

# Mendocino Historical Review Board

c/o Planning & Building Services  
120 West Fir Street  
Fort Bragg, CA 95437  
964-5379



## Mendocino Historical Review Board Draft Action Minutes – September 12, 2022

VIRTUAL MEETING (pursuant to state executive order N-29-20)  
Before the Mendocino Historical Review Board Fair Statement of Proceedings (Pursuant to California Government Code Section 25150)

### DRAFT ACTION MINUTES – SPECIAL MEETING SEPTEMBER 12, 2022

These are action minutes. For a complete transcript of the meeting, please request a copy of the digital recording. The meeting recording is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>. An audio recording of this meeting is available at the Planning and Building Department upon request; there is a fee of \$10.00 per recording.

Draft minutes may be approved, possibly with corrections, at the February 6, 2023 MHRB meeting.

#### 1. Call to Order.

The Review Board convened at 2:00 PM for its scheduled special meeting.

#### 2. Roll Call.

##### Present:

Review Board Members: Roth, Kappler, Aum, and Madrigal, who joined the meeting at 2:16 PM.

Planning and Building Services Staff: Planner Cherry, Planner Switzer, Planner Kleinman, Supervising Code Enforcement Officer McLaughlin, Chief Building Official Oliphant, and Commission Services Supervisor Larsen.

#### 3. Mendocino Historical Review Board Administration

##### 3a. Discussion and Possible Action Including Adoption of Resolution of the Mendocino County Mendocino Historical Review Board Finding that State or Local Officials Continue to Recommend Measures to Promote Social Distancing in Connection with Public Meetings.

**DISCUSSION:** Board Member Aum requested discussing a return to in-person meetings without delay. (Later in during the meeting, the Chair directed staff to add discussion on the matter during the next meeting under “Matters from the Board”).

**REVIEW BOARD ACTION:** Vice Chair Kappler moved to adopt the recommended resolution and the motion was seconded by Review Board Member Saunders. The motion passed unanimously by voice vote.

#### 4. Determination of Legal Notice. Hearing was properly noticed.

#### 5. Approval of Minutes.

**5a. April 4, 2022 draft meeting minutes.**

**REVIEW BOARD ACTION:** Vice Chair Kappler requested correcting Item 10a to read “Vice Chair” and not “Vice”. Chair Roth requested the following additional corrections: Item 11 change to “The Windows Subcommittee recommended to take this on a case-by-case basis”; change “I Aum” to Ishvi Aum; and change “of” to “from”. A motion by Review Board Madrigal, and seconded by Vice Chair Kappler, to approve the April minutes as modified by Vice Chair Kappler and Chair Roth. The motion passed unanimously.

**6. Correspondence.** No correspondence was received for items not on the agenda.

**7. Report from the Chair.**

The Chair welcomed Review Board Member Aum to the group; requested moving agenda item 12a to follow agenda item 9; and mentioned upcoming Review Board nominations and elections.

**8. Public Expression.** No public comments were heard.

**9. Consent Calendar.** No consent items on the September agenda.

**12a. Code Enforcement Town of Mendocino Activity Report.**

**PRESENTERS:** Code Enforcement Officer McLaughlin summarized complaints filed and their status.

**PUBLIC COMMENTS:** Rick Sacks asked to know the property address. Kelly Grimes agreed with Mr. Sacks comments and mentioned concerns about vinyl windows in Town.

**REVIEW BOARD DISCUSSION:** Review Board Madrigal appreciated the update and asked that future reports include the location. McLaughlin offered to confer with colleagues about providing more specific information about the location of a code violation. Vice Chair Kappler asked about the difference between on-street parking and off-street parking of trailers. McLaughlin responded that on-street parking is not within the purview of Code Enforcement; rather, it is the responsibility of the Sheriff or Highway Patrol. Code Enforcement has regulatory authority when the trailer or camper is parked on private property. Review Board Madrigal followed-up about Mr. Grimes comments on vinyl windows. Chair Roth said enforcing the permit requirements for windows is a priority of the Review Board. Review Board Member Aum and Chair Roth clarified that the Review Board is not an enforcement body; the responsibility of MHRB is to determine whether proposed development harmonizes with the architecture of the historic district. Chair Roth requested Code Enforcement provide a quarterly report to MHRB.

The 707-234-6669 phone number or PBS Code Enforcement webpage are both methods to file a code complaint.

