

CLIFFORD PAULIN  
1<sup>ST</sup> DISTRICT  
COMMISSIONER  
VICE-CHAIR

VACANT  
2<sup>ND</sup> DISTRICT  
COMMISSIONER

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

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

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



JULIA KROG, DIRECTOR  
PLANNING AND BUILDING SERVICES

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# MENDOCINO COUNTY PLANNING COMMISSION

## ACTION MINUTES – March 9, 2023 (SPECIAL MEETING)

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 10:04 A.M.

Present: Commissioner Clifford Paulin, Commissioner Alison Pernel, Chair Diana Wiedemann presiding.

Absent: Commissioner Marie Jones (by pre-arrangement)

Staff Present: Julia Krog, Director; James Feenan, Commission Services Supervisor; Jocelyn Gonzalez-Thies, Staff Assistant III; Adrienne Thompson, Administrative Services Manager; Matthew Kiedrowski, Deputy County Counsel; Scott Spears;

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

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

Director Krog welcomed everyone to the first hybrid meeting and explained when the lunch break would take place, a change in location, and where the meeting would resume after the lunch break.

### AGENDA ITEM NO. 3 –DIRECTOR’S REPORT

Director Krog stated she did not have a director's report but was available for any questions.

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

**Public Comment:** None

**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#:** S\_2020-0001/DEV\_2020-0001/AP\_2022-0034

**DATE FILED:** 07/23/2020

**OWNER:** RANCHO YOKAYO, L.P.

**APPLICANT:** GUILLON, INC.

**REQUEST:** Modifications to previously approved Garden's Gate Subdivision Vesting Tentative Map (S\_3-2005) and its associated Development Agreement. The Subdivision Modification (S\_2020-0001) consists of an Amended Vesting Tentative Map to subdivide 48.8± acres into 171 single-family residential parcels with parks, streets and utilities. The renamed "Bella Vista Subdivision" would include a 39-unit age-restricted Senior Neighborhood and a 132-unit Traditional Neighborhood. In accordance with a modified Inclusionary Housing Plan, 10% of the residences in the Traditional Neighborhood would be restricted for sale to qualifying moderate-income households. The Subdivision Modifications include a Phasing Plan, Design Guidelines and a Preliminary Landscape Site Plan. In accordance with State Density Bonus Law, exceptions to the Division of Land Regulations and County Zoning Ordinance are requested for minimum lot sizes, setbacks, double frontage lots, private road easements, and fence standards. An Administrative Permit (AP\_2022-0034) is requested to authorize single-family residential uses within the portions of the site that are in the Multiple Family Residential ("R-3") District. The Restated Development Agreement (DEV\_2020-0001) would amend the Garden's Gate Development Agreement to reflect the Subdivision Modification, to establish a new 10-year term for the Restated Development Agreement, and to modify the Inclusionary Housing Agreement. The Planning Commission will provide a recommendation to the Board of Supervisors regarding approval of the following items:

- Restated Development Agreement
- Amended Vesting Tentative Map
- Modified Phasing Plan
- Modified Design Guidelines
- Preliminary Landscape Site Plan & Planting Plan
- Reductions in Development Standards per State Density Bonus Law
- Administrative Permit
- Inclusionary Housing Plan
- Inclusionary Housing Agreement
- Addendum to the Environmental Impact Report for the Garden's Gate Subdivision
- Amended Mitigation Monitoring and Reporting Program

**ENVIRONMENTAL DETERMINATION:** Garden's Gate Final Environmental Impact Report (SCH No. 2007052006) was certified by the Board of Supervisors on October 6, 2009. An EIR Addendum was prepared for the Modified Project, including an Amended Mitigation Monitoring & Reporting Program.

**LOCATION:** 1± miles south of the City of Ukiah, lying on the west side of South State Street (CR# 104A), immediately south of its intersection with Gobalet Lane (Private) addressed at 3000 South State Street; APNs 184-110-28, 184-110-29, 184-120-21 & 184-120-01.

**SUPERVISORIAL DISTRICT:** 5

**STAFF PLANNER:** JULIA KROG

**Staff Presentation:** Director Krog, Linda Ruffing (NCCP Consultant), Bill Abbott (Counsel for Applicant)

Director Krog and Chair Wiedemann discussed the possibility of returning at 1:00 pm. since one of the Commissioners needed to leave at 3:30 p.m.

