

CLIFFORD PAULIN  
1<sup>ST</sup> DISTRICT  
COMMISSIONER

ELORA BABBINI  
2<sup>ND</sup> DISTRICT  
COMMISSIONER

ALISON PERNELL  
3<sup>RD</sup> DISTRICT  
COMMISSIONER  
CHAIR

MARIE JONES  
4<sup>TH</sup> DISTRICT  
COMMISSIONER

DIANA WIEDEMANN  
5<sup>TH</sup> DISTRICT  
COMMISSIONER  
VICE-CHAIR



JULIA KROG, DIRECTOR  
PLANNING AND BUILDING SERVICES

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## **MENDOCINO COUNTY PLANNING COMMISSION**

### **ACTION MINUTES – April 21, 2022**

**BEFORE THE PLANNING COMMISSION  
COUNTY OF MENDOCINO – STATE OF CALIFORNIA  
FAIR STATEMENT OF PROCEEDINGS  
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)**

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#### **AGENDA ITEM NO. 1 – OPEN SESSION AND ROLL CALL 9:02 A.M.**

Present: Commissioner Clifford Paulin, Commissioner Marie Jones, Chair Diana Wiedemann.

Absent: Chair Pernell, Commissioner Elora Babbini

Staff Present: Julia Krog, Director; Brooke Larsen, Commission Services Supervisor; Matthew Kiedrowski, Deputy County Counsel; Scott Spears; Ketih Gronendyke, Planner III; Vandy Vandewater, Senior Planner

#### **AGENDA ITEM NO. 2 - PLANNING COMMISSION ADMINISTRATION**

- 2a.** Discussion and Possible Action Including Adoption of Resolution of the Mendocino County Planning Commission Finding that State or Local Officials Continue to Recommend Measures to Promote Social Distancing in Connection with Public Meetings.

Upon motion by Commissioner Paulin, seconded by Commissioner Jones, and carried by a roll call vote of (3-0), IT IS ORDERED, that the Planning Commission adopts the Resolution of the Mendocino County finding that State or Local Officials Continue to Recommend Measures to Promote Social Distancing in Connection with Public Meetings.

- 2b. Determination of Legal Notice** – The Clerk advised the Commission that all items on the agenda had been properly noticed.

**AGENDA ITEM NO. 3 – DIRECTOR AND ASSISTANT DIRECTOR REPORT**

Director Krog recommended that the Commissioners make their afternoons available on May 19, 2022, as there would be multiple items on the agenda and it could be a long day.

**AGENDA ITEM NO. 4 – MATTERS FROM THE PUBLIC**

**Public Comment:** Commissioner Jones announced that she would need to leave at 10:50am.

**AGENDA ITEM NO. 5 – CONSENT CALENDAR**

No items were set for the consent calendar.

**AGENDA ITEM NO. 6 – REGULAR CALENDAR****6a. Noticed Public Hearing – CASE#: U\_2021-0006 (Continued from 4/7/22)**

**CASE#:** U\_2021-0006

**DATE FILED:** 5/07/2021

**OWNER:** ROBERT ANDERSEN

**APPLICANT:** AT&T MOBILITY

**REQUEST:** Coastal Development Use Permit to construct a new 120 foot tall cellular antenna tower with a lattice type design. Twelve (12) panel antennas would be placed upon the tower along with one (1) GPS unit, fifteen (15) RRUs along with nine (9) others for future tower loading and four (4) surge suppressors. A 40' x 45' (1,800 square feet) equipment lease area surrounded by a six (6) foot tall chain link fence is also proposed at the base of the tower, which will include a pre-manufactured 64 square foot equipment shelter with associated interior equipment and a 30 kw AC diesel standby generator attached to a 190 gallon capacity belly tank within a level 2± acoustic enclosure. All equipment will be placed on concrete pads.

**ENVIRONMENTAL DETERMINATION:** Negative Declaration

**LOCATION:** In the Coastal Zone, 2.27± miles northeast of Gualala, lying on the south side of Country Club Way (CR 514A), 990± feet southwest of its intersection with Ocean Ridge Drive, located at 45315 Country Club Way, Gualala;

**APN:** 144-220-15.

**SUPERVISORIAL DISTRICT:** 5

**STAFF PLANNER:** KEITH GRONENDYKE

Staff Presentation: Keith Gronendyke presented an updated Memo for the Use permit, to construct a new 120-foot tall telecommunication tower. Discussion continued, to allow the applicant to submit a revised tower design for a monopine (faux tree) in comparison to the original submittal of a lattice tower.