**REVIEW BOARD ACTION:** Review Board accepted the report as presented.

**10. Public Hearing Items****10a. CASE#: MHRB\_2022-0001**

**DATE FILED:** 6/20/2022

**OWNER/APPLICANT:** ANDREA SHEPARD

**AGENT:** NEWBERGER & ASSOCIATES, TODD NEWBERGER

**REQUEST:** A Mendocino Historical Review Board Permit to replace an existing 410-square-foot redwood shed with a 484-square-foot shed and 264-square-foot pervious stone patio. Painted redwood vertical lap siding and roofing material are to match the existing residence. Note: The site is listed as a Category I historic resource in Appendix 1 of the Mendocino Town Plan, the Flanagan-Escola House 1889.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt  
**LOCATION:** 44901 Pine St, Mendocino; APN: 119-150-21.  
**SUPERVISORIAL DISTRICT:** 5 (Williams)  
**STAFF PLANNER:** STEVEN SWITZER

**PRESENTERS:** Planner Switzer presented the project and a memorandum explaining: (1) a change to the project description, (2) recommended Finding #A revision, and (3) recommended Condition #8 clarification. Staff supports approving a concurrent variance for the reduced side yard and recommends Finding #D. Architect Todd Newberger asked for the Review Board's approval.

**PUBLIC COMMENT:** Ms. Kathleen Cameron provided written comment (posted to meeting webpage) about adaptive reuse of the shed. Mr. Rick Sacks asked about nighttime light intrusion from the skylights.

**REVIEW BOARD DISCUSSION:** Vice Chair Kappler asked about the intended future use of the shed, installing skylights, reusing existing exterior materials, and the exterior color of the rebuilt shed. Mr. Newberger responded that the rebuilt shed would be used as an area for reflection with skylights providing natural light for indoor plants, the windows would be the same as the windows on the existing house and wood frame, the exterior would have an oil rubbed finish (as described in staff's memorandum); the existing exterior materials are of poor quality and will be replaced with custom-milled wood that will have a similar aesthetic to the existing (dilapidated) boards; clear glass windows would match the windows on the house; the skylights are flat and in plane with the shed's roofline; and solar panels would be limited to the garage roof. Review Board Member Madrigal stated her support for the project as revised, noting that the existing structure is dilapidated. Chair Roth asked about the south-facing side-by-side window with a horizontal appearance. Mr. Newberger responded that the side-by-side windows on the south side of the shed directly face a fence, adding that the windows could be changed to have a stronger vertical appearance. The Review Board Members agreed that the proposed window shape would be fine as they are screened by the fence.

**REVIEW BOARD ACTION:** A motion by Vice Chair Kappler, and seconded by Review Board Member Madrigal, to approve the project with the recommended findings and conditions as amended in staff's memorandum. Chair Roth voting nay and the motion passed with a 3-1-1 (with Aum recusing).

**10b. CASE#: MHRB\_2022-0004**

**DATE FILED:** 7/12/2022

**OWNER:** MICHAEL & MARILYN HUTTLESTON

**APPLICANT:** CHRIS FENNWALD & FAOLAN TRIMBLE

**AGENT:** THE SIGN SHOP, RICK SACKS

**REQUEST:** A Mendocino Historical Review Board Permit for a perpendicular 4.5-square-foot double-faced wood sign with black and white colors and copy reading "GNAR BAR Raw Eatery." Note: The site is listed as a Category I historic resource in Appendix 1 of the Mendocino Town Plan, the Shell Garage 1923.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** 10450 Lansing Street, Mendocino; APN: 119-236-05.

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**STAFF PLANNER:** STEVEN SWITZER

**PRESENTERS:** Planner Switzer presented the project including that the sign would be perpendicular to the building façade. Mr. Rick Sacks advocated for the proposed sign and its vertical orientation.

**PUBLIC COMMENT:** None.

**REVIEW BOARD DISCUSSION:** Vice Chair Kappler supports perpendicular signs. Review Board Madrigal supports the application but asks that the staff report content could be limited to where the sign is located and what it would look like.

**REVIEW BOARD ACTION:** A motion by Review Board Aum, and seconded by Review Board Member Saunders, to approve the project with the recommended findings and conditions passed unanimously by a show of hands.

**10c. CASE#: MHRB\_2022-0005**

**DATE FILED:** 7/12/2022

**OWNER:** SPRING POND PROPERTIES LLC

**APPLICANT:** HARVEST AT MENDOSA'S

**AGENT:** KELLY B. GRIMES, ARCHITECT

**REQUEST:** A Mendocino Historical Review Board Permit to install a 3,000-gallon water storage tank wrapped with redwood planks and metal hoops to match existing water tank and construct 25-square-foot pumphouse with board and batten exterior and red painted door. Note: The site is listed as a Category I historic resource in Appendix 1 of the Mendocino Town Plan, the Mendosa's Store 1909.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** 10501 Lansing Street, Mendocino; APN: 119-150-44.

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**STAFF PLANNER:** STEVEN SWITZER

**PRESENTERS:** Planner Switzer presented the project.

**PUBLIC COMMENT:** None.

**REVIEW BOARD DISCUSSION:** Vice Chair Kappler voiced his support for the project.

**REVIEW BOARD ACTION:** A motion by Review Board Member Aum, and seconded by Review Board Member Madrigal, to approve the project with the recommended findings and conditions. The motion passed unanimously by a show of hands.