Director Krog confirmed with Staff that a 1:00 p.m. return time would be possible.

Chair Wiedemann concluded the meeting and ordered it to re-convene at 1:00 p.m. in Conference Room C.

**[Lunch Break 12:00 p.m.- 1:00 p.m.]**

The public hearing was declared open.

**Applicant:** Jake Morley, Doug Guillon

**Public Comment:** Elaine Richards, Christine Hill, Ross Liberty, Larry McCann, Martha Barra, Cici Winiger,

**Telecomments:** No telecomments requested

The public hearing was declared closed.

**[Break 1:55 p.m. – 2:05 p.m.]**

Upon motion by Commissioner Pernell, seconded by Commissioner Paulin, and carried by a roll call vote of (3-0), IT IS ORDERED, By resolution, based on the facts and findings, the Planning Commission adopt a resolution recommending that the Board of Supervisors adopt an Addendum to the Garden's Gate Final EIR, approve an Amended Mitigation Monitoring & Reporting Program, approve an Amended Vesting Tentative Map with Conditions, approve a Density Bonus for the Senior Neighborhood and Reductions in Development Standards for the Traditional Neighborhood per State Density Bonus Law, approve Modified Design Guidelines and Preliminary Landscape Site Plan & Planting Plan, approve an Administrative Permit, approve the Inclusionary Housing Plan, and Adopt a Restated Development Agreement for the Bella Vista Subdivision, including a Modified Phasing Plan and an Inclusionary Housing Agreement as modified at today's meeting including modifications to attachments.

AYES: PAULIN, PERNELL, WIEDEMANN  
NOES: NONE  
ABSENT: JONES

**{Break 2:21 p.m. – 2:27 p.m.}**

**6b. Nomination of one additional member of the Planning Commission to sit on the Airport Land Use Commission**

This item was continued to March 23, 2023 for further discussion.

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

7a. None

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

Commissioner Pernell asked for an update on the appeal regarding the vacation rental ordinance.

Director Krog stated that the item was attentively scheduled for the March 28<sup>th</sup> Board of Supervisors meeting.

Chair Wiedemann asked what the fee was to apply for a vacation rental.

Ms. Thompson stated that was approximately \$3,000.

Commissioner Pernell wanted to know if there is no CDFW fee required.

Director Krog stated, yes there would be if there had to be an initial study completed.

Commissioner Paulin discussed the information that was sent out by Mr. Kiedrowski regarding hybrid meetings.

Mr. Kiedrowski responded that he would further discuss the issue with his supervisor (Chief County Counsel) and communicate the information back to the Commission.

**AGENDA ITEM NO. 9 – MINUTES**

**9a.** Upon motion by Commissioner Paulin, seconded by Commissioner Pernell, and carried by a roll call vote of (3-0), IT IS ORDERED, the Planning Commission, County of Mendocino, State of California, Approved the September 1, 2022 minutes, with no edits

AYES: PAULIN, PERNELL, WIEDEMANN  
 NOES: NONE  
 ABSENT: JONES

**9b.** Upon motion by Commissioner Paulin, seconded by Commissioner Pernell, and carried by a roll call vote of (3-0), IT IS ORDERED, the Planning Commission, County of Mendocino, State of California, Approved the November 3, 2022 minutes, with no edits

AYES: PAULIN, PERNELL, WIEDEMANN  
 NOES: NONE  
 ABSENT: JONES

**9c.** Upon motion by Commissioner Paulin, seconded by Commissioner Pernell, and carried by a roll call vote of (3-0), IT IS ORDERED, the Planning Commission, County of Mendocino, State of California, Approved the January 19, 2023 minutes, with no edits

AYES: PAULIN, PERNELL, WIEDEMANN  
 NOES: NONE  
 ABSENT: JONES

**AGENDA ITEM NO. 10 – ADJOURNMENT**

THERE BEING NOTHING FURTHER TO COME BEFORE THE PLANNING COMMISSION, THE MENDOCINO COUNTY PLANNING COMMISSION ADJOURNED AT 2:32 P.M.

Attest: James Feenan  
 Commission Services Supervisor

*Diana Wiedemann*  
 DIANA WIEDEMANN, CHAIR

*James Feenan*

**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.**