

Mendocino Historical Review Board

c/o Planning & Building Services
120 West Fir Street
Fort Bragg, CA 95437
964-5379



Mendocino Historical Review Board
Draft Action Minutes – March 6, 2023

DRAFT ACTION MINUTES – MARCH 6, 2023

These are action minutes. For a complete transcript of the meeting, please request a copy of the digital recording. The meeting recording is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo> and a recording of this meeting is available at the Planning and Building Department upon request. There is a fee of \$10.00 per recording.

Draft minutes may be approved, possibly with clarifications, at the May 1, 2023 MHRB meeting.

1. Call to Order.

The Review Board convened at 4:00 p.m. for its scheduled site views. At 5:00 p.m., the site views concluded at 5:00 p.m. Sites were visited in the following order: Agenda Item 8a, 9a, 9b, 9c and 11b. All Review Board members were present.

The Review Board reconvened at 7:00 p.m. for its scheduled regular meeting.

2. Roll Call.

Present:

Review Board Members: Roth, Madrigal, Aum, Saunders and Kappler.

Planning and Building Services Staff: Planner Cliser, Planner Switzer, Planner Waldman, Code Enforcement Officer Gretchen Mclaughlin and Director Krog.

3. Determination of Legal Notice. The meeting was properly noticed.

4. Approval of Minutes.

4a. February 2022 Draft Minutes were adopted with minor corrections (e.g. Agenda Item 9a: Correct spelling of Deirdre Lamb name, replace “described” with “sympathized”, replace “water tower” with “lift”); Agenda Item 9c: Add “Planning and Building Services to prepared Memorandum to raise and shield heaters for MHRB Approval prior to issuance of a building permit”; and Agenda Item 9d: Add “project” to last sentence of Review Board action. Correct spelling of “purview”). Following a motion by Review Board Member Kappler, which was seconded by Review Board Member Aum, the vote to approve the February meeting minutes with corrections was unanimous.

5. Correspondence. None.

6. Report from the Chair. Welcomed the public back to a regular meeting of MHRB.

7. Public Expression.

Mr. Rick Sacks spoke about the number of County Staff Planners present at the MHRB meetings and his concern that staff attendance may affect the MHRB application fee schedule.

Mr. Todd Newberger advocated to continue MHRB meetings via Zoom.

11. Matters from the Staff.

11a. Code Enforcement Town of Mendocino Activity Report

PRESENTER: Supervising Code Enforcement Officer McLaughlin summarized code complaints filed during year 2022 and their status. McLaughlin stated there are multiple options for owners to resolve a violation, such as (a) voluntarily comply, (b) legalize the activity or remove the violation, or the County may (c) issue an administrative citation or (d) place a lean on property.

PUBLIC COMMENTS: Mr. Kelly Grimes spoke.

REVIEW BOARD DISCUSSION: Review Board Member Kappler asked about **tree removal** and complaints submitted to Code Enforcement. Chair Roth asked if tree removal violations are based on the type of tree. Director Krog and Officer McLaughlin described “Removal or Harvesting of Major Vegetation” code section 20.608.032(D).

Chair Roth asked about **exposed meters** and the requirement for meters to be screened. Officer McLaughlin and Director Krog confirmed meters should be screened.

Chair Roth asked about **tents** located within Town. Vice Chair Madrigal asked to be informed on the review process of tents, prior to the State Covid Urgency Ordinance. Director Krog responded that Staff will provide an update during the April MHRB meeting.

Chair Roth clarified that the Review Board is not an enforcement body; the responsibility of MHRB is to determine whether new development harmonizes with the historic setting of the district.

Code complaints can be filed by calling PBS Code Enforcement 707-234-6669 or completing an on-line form.

REVIEW BOARD ACTION: Review Board accepted the report as presented.

11b. Request for Guidance: Draft Policy Regarding Minor Alterations in Town of Mendocino with Case Study Example from MHRB_2020-0007 Yoneda.

PRESENTERS: Planner Switzer presented a memorandum and asked for guidance about minor alternations to MHRB Permits. He presented a case study example, MHRB Permit 2020-0007 Yoneda. Staff requested two recommendations: (1) provide staff direction about the scope of the suggested policy and procedure and (2) provide direction to staff about whether the modifications to the Jerome House carriage house harmonizes with other historic resources in the District or detracts from the appearance of other property within the District.

POLICY PRESENTATION BY STAFF: Planner Switzer said the proposed Minor Alterations review process could include changing typical condition (#5) language that requires Planning Staff review prior to finalizing a building permit. At this time, a Minor Alteration fee is not anticipated. Director Krog added an additional fee may be applicable when the alterations are not minor and the applicant applies for a new MHRB Permit. Director Krog identified two potential pinch points for when to capture minor alterations to MHRB Permits: prior to final inspection and prior to issuance of a building permit.

PUBLIC COMMENT: Mr. Kelly Grimes thanked Staff for preparing the draft policy. He described standard condition #5 language as requiring Planning Staff to sign-off on the finished work being consistent with the issued MHRB Permit. Mr. Grimes said the Review Board should not give control of projects over to Staff. Mr. Grimes recommended the Review Board conduct a Site Visit to determine consistency with MHRB guidelines and whether modifications need to be reviewed

by the Board.

Ms. Debra Lennox stated support for the draft policy and recommended the power should remain with the Review Board. Ms. Lennox recommended the Review Board complete a site visit as part of determining an application's consistency with MHRB guidelines and whether alterations would need Review Board approval.