Commissioner Paulin asked about Condition #8, to request undergrounded utilities.

Commissioner Jones asked about page 4 of memo, why the photo was a lattice not a monopine.

Chair Wiedemann responded to point out that that photo was a simulation for the original proposal.

Ashley Smith, the Agent for Epic and AT&T, gave a presentation.

Donna Davis, for AT&T, provided comments and answered Commissioners questions of undergrounding utilities and funding.

The public hearing was declared open.

**Public Comment:** All correspondence received was provided to the Commissioners and posted online.

**Telecomments:** No telecomments requested

The public hearing was declared closed.

Upon motion by Commissioner Jones, seconded by Commissioner Paulin, and carried by a roll call vote of (3-0), IT IS ORDERED, By resolution, the Planning Commission, County of Mendocino, State of California, Adopting a Negative Declaration and Granting a Coastal Development Use Permit for a 120-foot tall wireless communication tower.

AYES: Paulin, Jones, Wiedemann  
NOES: None  
ABSENT: Pernell, Babbini

**6b. Noticed Public Hearing – CASE#: MS\_2021-0002 (RCHDC)**

**CASE#:** MS\_2021-0002  
**DATE FILED:** 6/17/2021  
**OWNER/APPLICANT:** RURAL COMMUNITES HOUSING DEVELOPMENT CORPORATION  
**AGENT:** CORT MUNSELLE, MUNSELLE CIVIL ENGINEERING  
**REQUEST:** Two lot minor subdivision of a 4.10± acre parcel to create one parcel of 2.37± acres (Lot 1) and one parcel of 1.73± acres (Lot 2).  
**ENVIRONMENTAL DETERMINATION:** NEGATIVE DECLARATION  
**LOCATION:** 0.60± miles northeast of the City of Ukiah, at the intersection of Brush Street (CR 217) and North Orchard Avenue (City of Ukiah), located at 365 Brush Street, Ukiah; APN: 002-101-31.  
**SUPERVISORIAL DISTRICT:** 2  
**STAFF PLANNER:** RUSSELL FORD

Staff Presentation by Senior Planner Vandy Vandewater for Senior Planner Russel Ford, who was absent.

The Commissioners discussed the details of the proposed development: bio-retention/storm water treatment pond and the rooftop climate control systems.

Director Krog clarified that the bio-retention/water treatment pond was under development.

Cort Munselle, Agent, summarized the development project, including clarification regarding Commissioner Paulin's question about the bio-retention/storm water treatment pond, frontage improvements, utility easement relocation, and funding.

Commissioner Paulin requested clarification for the proposed storm water treatment pond.

Mr. Cort Munselle answered Commissioner Paulin's question .

Chair Weidemann asked how many dwelling/apartments can be built on the parcels.

Mr. Vandewater stated that the zoning for this parcel was multi-family and that there would need to be a minimum of 3 units on this parcel.

Director Krog added that page three of the Staff Report included a paragraph discussing the number of potential units allowed.

The public hearing was declared open.

**Public Comment:** No correspondence received.

**Telecomments:** No telecomments requested.

Director Krog stated that the new permit was required due to the zoning of the parcels.

Commissioner Jones questioned why there were only 32 proposed parking spaces.

Applicant Angelica Figueroa clarified that they would need a Use Permit for the new 32 units.

Director Krog asked the Applicant to clarify how many units they have built and would be building.

Ms. Figueroa clarified that phase one at Orr Creek was complete with 40 units constructed, and phase two would be another 40 units, to complete 80 units approved in from the first Use permit. The next 32 units that they would construct would need a new Use Permit, for Marigold Villas.

Mr. Vandy Vandewater clarified that phase one of this project occurred on the west side of lot one.

Commissioner Jones asked for clarity on how the air conditioning units would be installed on the new apartments, expressing concern over the installation of the completed units.

