

CLIFFORD PAULIN
1ST DISTRICT
COMMISSIONER

VACANT
2ND DISTRICT
COMMISSIONER

ALISON PERNELL
3RD DISTRICT
COMMISSIONER
CHAIR

MARIE JONES
4TH DISTRICT
COMMISSIONER

DIANA WIEDEMANN
5TH DISTRICT
COMMISSIONER
VICE-CHAIR



IGNACIO GONZALEZ, INTERIM DIRECTOR
PLANNING AND BUILDING SERVICES

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DEPUTY COUNTY COUNSEL

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MENDOCINO COUNTY PLANNING COMMISSION

ACTION MINUTES – February 3, 2022

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

AGENDA ITEM NO. 1 – OPEN SESSION AND ROLL CALL 9:09 A.M.

Present: Commissioner Clifford Paulin, Commissioner Diana Wiedemann, Commissioner Marie Jones, and Chair Alison Pernell, presiding.

Staff Present: Nash Gonzalez, Interim Director; Julia Krog, Assistant Director; Russell Ford, Senior Planner; James Feenan, Commission Services Supervisor; Brooke Larsen, Administrative Assistant, Matthew Kiedrowski, Deputy County Counsel.

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 Jones, seconded by Commissioner Paulin, and carried by a roll call vote of (4-0), IT IS ORDERED, that the Planning Commission adopts the 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.

Public Comment: All correspondence received was uploaded to the public website under this item.

Telecomments: None

Public Called Upon During Meeting: None

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

Mr. Gonzalez did not have a Directors report, but requested that agenda item 7a, Matters from Staff, be moved behind agenda item 3.

The Commission had no objections to the reorganization of the agenda

7a. Discussion and Possible Action including Adoption of a Resolution Recognizing James Feenan, Commission Services Supervisor for 37 years of Public Service to the State of California.

Upon motion by Commissioner Wiedemann, seconded by Commissioner Paulin, and carried by a roll call vote of (4-0), IT IS ORDERED: That the Planning Commission adopt a Resolution recognizing James Feenan, Commission Services Supervisor for 37 years of Public Service to the State of California.

AYES: Paulin, Wiedemann, Jones and Chair Pernell
NOES: None
ABSENT: None

AGENDA ITEM NO. 4 – MATTERS FROM THE PUBLIC

Public Comment: None

Telecomments: None

Public Called Upon During Meeting: 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#: R_2019-0012 - Moulton CAD (Jade Court)

Rezone to create a Cannabis Accommodation Combining District of sixteen (16) parcels to facilitate greater flexibility in the development standards related to cannabis cultivation for existing commercial cannabis cultivation sites and suspend the 'Sunset Provision for Residential Districts' to facilitate continued operation. 6.4± miles southeast of Fort Bragg City center, lying on the east side of Jade Ct. (CR 453), 0.1± miles east of its intersection with Amethyst St. (CR 451); located at multiple addresses: APN's: 019-560-31, 019-560-12, 019-560-29, 019-560-41, 019-560-62, 019-560-63, 019-570-16, 019-570-17, 019-570-19, 019-570-24, 019-570-25, 019-570-26, 019-570-27, 019-570-28, 019-570-29, 019-570-32.

Speaker/s: Julia Krog, Assistant Director; Matthew Kiedrowski, Deputy County Counsel.

Applicant: Gina Austin, Attorney for Applicant

Upon motion by Commissioner Jones, seconded by Commissioner Paulin, and carried by a roll call vote of (4-0), IT IS ORDERED that the request for continuance be denied.

AYES: Paulin, Jones, Wiedemann and Chair Pernell
NOES: None
ABSENT: None

The Attorney for the Applicant requested the discussion be moved until after agenda item 6b was heard.

The Commission agreed to move the item after agenda item 6b.

