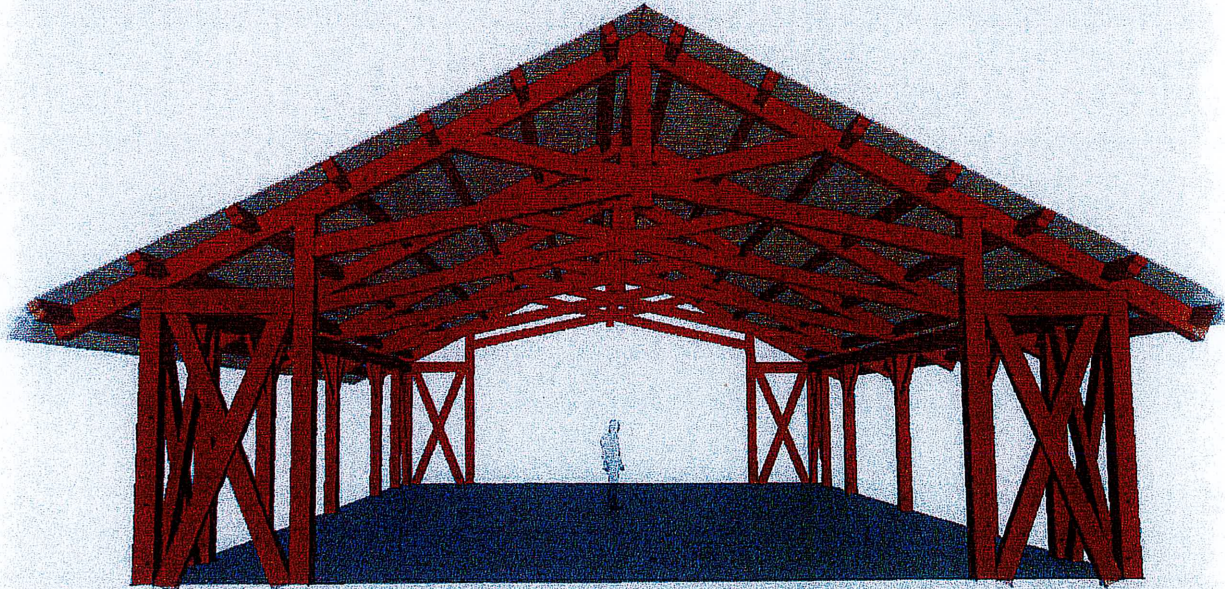


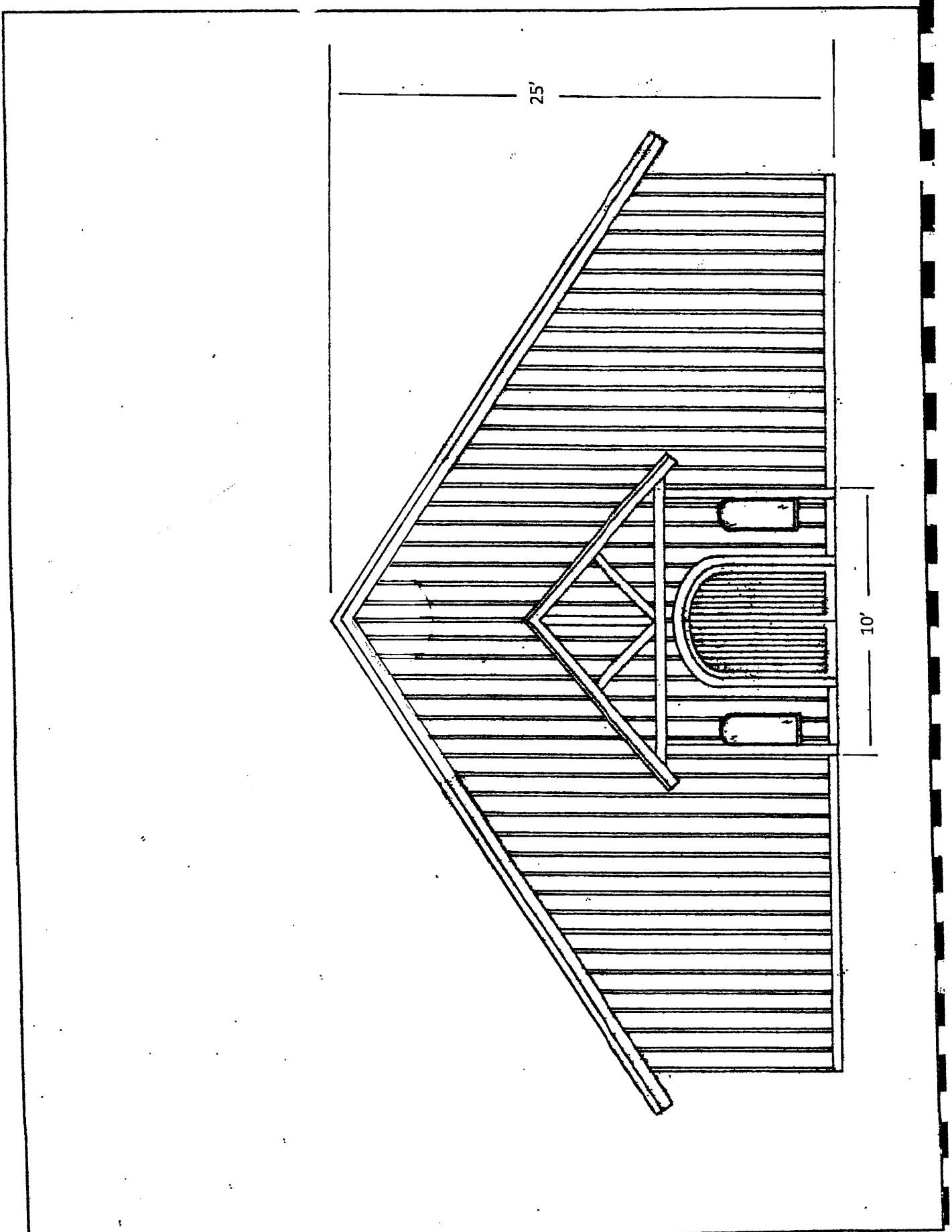
Septic System Plan

St Elizabeth Seton Catholic Mission
