

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 – November 17, 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 9:04 A.M.**

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

Absent: None

Staff Present: Julia Krog, Director; Brooke Larsen, Commission Services Supervisor; Mark Cliser, Planner II; Matthew Kiedrowski, Deputy County Counsel; Scott Spears

#### **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 Babbini, seconded by Commissioner Wiedemann, and carried by a roll call vote of (5-0), 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 announced the award of a grant from the Coastal Commission and the subsequent revision of the LCP program for Mendocino County.

Chair Pernell asked if the department had adequate staff to accomplish the update or if more staff would be hired.

Director Krog stated that no new staff were planned, but the use of consultants would be necessary.

Commissioner Jones offered congratulations and words of wisdom from experience working on the City of Fort Bragg CCC applications.

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

**Public Comment:** Annemarie Wiebel, Courtney DeGraff.

**Staff Speakers:** Commissioner Paulin and County Counsel Matthew Kiedrowski

### **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\_2021-0011**

CASE#: U\_2021-0011

DATE FILED: 8/5/2021

OWNER: BPF POINT ARENA CONSERVATION LANDS LLC

APPLICANT/AGENT: SCOTT ROYCRAFT

REQUEST: Modification of Coastal Development Use Permit U\_2017-0008 to reclassify use to Cremated Remains Disposer and expand use to the adjoining 20-acre parcel located at 25204 Ten Mile Road (APN: 027-306-32). Proposed improvements include establishment of low impact trails, maintenance of the existing trails, skid roads, landing areas and driveways, and on-going forest and vegetation management. All-terrain vehicles will be used to transport mobility limited customers throughout the property as required.

ENVIRONMENTAL DETERMINATION: Negative Declaration

LOCATION: In the Coastal Zone, 3± miles southeast of the City of Point Arena, on the west side of Ten Mile Road (CR 506), 1± mile south of its intersection with Eureka Hill Road (CR 505); located at 25204 Ten Mile Road, Point Arena; APN 027-306-32.

SUPERVISORIAL DISTRICT: 5 (Williams)

STAFF PLANNER: MARK CLISER

**Staff Presentation:** Planner Mark Cliser presented the project and added a summary of the Memo provided to the Commission.

**Applicant:** Scott Roycroft

The public hearing was declared open.

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

**Public Comment:** Cathleen Carr, Gillian Nye

**Telecomments:** None

The public hearing was declared closed.

Upon motion by Commissioner Wiedemann, seconded by Commissioner Jones, and carried by a roll call vote of (5-0), IT IS ORDERED by resolution, adopt the addendum to the previously adopted Negative Declaration and grant Coastal Development Use Permit Modification U\_2021-0011 for the Project, as proposed by the

applicant, based on the facts and findings and subject to the conditions of approval and with added Conditions #22, #23 and #24.

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

**[Break: 10:10 a.m. – 10:20 a.m.]**

**6b. Noticed Public Hearing –**

Overview: Discussion and Possible Action including Presentation by Planning Commission Ad Hoc Committee on Short Term Rentals and Possible Adoption of a Resolution providing clarification regarding interpretation of the applicability of Mendocino County Code section 20.164.015(L) and 20.024.135 as they relate to occupancy of a single -family residence as a transient habitation.

Presenters: Commissioner Jones and Commission Wiedemann

Speakers: Director Krog, Chair Pernell, Commissioner Paulin

The public hearing was declared open.

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

**Public Comment:** Paul Clark, Cally Dym, Samir Tuma, Emily Griffen, Glenn Schein

The public hearing was declared closed.

**[Break 11:17 a.m. – 11:30 a.m.]**

Upon motion by Commissioner Jones, seconded by Commissioner Wiedemann, and carried by a roll call vote of (3-2), IT IS ORDERED, the Planning Commission, County of Mendocino, hereby adopt a Resolution providing clarification regarding interpretation of the applicability of Mendocino County Code Section 20.164.015(L) and 20.024.135 as they relate to occupancy of an entire dwelling unit as transient habitation with the proposed changes as presented during the public meeting.

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

Motion for Reconsideration

Upon motion by Commissioner Jones, seconded by Commissioner Wiedemann, and carried by a roll call vote of (4-1) a motion was made to reconsider the previous motion and its wording.

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

Upon motion by Commissioner Jones, seconded by Commissioner Wiedemann and carried by a roll call vote of (4-1) IT IS ORDERED: the Planning Commission, County of Mendocino accept the red line version from staff with the exception of Item #E, revised to read “the interpretation shall apply to all Vacation Rentals within the areas of the County governed by the Inland Zoning Code as of the effective date of the resolution.”

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

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

7a. None

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

8a. Commissioner Jones expressed concern that she had not received compensation for past Commission meetings.

Commissioner Babbini mentioned that there will be some new public spaces available thru the Public Spaces Commission thru the City of Ukiah.

Chair Pernell expressed desire to amend the Zoning code to include issues that were brought up online Item #6a on today’s 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 11:55 A.M.

Attest: Brooke Larsen  
Commissioner Services Supervisor

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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.**