



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 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 the Agricultural Preserve application was 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. He stated the project was located 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 discussed the map on the projector screen and noted the different parcels that were being considered as part of the application. Mr. Ford stated is the project was categorically exempt from CEQA, and staff was recommending that the Planning Commission recommend approval to the Board of Supervisors.

Ms. Acker Krog stated there was an updated resolution that had been distributed to the Commissioners.

James Barrett, Agent, was present representing the Sornetta family and explained how the land would be divided to continue dairy operations.

The public hearing was declared open, 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), IT IS ORDERED: that 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 discussed the project to Rezone a parcel from Suburban Residential (SR 40K) to Upland Residential, with a Contract Rezone combining district (UR 20[CR]) and includes 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. He noted the location of the project, 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), and was within the Potter Valley Water District and the Potter Valley Community Services District. Mr. Mendez stated the land was primarily residential and farmland, and was incompatible with surrounding Uses with a SR 40K zoning. Mr. Mendez discussed resource management policies within the General Plan that apply to the project, and noted that greater protection of the parcel could occur with the rezoning to remote residential. He continued his presentation and reviewed the rezone ordinance and Initial study/mitigated negative declaration that had been prepared for the Commission and also noted that three telephone calls had been received. Mr. Mendez stated that there would be a 50 foot irrigation buffer from the northern and southern irrigation ditches and 100 foot buffer from the seasonal wet depression areas. He noted staff was recommending that the Planning Commission recommend approval to the Board of Supervisors.

Commissioner Perkins asked if staff was aware of an application for an Accessory Dwelling Unit, or how staff would be alerted to the application.

Mr. Mendez stated there would be a deed restriction placed on the parcels.

Chair Ogle and Mr. Davis discussed why the parcel was designated as Upland residential and not Rural Residential or Agriculture.

Commissioner Wiedemann, Mr. Mendez and Mr. Kiedrowski discussed if the parcel could be subdivided 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 staff report regarding setbacks.

Commissioner Jacobszoon asked to see a map of the buffer zones of schools and churches as it relates to cannabis operations at the site.

Mr. Mendez noted the location of the child care center on the projector.

Jim Ronco, agent, stated that he was happy with the process and agreed with the staff report.

The public hearing was declared open, seeing no one come 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), IT IS ORDERED: By Resolution, that 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 discussed the 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. She noted the project was 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, and was located at 1251 Sanford Ranch Road, Talmage (APN's: 181-050-30 and a portion of 181-050-31). She reviewed the environmental determination, as a negative declaration, based on an initial study that was prepared by staff, and noted staff was recommending the Planning Commission recommend approval to the Board of Supervisors. Ms. Summerford commented that the parcels are listed under the State of California as prime farmland, and a custom soil report had been prepared for this parcel. She noted that multiple public comments had been received and were distributed to the Commission.

Chair Ogle, Ms. Summerford, and Ms. Acker Krog discussed the map labeled as Attachment C.

Ms. Acker Krog discussed two revisions that should be made to the resolution.

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

Ms. Summerford noted the location of the parcel on the project screen.

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

Commissioner Pernell, and 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 were located.

Commissioner Pernell and Ms. Summerford discussed page 2 of the staff report under the section labeled site characteristics and noted that "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 appears to be on the maps.

Ms. Acker Krog noted Attachment B illustrates estimated parcel lines, as noted under the GIS information.

Ms. Summerford noted that on page 4 of the staff report, under the table labeled "surrounding land use zoning" also had approximate parcel sizes listed.

Chair Ogle asked if the section labeled East AG 40 was also the Lucchesi property.

Ms. Summerford answered yes.

Commissioner Jacobszoon stated that there was a range of parcel sizes beginning at .2 acres, and asked the largest adjacent parcel.

Ms. Summerford stated the largest adjacent parcel was 15 acres.

Commissioner Wiedemann noted that a contiguous photo would give a better view of the surrounding land uses beyond what is being discussed in the report.

Ms. Acker Krog asked Commissioner Wiedemann to provide the photo to the Clerk for the record.

Commissioner Perkins and Ms. Summerford discussed the analysis that would occur during the subdivision phase of a project and why it had not occurred at this time.

Ms. Summerford noted the application was for a General Plan and Rezone, and not a Subdivision, and although a future project may entail a subdivision; this was not the analysis completed at this time. Staff's recommendation was for the project before the Commission and pertained to the General Plan and Rezone.

The Commission and staff further discussed the differences between analyzing a General Plan and Rezone and a Subdivision.