6b. Noticed Public Hearing – CASE#: R_2019-0013 - Moulton CAD (Franklin Road)

Rezone to create a Cannabis Accommodation Combining District of ten (10) parcels to facilitate greater flexibility in the development standards related to cannabis cultivation for existing commercial cannabis cultivation sites and suspend the 'Sunset Provision for Residential Districts' to facilitate continued operation. 3.9± miles southeast of Fort Bragg City center, lying on the west side of Franklin Rd. (CR 414D), 0.2 miles south its intersection with Simpson Ln. (CR 414); located at multiple addresses; APN's: 019-450-08, 019-440-21, 019-440-25, 019-480-08, 019-480-09, 019-480-10, 019-480-33, 019-480-34, 019-480-35, 019-480-36.

Speaker/s: Russell Ford, Senior Planner; Julia Krog, Assistant Director; Matthew Kiedrowski, Deputy County Counsel.

Applicant: Brandy Moulton; Gina Austin, Attorney for Applicant

Public Comment: All correspondence received was uploaded to the public website under this item.

Telecomments: None

Public Comments During the Meeting: Simeon Evans, Jacob Patterson

The public hearing was declared closed.

Upon motion by Commissioner Jones, seconded by Commissioner Paulin, and carried by a roll call vote of (4-0), IT IS ORDERED, By Resolution, the Planning Commission recommends that the Board of Supervisors deny the requested Rezone, as proposed by the applicant, based on the facts and findings contained in the resolution.

AYES: Paulin, Jones, Wiedemann and Chair Pernell
NOES: None
ABSENT: None

[Break: 10:46 – 10:56]

6a. Noticed Public Hearing – CASE#: R_2019-0012 - Moulton CAD (Jade Court) (Continued from earlier)

Applicant: Gina Austin, Attorney for Applicant

The public hearing was declared open.

Public Comment: All correspondence received was uploaded to the public website under this item.

Telecomments: Josh Morsell

Public Called Upon During Meeting: Joan Campagna, Simeon Evans

The public hearing was declared closed.

Upon motion by Commissioner Jones, seconded by Commissioner Paulin, and carried by a roll call vote of (4-0), IT IS ORDERED, By Resolution, the Planning Commission recommends that the Board of Supervisors deny the requested Rezone, as proposed by the applicant, based on the facts and findings contained in the resolution.

AYES: Paulin, Jones, Wiedemann and Chair Pernell

NOES: None
ABSENT: None

AGENDA ITEM NO. 7 – MATTERS FROM STAFF

This item was discussed earlier under agenda item number 3.

AGENDA ITEM NO. 8 – MATTERS FROM COMMISSION

8a. Commissioner Jones was concerned with the Vacation Rental Ad Hoc Committee, now that there were only 4 Commissioners and asked if two would be considered a quorum.

Mr. Kiedrowski stated that he would have to discuss the matter with County Counsel before we have further discussion on this matter.

Chair Pernell asked if there was action regarding the open seat on Planning Commission.

Ms. Krog stated she would review the status of the open seat and report back to the Commission.

Commissioner Jones asked if the correspondence for both these cases heard today would be provided to the Board of Supervisors.

Ms. Krog stated that they would be attached to the item once it was sent to the Board of Supervisors.

Mr. Kiedrowski stated that the public was encouraged to write letters directly to the Board if they wished.

AGENDA ITEM NO. 9 – MINUTES

9a. Approval of the January 6, 2022, Minutes.

Upon motion by Commissioner Wiedemann, seconded by Commissioner Jones, and carried by a voice vote of (4-0), IT IS ORDERED that the Planning Commission minutes from January 6, 2022 are approved.

AYES: Jones, Wiedemann, Paulin and Chair Pernell
NOES: None
ABSENT: None

AGENDA ITEM NO. 10 – ADJOURNMENT

THERE BEING NOTHING FURTHER TO COME BEFORE THE PLANNING COMMISSION, THE MENDOCINO COUNTY PLANNING COMMISSION ADJOURNED AT 11:20 A.M.

Attest: JAMES F. FEENAN
Commission Services Supervisor

Alison Pernell, Chair

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.

DRAFT