**11. Matters from the Board.**

**11a. Discussion: Introduction of the 1972 Mills Act with possible reference to California Government Code, Article 12, Sections 50280-50290 and California Revenue and Taxation Code, Article 1.9, Sections 439 -439.34. Link to preliminary information about the Mills Act: [https://ohp.parks.ca.gov/?page\\_id=21412](https://ohp.parks.ca.gov/?page_id=21412)**

**PRESENTERS:** Vice Chair Kappler presented comments, a written memorandum, and recommendations, including that the information could be shared with others.

**PUBLIC COMMENT:** None.

**REVIEW BOARD DISCUSSION:** Chair Roth noted that there is the possibility of some property tax relief. Review Board Member Madrigal asked how property owners could opt into the Mills Act program. Review Board Member Saunders asked about how the PBS-Planning, MHRB, and the public could promote a local Mills Act program.

**REVIEW BOARD ACTION:** The Review Board agreed to express their support for the Mills Act program and requested Vice Chair Kappler to prepare a letter from MHRB to the Board of Supervisors that suggests the Board of Supervisors add the Mills Act to their work program. Vice Chair Kappler will prepare a letter for the Review Board's consideration during the November MHRB Meeting.

**11b. Reports from Review Board Members:**

Review Board Member Aum: He suggested a return regular meeting times; streamline the process for commercial sign permits in the historic district; revisit window and door discussion; and cease using zoom for public meetings.

Chair Roth asked that the following topics be added to future agendas: Resuming regular meeting and 7 PM hour and possibly re-establishing a commercial sign workgroup.

It is the Review Board's desire to cease meeting via Zoom.us and resume in-person meetings at the Community Center.

Review Board Member Saunders: No topics to discuss.

Review Board Member Madrigal: Welcomed Ishvi Aum to MHRB.

Review Board Member Kappler: No topics to discuss.

**12. Matters from the Staff.**

**12d. CASE#: BF\_2022-0497**

**REQUEST:** To confer with MHRB regarding building permit application BF\_2022-0497 and the installation of solar panels attached to an existing residence.

**LOCATION:** 45090 Little Lake Street, Mendocino; APN: 119-160-20.

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**STAFF PLANNER:** STEVE KLEINMAN

**PRESENTERS:** Planner Kleinman presented the project. Jason Lord also provided additional comments about the proposed roof mounted solar array.

**PUBLIC COMMENT:** None.

**REVIEW BOARD DISCUSSION:** Review Board Member Madrigal commented that the panels would be on the second floor and not visible from the street; she stated her support for the project. Review Board Members Saunders and Aum stated their support for the project, also.

**REVIEW BOARD ACTION:** The Review Board thanked the applicant for requesting a conference with MRHB.

**12c. CASE#: BF\_2022-0467**

**REQUEST:** To confer with MHRB regarding building permit application BF\_2022-0467 and the installation of solar panels attached to a new residence.

**LOCATION:** 45270 Albion Street, Mendocino; APN: 119-217-06.

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**STAFF PLANNER:** JULIANA CHERRY

**PRESENTERS:** Planner Cherry presented the project. Architect Debra Lennox presented on behalf of the applicant.

**PUBLIC COMMENT:** None.

**REVIEW BOARD DISCUSSION:** Review Board Member Madrigal stated that her comments on agenda item #12.d were intended for agenda item #12.c; as presented, she supports both building permit applications.

**REVIEW BOARD ACTION:** The Review Board thanked the applicant for requesting a conference with MRHB.

**12b. Request for guidance about window glazing colors and tints in the Historical District.**

**PRESENTERS:** Planner Cherry and Chief Building Official Michael Oliphant.

**PUBLIC COMMENT:** Robert Schmidt.

**REVIEW BOARD DISCUSSION:** Chair Roth stated that no one is interested in tinted window glass. Review Board Member Madrigal stated that highly reflective glass would not be suitable in the historic district. Vice Chair Kappler found the Secretary Interior's guidance is appropriate and finds tinted glass is inappropriate in the historic district. Review Board Member Saunders asked whether new construction must have tinted windows (e.g. Low-e) to satisfy Title 24 requirements? Chair Roth stated that new construction and Title 24/tinted windows would require an MHRB Permit. Review Board Member Aum mentioned that Title 24/tinted windows are unlikely to be appropriate for the windows typically installed in the historic district; he further explained that there are multiple approaches to satisfying Title 24 (heating, insulation, windows, and other methods).

**REVIEW BOARD ACTION:** The Review Board stated a preference for clear glass but would consider glazing on a case-by-case basis for both new construction and replacement windows.

13. **Adjournment.** 5:12 PM