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

Ms. Summerford stated that she was not qualified to speak regarding the statement, she stated it came from the applicants statement and deferred to the applicant.

Chair Ogle discussed page 5 of the staff report regarding the Ukiah City Planning Department comments, and asked if they were included in the packet.

Ms. Acker Krog stated that the Ukiah City Planning Department comments were distributed to the Commissioners in a separate packet before the meeting.

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

Ms. Summerford stated yes that word should be removed.

Commissioner Pernell asked for clarification on the General Plan if it would also require an amendment to the UVAP portion of the General Plan.

Ms. Acker Krog stated that there would need to be an amendment to the UVAP for the project, if approved.

Commissioner Pernell asked if staff could display the UVAP land use map.

Ms. Acker Krog stated that she would pull that up while the Commission moved on to public comment. Commissioner Jacobszoon asked if all the adjacent parcels were on septic systems.

Ms. Acker Krog stated yes, there was no sanitation district services for waste water in this area; only a water district.

Commissioner Jacobszoon and Ms. Acker Krog discussed how the parcel description was noted in the report and how the parcel description needed to be more specific.

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

Ms. Summerford stated that the lot sized was 12,000 square feet, per Environmental Health.

Ms. Acker Krog clarified that the 12,000 square foot lot size would only apply when there was either a water or sewer service district to the parcel, otherwise, the minimum parcel size would be 40,000 square feet, to accommodate placement of both a well and septic services.

Commissioner Perkins discussed the resolution and the required findings that were needed to support approval of a General Plan Amendment and Rezone. He commented that since no findings were made regarding traffic or infrastructure, he assumed that those findings would be approved for a subdivision.

Ms. Summerford stated that Commissioner Perkins' comment was accurate.

James Barrett, agent, stated there was confusion on what the project entails and the exact location of the parcels. Mr. Barrett stated that the soils still needed to be tested for placement of septic systems, which would ultimately determine the lot size for a future subdivision. Mr. Barrett stated that there has been no final decision on the future development of the parcel, however it was estimated that a total of seven parcels could be created. Mr. Barrett noted the project was not in flood zone, or seismic study zones. He noted that the owner had not made a decision on what type of housing would be constructed, but had discussed a median housing price. Mr. Barrett stated that the parcel was not Ag land, and was not designated as prime farmland.

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

Mr. Barrett stated that the parcels were not under a Williamson Act Contract or designated as Ag land.

The public hearing was declared open.

Frank McGarvey stated his concerns regarding safety for pedestrians and bicycles, flooding and fire danger.

Sandy Hopper stated that there was a flood problem, and did not want the use changed from Ag land.

Erin Simmons stated she was opposed to the project, there was a flooding issue, and the maps are incorrect.

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

Pete Bushby stated that it does flood on the south end quite heavily and was worried that the flooding would increase with higher density housing. He was concerned about the speed of the vehicles in the area, and did not support 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 Sanford Ranch Road.

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

Teresa Wells stated she had concerns about the road, noise level, wildlife and animal impact.

Alan Nicholson stated he was opposed to the proposed zoning change.

Denise Hatt stated there was a garbage issue along Sanford Ranch Road and vehicles speeding at 70 to 80 MPH.

Zink Seacrest stated he was shocked how the impact report was written, and opposed the project.

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

Mary Ann Vilwalk stated she felt that the Ag land was being divided.

Phyllis Bluesteen stated that Sanford Ranch Road was dangerous.

Mary Miller stated her concern for the Ag land being turned into housing.

Jacob Patterson disagreed with the staff report. He pointed out issues with the report, and stated there should be a traffic study done.

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

The public hearing was declared closed.

[Break 11:38 a.m. – 11:43 a.m.]

Commissioner Wiedemann thanked the community and staff, and noted a section from the Housing Element. She stated resource lands cannot continue to be threatened, and she cannot support this project.

Commissioner Holtkamp asked County Counsel a question regarding one of the public comments.

Mr. Kiedrowski stated that he cannot give legal advice on what others had said. He noted the project before the Commission was a rezone and initial study had been completed for that. He stated further environmental review would be completed once a project for development had been applied for.

Commissioner Perkins asked about flooding and environmental review under hydrology, water resources.

Ms. Summerford discussed the portion of the staff report under hydrology and water resources, and noted that none of the subject parcels were located in the flood zone.

Commissioner Perkins noted after reviewing the environmental report that the project was not in a flood zone.

Ms. Summerford agreed that there was no flood plain issue at this time.