Boonville, CA



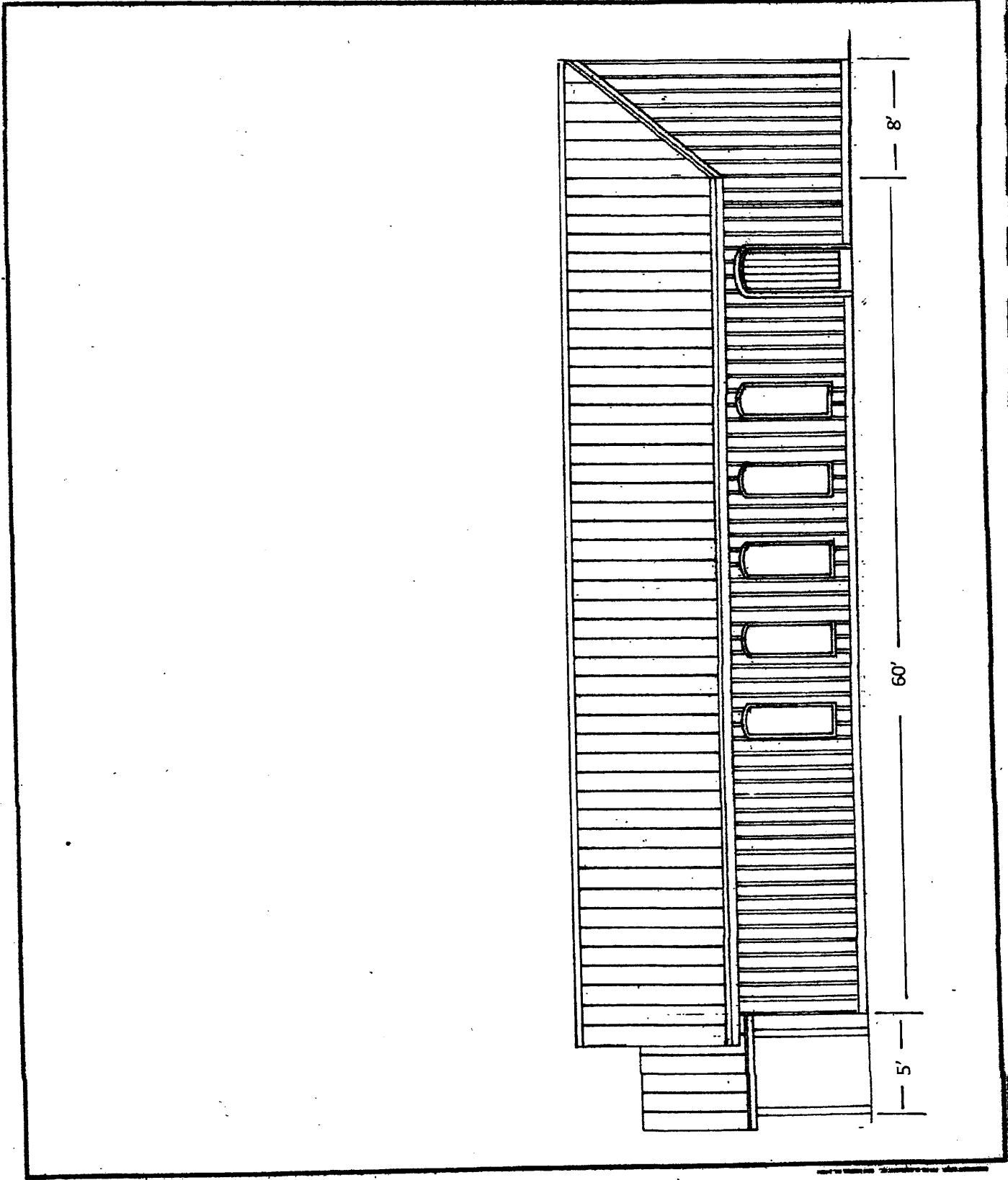
St Elizabeth Seton Catholic Mission ~ Pavilion Project