Ms. Figueroa acknowledged that it would be up for discussion with the architect of the project.

The public hearing was declared closed.

Director Krog presented the resolution prepared for this project. She read the description of the proposed project, the Negative Declaration in accordance with CEQA (California Environmental Quality Act). The resolution established that the proposed project is consistent with the General Plan, and it is in an area that is zoned correctly for this type of project. The resolution states that this Project was reviewed by the Mendocino County Subdivision Committee, who found it to be consistent with Chapter 17 of the Mendocino County Code, Division of Land Regulations. The Resolution states that the Project has a “less than significant impact on the environment” and that it is consistent with the Ukiah Valley Area Plan.

Upon motion by Commissioner Jones, seconded by Commissioner Paulin, and carried by a roll call vote of (3-0), IT IS ORDERED, By resolution, the Planning Commission, County of Mendocino, State of California, Adopted a Negative Declaration and Granted a Minor Subdivision.

AYES: Paulin, Jones, Wiedemann

NOES: None

ABSENT: Pernell, Babbini

#### **6c. Noticed Public Hearing – CASE#: MS\_2021-0005 (Cupples)**

**CASE#:** MS\_2021-0005

**DATE FILED:** 7/26/2021

**OWNER/APPLICANT:** RICK & JANE CUPPLES

**AGENT:** RON FRANZ

**REQUEST:** Minor Subdivision of a 4.5± acre parcel into two parcels of 3.6± and 0.9± acres in size.

**ENVIRONMENTAL DETERMINATION:** Negative Declaration

**LOCATION:** 0.5± southwest of Hopland center, at the terminus of St Mary's Avenue (CR 114C), 600± from its intersection with Mac Millan Drive (CR 114B), located at 501 St Mary's Avenue, Hopland; APN: 048-341-18.

**SUPERVISORIAL DISTRICT:** 5

**STAFF PLANNER:** SAM VANDY VANDEWATER

Staff Presentation: Senior Planner Vandy Vandewater presented the project.

Applicant: Casey Cupples summarized the project.

The public hearing was declared open.

**Public Comment:** No correspondence received.

**Telecomments:** No telecomments requested.

The public hearing was declared closed.

Upon motion by Commissioner Jones, seconded by Commissioner Paulin, and carried by a roll call vote of (3-0), IT IS ORDERED, By resolution, the Planning Commission, County of Mendocino, State of California, Adopts a Negative Declaration and Grants the Minor Subdivision.

AYES: Paulin, Jones, Wiedemann

NOES: None

ABSENT: Pernell, and Babbini

#### **AGENDA ITEM NO. 7 – MATTERS FROM STAFF**

**7a. None**

**AGENDA ITEM NO. 8 – MATTERS FROM COMMISSION**

8a. Commissioner Jones requested the vacation rental discussion to be added to the May 5, 2022 Planning Commission Agenda.

**AGENDA ITEM NO. 9 – MINUTES**

9a. None

**AGENDA ITEM NO. 10 – ADJOURNMENT**

THERE BEING NOTHING FURTHER TO COME BEFORE THE PLANNING COMMISSION, THE MENDOCINO COUNTY PLANNING COMMISSION ADJOURNED AT 10:20 A.M.

Attest: Brooke Larsen  
Commission Services Supervisor

*Diana Wiedemann*  
Diana Weidemann, Chair

*Brooke Larsen*

**NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY PLANNING COMMISSION MEETINGS.**

- Effective March 1, 2020, Planning Commission minutes will be produced in “action only” format. As an alternative service, public access to recorded Commission proceedings will be available on the Planning and Building website.
- LIVE WEB STREAMING OF COMMISSION MEETINGS is now available via the County’s YouTube Channel. If technical assistance is needed, please contact Mendocino County Planning & Building Services at (707) 234-6650.
- Minutes are considered draft until adopted/approved by the Planning Commission.
- The Planning Commission action minutes are also posted on the County of Mendocino website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.
- To request an official record of a meeting contact the Mendocino County Planning and Building Department at (707) 234-6650.
- Please reference the departmental website to obtain additional resource information for the Planning Commission at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

**Thank you for your interest in the proceedings of the Mendocino County Planning Commission.**