Commissioner Perkins asked what the maximum "by right" residential development on the project site would be if the rezone was approved.

Ms. Acker Krog stated each parcel would be allowed a primary residence and potentially an accessory dwelling unit or a junior accessory dwelling unit provided adequate services and space were available. There would be the need for subsequent applications to subdivide and then build on each parcel.

Commissioner Perkins noted that the applicant stated that, under the Ag designation, there were other intense uses allowed by right and ask for an explanation of other uses that could be considered without a rezoning.

Ms. Acker Krog noted that she would pull up the zoning district for review.

Commissioner Perkins stated that it was difficult to review the project not knowing what would come next. He stated that it would have been great if the application also included the subdivision.

Ms. Acker Krog discussed the various uses allowed in the Zoning district.

Chair Ogle asked staff to explain Accessory Dwelling Units (ADU) and Junior Accessory Dwelling (JADU) units.

Ms. Acker Krog explained the ADU and JADU process.

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, but the public comments kept her from supporting this project.

Mr. Schultz stated that the County needs to look for opportunities to build housing.

Commissioner Holtkamp stated that she agreed with Mr. Schultz and finds it offensive that low cost housing is considered to be a slum and a threat.

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 Sanford Ranch Road was a problem and would like to see the rezone approved. Than perhaps the road would be fixed during the Subdivision.

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

Commissioner Wiedemann asked why the applicant chose to rezone to SR.

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

Chair Ogle stated they were not seeing the full picture and it was a rezone and not a subdivision. She is sympathetic with the public views, and stated she would vote against the project

Ms. Acker Krog stated that the resolution before the Commission today was a recommendation to the Board of Supervisors, if the Commission wanted to deny the application, staff would need a resolution to recommend a denial to the Board of Supervisors.

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

[Lunch 12:15 pm – 1:15 pm]

Ms. Acker Krog stated staff had prepared a new document before the Commission and reviewed the resolution.

Commissioner Perkins asked what is the next step would be if the Resolution did not receive four votes for approval.

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

1st Motion

Commissioner Wiedemann made a motion for denial which was seconded by Commissioner Pernell and failed due to no majority.

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

2nd Motion

Commissioner Holtkamp made a motion to approve the original resolution which was seconded by Commissioner Perkins and failed due to no majority.

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

3rd Motion

Upon motion by Commissioner Holtkamp, seconded by Commissioner Jacobszoon and carried by the following roll call vote (6-0), IT IS ORDERED: That the Planning Commission recommends GP_2019-0002/R_2019-0003 (Lucchesi) be **moved to the Board of Supervisors without the recommendation of the Planning Commission** and directs Staff to provide a summary of the 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 would be before the Board of Supervisor and legal notice would be mailed.

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

Ms. Acker Krog stated that she was not sure if they were published online.

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

Ms. Acker Krog, introduced the Housing Element Update. She stated that there was a revised resolution that was handed to the Commission, and stated that there were small formatting and typographical errors in the Housing Element that was provided to the Commission in their packet.

Mr. Davis noted the differences between the previous Housing Element and current document, including the consolidation of goals and actions identified in the 2014 Housing Element, and an

updated site inventory to convey to the State that there was adequate sites for construction of housing in Mendocino County.

Ms. Nicole West, Placeworks Consultant, stated that the Housing Element was a large part of the General Plan, and noted that HCD was encouraging the expansion of housing in the state. She commented there were many changes in the new Housing Element. She stated the document shows the State that we are meeting current requirements, and would be submitted to HCD on October 18, 2019.

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

Ms. Acker Krog stated the State assigns the numbers to Mendocino County and it is very challenging to provide low income housing or meet the assigned number of units.

Mr. Davis stated that HCD may consider water constraints, and then select the areas with the proper infrastructure.

Commissioner Pernell noted that there were several items she would like to discuss once the Commission begins reviewing the document.

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

Ms. Acker Krog stated that if it was a grammatical error formatting error, just let staff know after the meeting, however if the comment required discussion, to have that during the meeting.

Commissioner Perkins noted about the action items in the document and asked if the Planning and Building was staffed to handle these items. He mentioned 3.5c and 3.3a, dealing with Community Land Trust.

Ms. Acker Krog stated that there would be an issue of staffing and believed that there 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 were 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, 6-1-a and 6-2-a, which stated that if staffing time and levels permit and if there are matching funds available. He asked if there was capacity to fulfill these required action items.

Commissioner Pernell asked if there is a 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 be 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 the County would also apply for different grants to help complete projects.