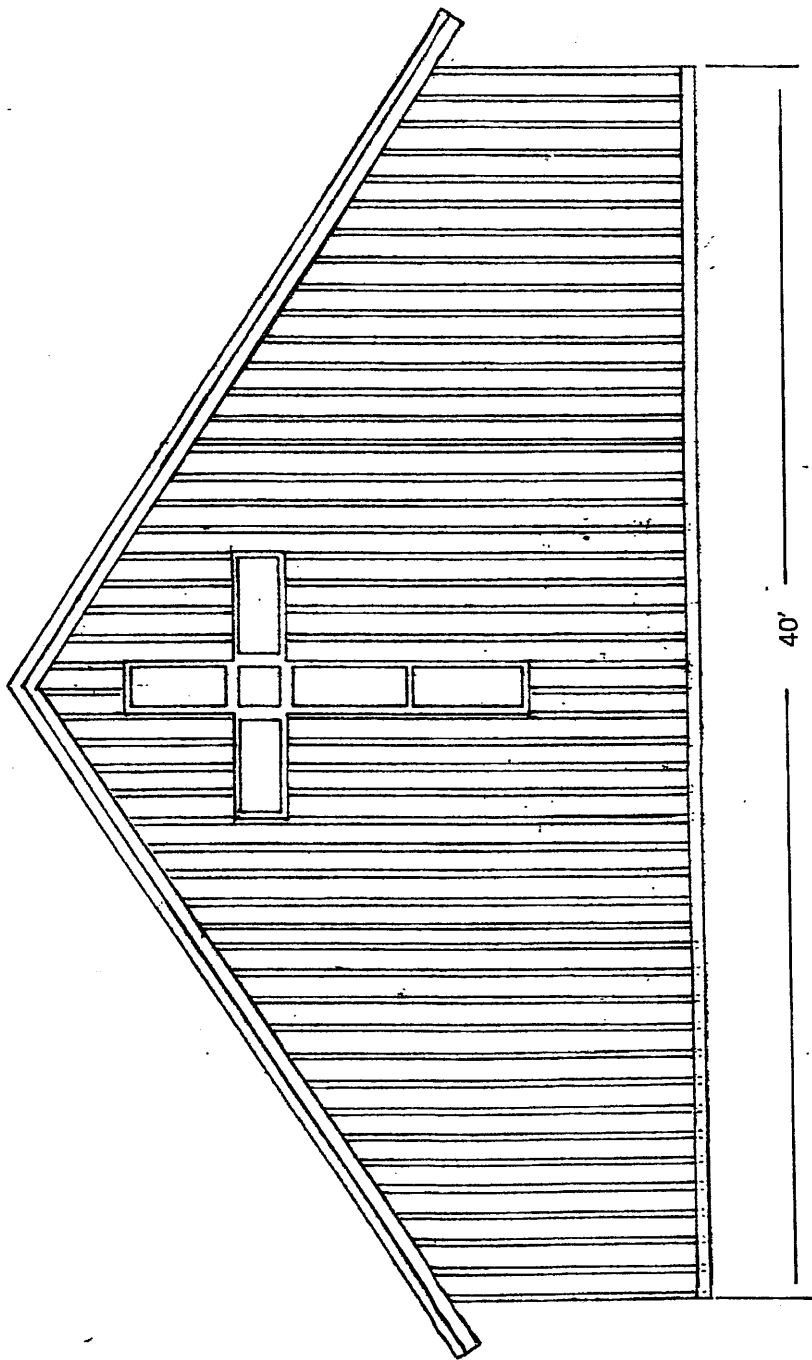
ATTACHMENT C

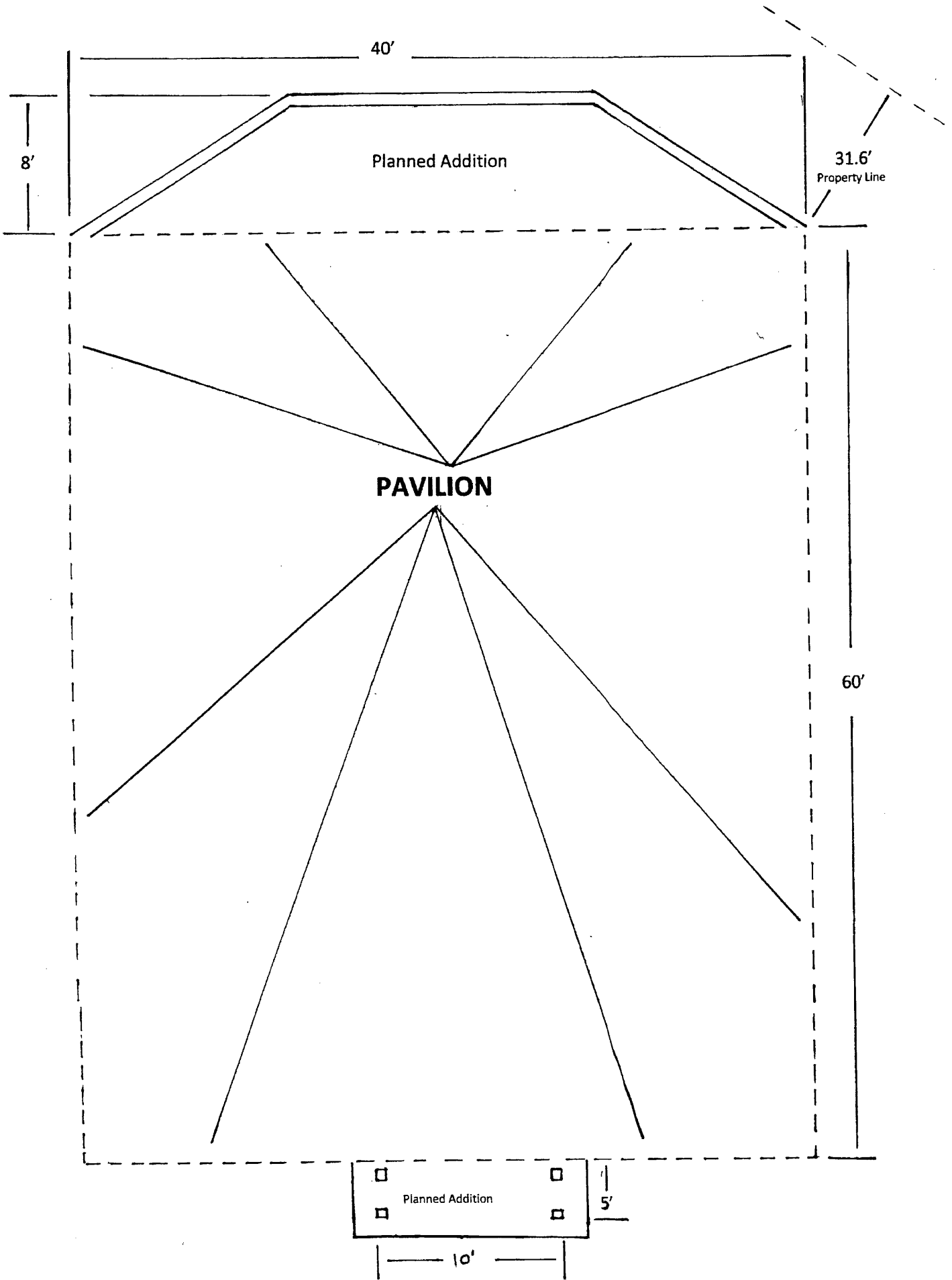
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