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 disagreed with removing the text.

Commissioner Perkins stated that when the document is presented to HCD, each item is addressed one by one.

Ms. Acker Krog stated it was not an issue to change the wording.

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

Ms. Acker Krog stated that the vacation rental regulations would be coming back before this Commission at a future date.

Commissioner Perkins stated the information in Appendix A should be included in the plan itself under Action Items 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 the section for the Commission.

Commissioner Holtkamp stated that she had completed similar studies in the past and found that half of the participants were living in a campground for the summer.

Commissioner Pernell noted that if the paragraph was clear to others, she did not need it revised.

Chair Ogle commented the section made more sense, if you read the paragraph before.

Commissioner Wiedemann noted Page 91, paragraph two was missing a comma, " long term rentals".

Mr. Davis addressed Action Items #1.4b and #1.5b, Page 11, which addressed Commissioner Perkins request. The Commission discussed re-writing this action item.

Commissioner Pernell addressed Page 58 regarding mobile homes, she asked a question regarding the zero spaces listed in the document. The Commission and Staff discussed the differences between mobile home parks and RV parks.

Chair Ogle asked a question regarding Wildwood.

Ms. Acker Krog stated that the campground was not entitled as long term housing and was limited to transient stays.

Chair Ogle asked if Wildwood appeared before this Commission, would they be added to the housing element.

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

Chair Ogle asked if they would have to be rezoned.

Ms. Acker Krog stated yes they would.

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

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

Ms. Acker Krog stated they would add a new 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 the Commission, page 160, Action Item 3.5a.

Mr. Davis referred Commission to the Addendum on page 10-11.

Commissioner Pernell discussed with staff and the Commission Page 185, Action Item #5.3, and asked about an additional Action Item regarding greenhouse effect.

Ms. Acker Krog referred to Table 11.

County Counsel asked if the Commission was in support of the requested change.

Chair Ogle stated under the Addendum, Action Item #3.5d, in the section where fee waivers are discussed and asked about items added to this section.

Ms. Acker Krog stated that it would be placed on Page 20, Policy 5-2 and add Policy 5.1c to the language located in Action Item #5.3a of the previous Housing Element. She 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. She asked about adding language regarding Environmental Health.

Discussion occurred between staff and Commission.

Ms. Acker Krog asked the Commission 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 discussed Page 189, Action Item #6-1a, which caused discussion with staff and the 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 was a correction to Action Item #1.4a stating they are referred to a 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 issues regarding the impacts 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 asked if the City of Ukiah had responded.

Mr. Davis reviewed the letter from the 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 was missing information in the Housing Element. He also stated his concerns about the City of Ukiah letter.

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

Mr. Phillip Williams, Attorney for the City of Ukiah requested an additional four minutes from the chair to discuss water resources and stated the draft should get more public comment before it is released. Mr. Phillips addressed the water supply issues on page 117. He stated that Ukiah donated excess water back to the Russian River Watershed.

Discussion with the Commission occurred regarding the water issues as stated in the Housing Element document.

Ms. Acker Krog stated that staff would work with the City of Ukiah regarding the water issues.

Commissioner Jacobszoon and Commissioner Pernell discussed with Mr. Williams the water issues.

Commissioner Pernell asked if there is a public review process.

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

Commissioner Wiedemann asked the City of Ukiah, if the water system was correctly defined.

Mr. Williams did not think that is so. He stated he would check.

Ms. West thanked Mr. Williams for his comments and noted there would 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 Plan Development Committee.

The public hearing was declared closed.

Chair Ogle, the 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 reviewed all the changes with the Commission:

- Page 11, Policy 1.4 update Action #1.4a to reflect 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 innovative requirements for water and sewer for small rural and clustering

development “. Also 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, “to increase the supply of non-transient housing”, would now say “and long term housing”. In the 2nd 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 that refers to: “the supply still adequate in dry years but not nearly as robust at face value of water rights would suggest”. This line would be struck. She also stated that they will be working with the City of Ukiah to update and reflect the accurate water rights, water supply and water system criteria and their current entitlements.

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

[Break 3:14 PM – 3:25 PM]

Mr. Kiedrowski read the resolution to the Commission.

Upon motion by Commissioner Holtkamp, seconded by Commissioner Jacobszoon and carried by the following roll call vote (6-0), IT IS ORDERED: 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 Commission Services Supervisor stated the next meeting would occur on January 16, 2020 @ 10:00 AM. The Commission was also advised that the January 2, 2020 meeting had 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 (5-1), 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.