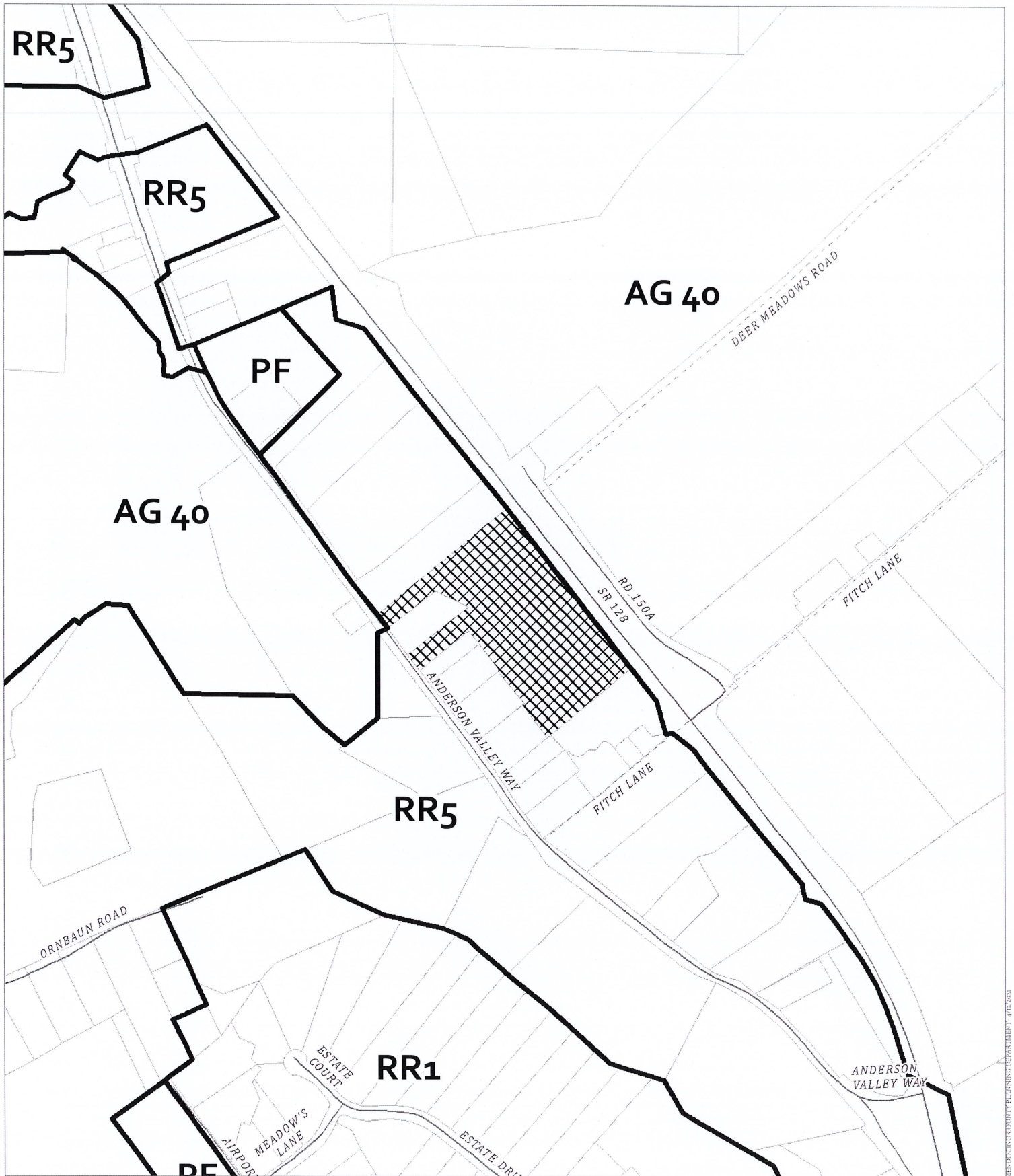


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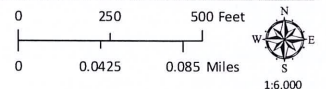


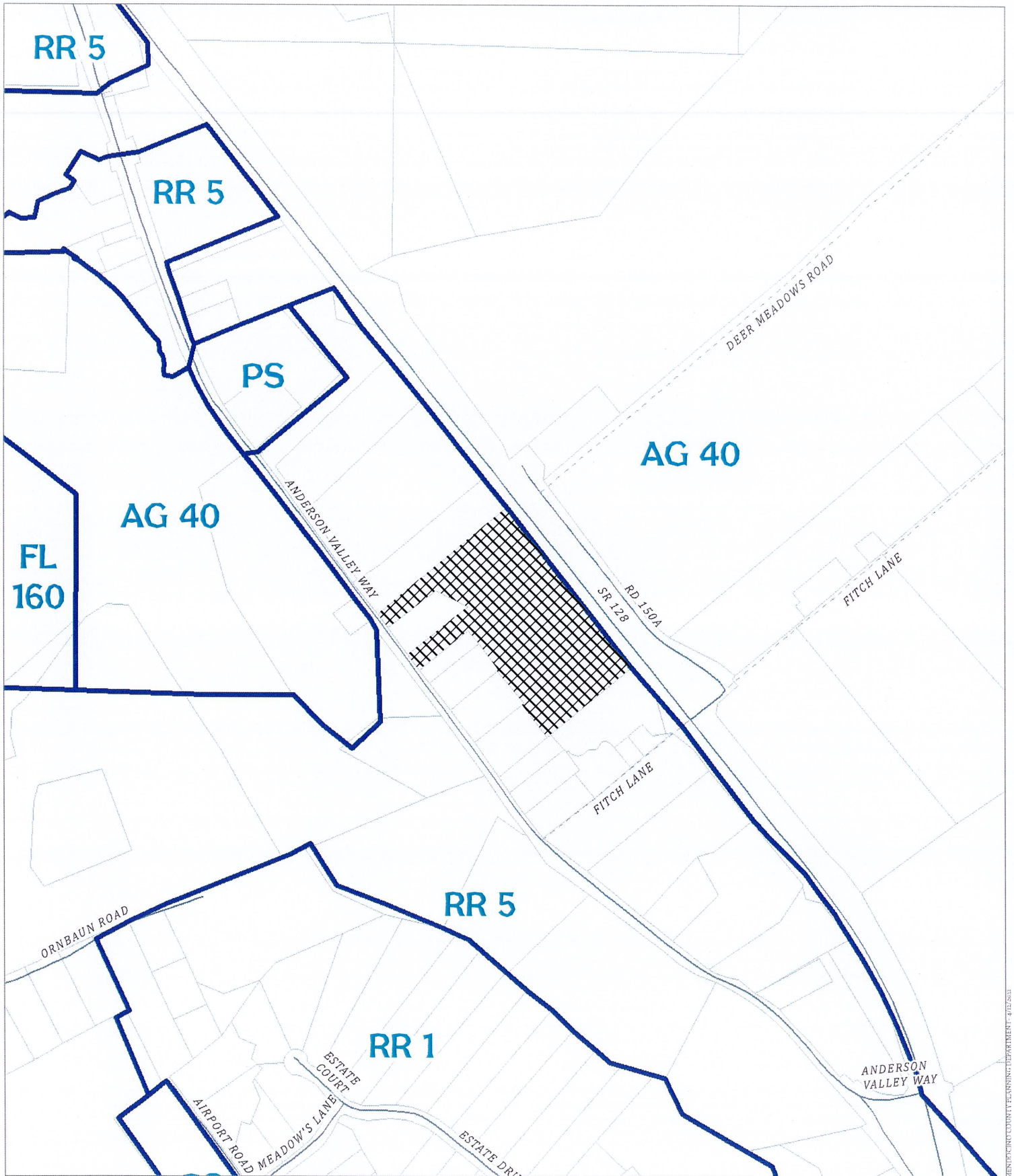






CASE: U 2021-0003
 OWNER: Roman Catholic Bishop of Santa Rosa
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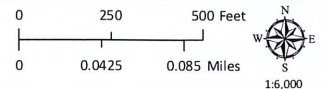
 Zoning Districts
 Public Roads

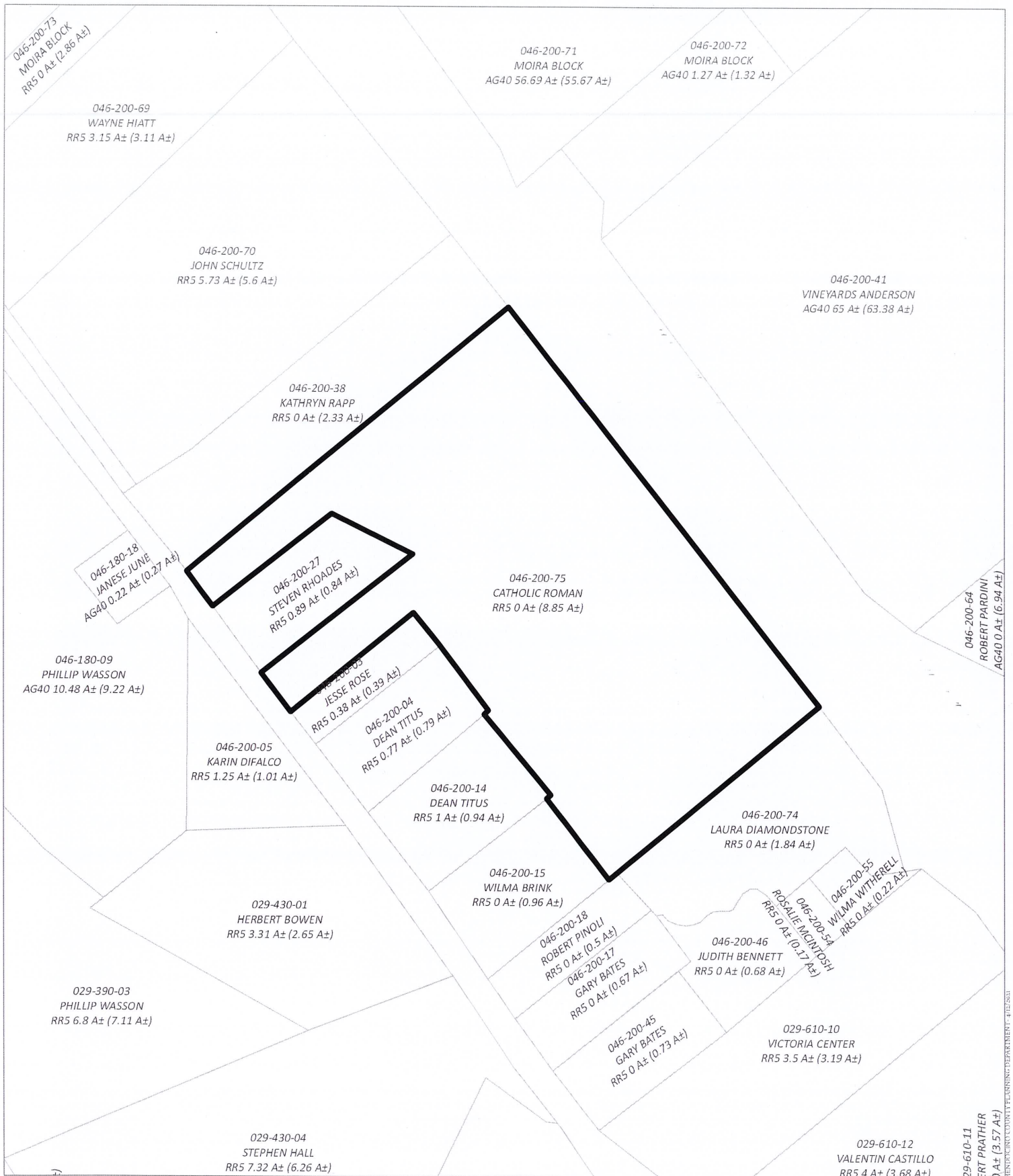




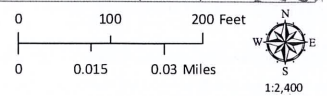
CASE: U 2021-0003
 OWNER: Roman Catholic Bishop of Santa Rosa
 APN: 046-200-75
 APLCT: St. Elizabeth Seton Catholic Mission
 AGENT: John F. Schultz
 ADDRESS: 12761 Anderson Valley Way, Boonville

 General Plan Classes
 Public Roads





CASE: U 2021-0003
 OWNER: Roman Catholic Bishop of Santa Rosa
 APN: 046-200-75
 APLCT: St. Elizabeth Seton Catholic Mission
 AGENT: John F. Schultz
 ADDRESS: 12761 Anderson Valley Way, Boonville






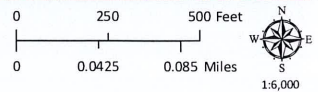
ADJACENT PARCELS
 ATTACHMENT F



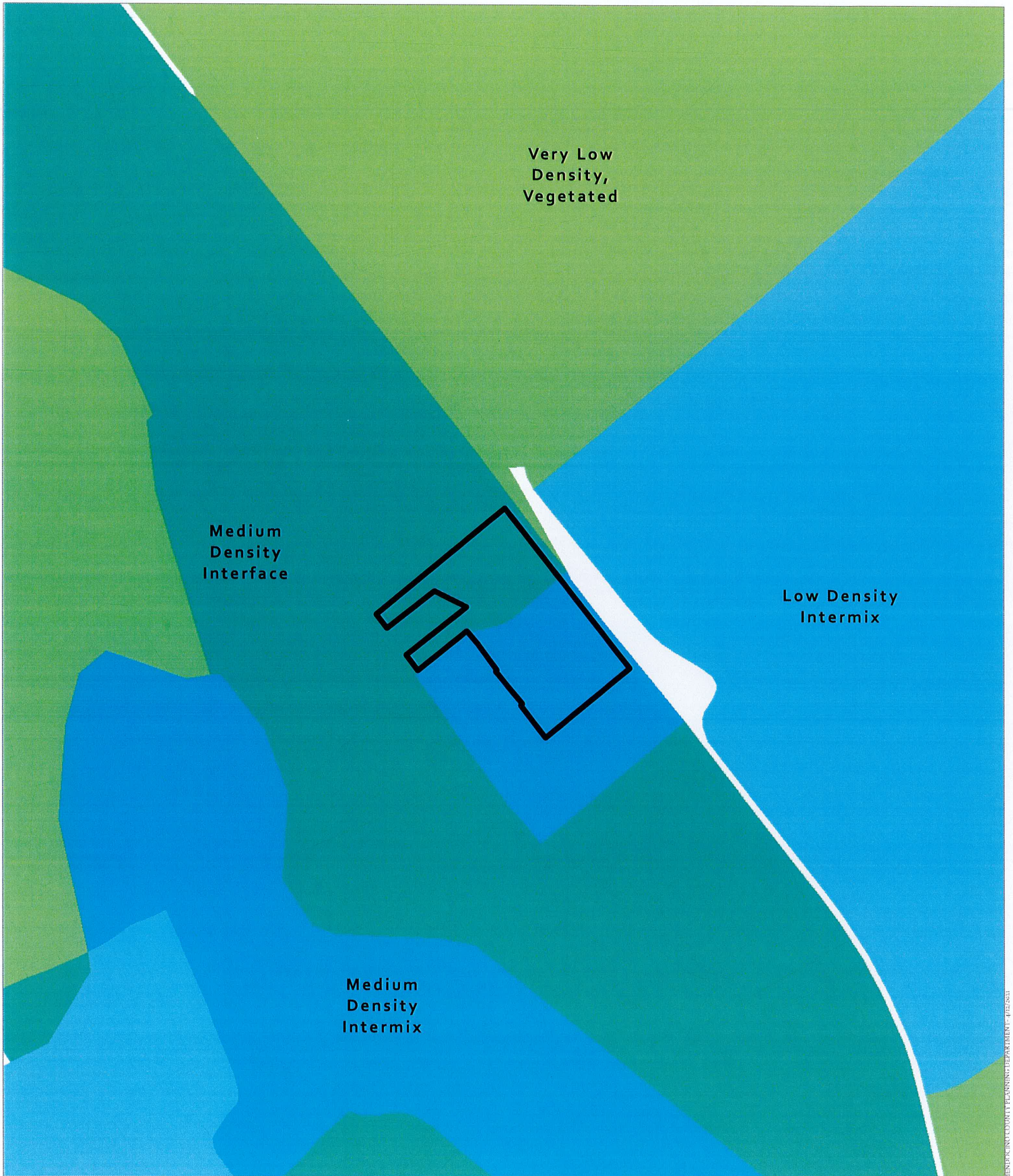
**ANDERSON VALLEY
COMMUNITY
SERVICES DISTRICT**

CASE: U 2021-0003
 OWNER: Roman Catholic Bishop of Santa Rosa
 APN: 046-200-75
 APLCT: St. Elizabeth Seton Catholic Mission
 AGENT: John F. Schultz
 ADDRESS: 12761 Anderson Valley Way, Boonville

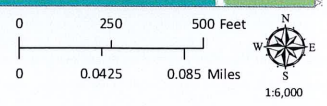
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA



CASE: U 2021-0003
 OWNER: Roman Catholic Bishop of Santa Rosa
 APN: 046-200-75
 APLCT: St. Elizabeth Seton Catholic Mission
 AGENT: John F. Schultz
 ADDRESS: 12761 Anderson Valley Way, Boonville



APPENDIX C - EXTERIOR NOISE LIMIT STANDARDS

Exterior Noise Limit Standards

(Levels not to be exceeded more than thirty (30) minutes in any hour)

| Receiving Land Use Category ^{3,4} | Time Period | Noise Level Standards (dBA) ^{1,2} | |
|--|----------------------|--|----------------|
| | | Rural/Suburban | Urban/Highways |
| One and Two Family | 10:00 p.m.—7:00 a.m. | 40 | 50 |
| Residential | 7:00 a.m.—10:00 p.m. | 50 | 60 |
| >Multifamily | 10:00 p.m.—7:00 a.m. | 45 | 55 |
| Public Spaces | 7:00 a.m.—7:00 p.m. | 50 | 60 |
| Limited Commercial | 10:00 p.m.—7:00 a.m. | 55 | |
| Some Multifamily | 7:00 a.m.—10:00 p.m. | 60 | |
| Commercial | 10:00 p.m.—7:00 a.m. | 60 | |
| | 7:00 a.m.—10:00 p.m. | 65 | |
| Light Industrial | Any time | 70 | |
| >Heavy Industrial | Any time | 75 | |
| Adjustments to Noise Level Standard | | | |
| Duration | | | |

| | | |
|----------------------------------|--|------------------|
| L ₅₀ | 30 minutes per hour | Standard |
| L ₂₅ | 15 minutes per hour | Standard + 5 dB |
| L ₀ | Maximum permissible level | Standard + 20 dB |
| Character | Tone, whine, screech, hum, or impulsive, hammering, riveting, or music or speech | Standard + 5 dB |
| Ambient Level¹ | Existing ambient L ₅₀ , L ₂₅ | Standard + 5 dB |
| | Existing ambient L ₀ | Existing maximum |

Interpretive Footnotes

1. When an acoustical study demonstrates that ambient levels exceed the noise standard, then the ambient levels become the standard.
2. Higher noise levels may be permitted for temporary, short-term or intermittent activities when no sensitive or residential uses will be affected.
3. County staff shall recommend which receiving land use category applies to a particular project, based on the mix of uses and community noise levels. Industrial noise limits intended to be applied at the boundary of industrial zones, rather than within industrial areas.
4. The "rural/suburban" standard should be applied adjacent to noise sensitive uses such as hospitals or convalescence homes.
5. "Highways" apply to roads and highways where average daily traffic (ADT) exceeds ten thousand (10,000).

(Ord. No. 4017 (part), adopted 1998)

MENDOCINO COUNTY

ZONING ORDINANCE

ATTACHMENT I

Resolution Number _____

County of Mendocino
Ukiah, California

JULY 8, 2021

U_2021-0003 - ROMAN CATHOLIC BISHOP OF SANTA ROSA

RESOLUTION OF THE ZONING ADMINISTRATOR, COUNTY OF MENDOCINO, STATE OF CALIFORNIA GRANTING A MINOR USE PERMIT TO ALLOW CONSTRUCTION OF A 1,050 SQUARE FOOT OUTDOOR PAVILION TO BE USED FOR RELIGIOUS SERVICES.

WHEREAS, the applicant, ROMAN CATHOLIC BISHOP OF SANTA ROSA, filed an application for a Minor Use Permit with the Mendocino County Department of Planning and Building Services for construction of a 1,050 square foot outdoor pavilion to be used for religious services per Mendocino County Code Section 20.020.085, located 1.8± miles northwest of Boonville town center, on the west side of State Route 128 (SR 128), 0.1± miles northwest of its intersection with Road 150A (CR 150A), located at 12761 Anderson Valley Way, Boonville APN: 046-200-75; General Plan (RR5); Zoning (RR:5); Supervisorial District 5; (the "Project"); and

WHEREAS, the Secretary for Resources has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents, and the Project was determined to meet the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Class 3; and

WHEREAS, in accordance with applicable provisions of law, the Zoning Administrator held a public hearing on July 8, 2021, at which time the Zoning Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator makes the following findings;

1. **General Plan Findings:** The subject properties are classified Rural Residential, minimum parcel size five (5) acres (RR5;) under the Mendocino County General Plan. The proposed use related to Religious Assembly is consistent with the General Plan which allows for public services; and
2. **Zoning Findings:** The subject property is zoned Rural Residential, minimum parcel size five (5) acres (RR5;) The project, which comprises construction of an outdoor pavilion with the intent to enclose it for Religious Assembly, is consistent with the zoning district subject to a Minor Use Permit per Section 20.020.085 of the Mendocino County Code, and allows for religious assembly; and
3. **Use Permit Findings:** The Zoning Administrator approves U_2021-0003 subject to the conditions of approval recommended by staff, and further finding:
 - A. As noted above, the proposed use related to Religious Assembly is consistent with the General Plan. The subject property is classified Rural Residential, minimum parcel size five (5) acres (RR5;) under the Mendocino County General Plan;

- B. That adequate utility, access roads, drainage and other necessary facilities have been or are being provided. The subject parcel is accessed via a public road; Anderson Valley Way. The Mendocino County Department of Transportation (MCDOT) was provided with an opportunity to comment. A 'no comments' response was received. Staff has reviewed the project and provided conditions to ensure appropriate site improvements or processes are continued. The subject property is served by Pacific Gas & Electric, and is otherwise provided with water sufficient to support the operations via two (2) permitted wells and permitted septic and;
 - C. The proposed use will not constitute a nuisance or be detrimental to health, safety, peace, morals, comfort or general welfare of persons residing or working or passing through the neighborhood of the proposed facility, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county. The proposed project would allow church members to park and congregate at least once a week between the hours of 9:30am and Noon, approximately, once a month on First Fridays, and seven (7) other days during the year. This can lead to nuisances. Because the proposed project potential for noise, conditions have been included to help mitigate any nuisance issues. Conditions have been included to address issues regarding noise, and special events. If operated in conformance with the recommended Conditions of Approval, the project is found to be consistent with the Mendocino County General Plan; and
 - D. That such use preserves the integrity of the zoning district. The parcel is located in the Rural Residential, minimum parcel size five (5) acres (RR5;) zoning district. The proposed project adheres to all applicable requirements of the district and is consistent with all other sections of the Mendocino County Code, including section 20.020.085, which allows for religious assembly; and
 - E. The subject parcel is located within Zone "C" of the Boonville Airport Zone. As a Public Building, this use is compatible with the zone per the Mendocino County Airport Comprehensive Land Use Plan. A referral was sent to the Airport Land Use Commission and staff received no response.
4. **Environmental Protection Findings:** The proposed project has been determined to be Categorically Exempt from a CEQA Initial Study under a Class 3 exemption.

BE IT FURTHER RESOLVED that the Zoning Administrator designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Zoning Administrator action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES F. FEENAN
 Commission Services Supervisor

BY: IGNACIO GONZALEZ
 Zoning Administrator

EXHIBIT A

CONDITIONS OF APPROVAL

JULY 8, 2021

U_2021-0003 – ROMAN CATHOLIC BISHOP OF SANTA ROSA

Minor Use Permit to allow construction of a 1,050 square foot outdoor pavilion to be used for religious services per Mendocino County Code Section 20.020.085.

APPROVED PROJECT DESCRIPTION: Minor Use Permit for construction of a 1,050 square foot outdoor pavilion to be used for religious services. Applicant proposes future modifications to the pavilion with the intention of fully enclosing it.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.208.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Board of Supervisors has expired and no appeal has been filed with the Board of Supervisors.
2. The Applicant shall submit to Planning and Building Services **within 30 days** of approval of Minor Use Permit U_2021-0003, a signed letter of acknowledgment stating that they have read all Conditions of Approval for this permit and that this project will be consistent with all conditions.
3. Failure of the permittee to make use of this permit within two (2) years or failure to comply with payment of any fees within specified time periods shall result in the automatic expiration of this permit.
4. The use of the premises shall be established and maintained in conformance with the provisions of Title 20 of the Mendocino County Code unless modified by conditions of the use permit.
5. The application along with supplemental exhibits and related material shall be considered elements of this entitlement and that compliance therewith is mandatory, unless a modification has been approved by the Zoning Administrator.
6. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
7. This permit shall be subject to revocation or modification by the Zoning Administrator upon a finding of any 1 or more of the following grounds:
 - a. That such permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which such permit was granted have been violated.
 - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.

Any such revocation shall proceed as specified in Title 20 of the Mendocino County Code.

8. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
9. It shall be the responsibility of the Applicant to ensure that contractors engaged to perform work on the site are aware of the conditions of this permit and that all work performed is in compliance with applicable conditions.
10. All external lighting shall be shielded and downcast to prohibit light from being cast beyond the property boundaries. Outdoor lighting shall be turned off at 7:00 p.m. in the evenings and not be turned back on until the following day after 6:00 a.m. in the morning. (Twenty-four hour security lighting would be exempt from this time requirement; however any exterior security lighting installed on the property shall utilize motion-sensor activation).
11. In the event that the use of the pavilion should cease operation for a period exceeding one year or more, the use shall be deemed invalid and a new use permit will be required for the operation as approved by U_2021-0003.
12. Loud noises shall be limited to the hours of 10:00 a.m. through 10:00 p.m. Air horns, and any similar noise creating devices, are prohibited (see Appendix C of Division I of Title 20 of Mendocino County Code).
13. The Applicant shall employ Best Management Practices (BMPs) regarding the proper storage and handling of any hazardous materials and hazardous wastes.
14. The Applicant shall secure all required building and health permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services
15. The Applicant shall health permits as required by Mendocino County Department of Environmental Health as well as finalize septic permit number ST1076 prior to enclosing the pavilion with.
16. A modification to the use permit shall be required if the Applicant intends to utilize the pavilion for additional uses other than the following:
 - a. Mass on Sundays from 9:30 to Noon; and
 - b. First Fridays of the month; and
 - c. Seven (7) Feast Days throughout the year.

Any modification to the use permit would be processed subject to Mendocino County Code Section 20.196.045.