REVIEW BOARD DISCUSSION on the POLICY: Chair Roth and Vice Chair Madrigal asked if a fee would be associated with the review of minor alterations. Vice Chair Madrigal asked about minor changes, such as paint, and expressed interest in not applying an additional fee. She asked about expired MHRB Permits and Planner Switzer clarified a new application is required when a permit expires. Vice Chair Madrigal described property-owner frustration with the current process and the draft policy could help.

Review Board Member Aum asked whether a new MHRB Permit would be needed for minor alterations. He supported the draft policy with caution about the number of alterations and how changes may become too comprehensive to be minor. Review Board Member Aum added that the draft policy leaves the decision of determining if changes should require a minor alterations determination or a subsequent MHRB permit to the architects and contractors, ultimately creating a no risk policy. Further adding, should the applicant make grave changes to their permit, a subsequent MHRB permit would be required.

Review Board Member Saunders asked if this policy would apply to signs as well. (Director Krog responded that sign changes would be discussed under Item 10b.)

Review Board Member Kappler expressed support for the policy and the suggested procedure, adding that many recent permit (modifications) may have met the suggested minor alteration criteria. The draft policy is a step in the right direction.

Chair Roth asked if minor alterations would be presented to the Review Board as a consent calendar item. Chair Roth asked if the Board has legal authority to review and accept a project's minor alterations during the life of the MHRB permit, prior to final of any building permit. Director Krog clarified condition language could allow applicants to confer with the Review Board about alterations to MHRB permits. Chair Roth proposed language for a new condition. Review Board Member Aum also suggested language for a new condition.

REVIEW BOARD ACTION on the POLICY: After hearing recommendations from the public and the Review Board, Chair Roth asked Planner Switzer to prepare a revised policy for consideration during the April MHRB Meeting. Consideration of the Minor Alterations Policy was continued to April.

Chair Roth moved the discussion from the draft policy to the case study and MHRB_2020-0007.

CASE# MHRB_2020-0007 (Referencing Building Permit BF_2022-0025)

EFFECTIVE DATES: July 31, 2020 – July 31, 2022

OWNER/APPLICANT: ELIANA LEILANI YONEDA

PERMIT: MHRB Permit to refurbish garage exterior, including garage doors, windows, siding, and extending an overhang. Note Mendocino Town Plan Appendix 1 lists the site as a Category I historic resources, the Jerome House.

LOCATION: 45150 Calpella St, Mendocino (APN: 119-231-03)

STAFF PLANNER: JULIANA CHERRY

CASE STUDY PRESENTATION BY STAFF: Planner Switzer briefly described the differences between the finished exterior of the carriage house and the issued MHRB Permit. He mentioned the site view earlier that afternoon. He offered this as a potential minor alteration from the approved project. He requested direction from the Review Board.

REVIEW BOARD DISCUSSION on the CASE STUDY: Vice Chair Madrigal, Review Board Member Kappler and Chair Roth supported the proposed minor alterations to MHRB_2020-0007 and said no further MHRB approval should be required (Referencing Building Permit BF_2022-0025).

REVIEW BOARD ACTION on the CASE STUDY: After mentioning the site visit earlier in the day, Vice Chair Madrigal moved to approve the minor alterations to MHRB Permit 2020-0007, which was seconded by Review Board Member Aum. The Review Board unanimously approved the motion (5-0).

8. Consent Calendar

REVIEW BOARD DISCUSSION: Chair Roth asked the Board Members if any consent items needed to be pulled from the consent calendar and asked the public whether someone wished to comment on the consent calendar items. Review Board Member Aum requested Item 8b be pulled for discussion, which was seconded by Review Board Member Saunders. Chair Roth moved Item 8b from the Consent Calendar and added it to the Public Hearing portion of the meeting agenda.

PUBLIC COMMENT: In reference to Item 8b, Mr. Kelly Grimes mentioned the application description of truly divided windowpanes and the product description for the replacement windows with grids between glass differed. He commented grid between glass is inconsistent with MHRB Guidelines.

8a. CASE#: MHRB_2022-0018
DATE FILED: 12/05/2022
OWNER/APPLICANT: JULIE LOOK & JOHN CAVANAUGH
AGENT: DEBRA LENNOX
REQUEST: Mendocino Historical Review Board application to change exterior paint colors of the single-family residence, previously approved under MHRB Permit 2021-0003.
ENVIRONMENTAL DETERMINATION: Categorically Exempt
LOCATION: 45270 Albion Street, Mendocino (APN: 119-217-06)
SUPERVISORIAL DISTRICT: 5 (Williams)
STAFF PLANNER: JESSIE WALDMAN

REVIEW BOARD ACTION: Vice Chair Madrigal moved to approve the item remaining on the Consent Calendar (Agenda Item 8a) with the findings and conditions recommended in the Staff Report. Her motion was seconded by Review Board Member Aum. By voice vote, the Review Board unanimously approved the motion (5-0) and Agenda Item 8a was approved.

9. Public Hearing Items

8b. CASE#: MHRB_2022-0019 *moved from Consent to Public Hearing Items*
DATE FILED: 12/05/2022
OWNER: MENDO REALTY PARTNERS
APPLICANT: GREG BURKE, SARA SCHOENEMAN & JUSTIN NADEAU
REQUEST: After-the-fact Mendocino Historical Review Board application to replace (vinyl) windows with truly divided wood-framed windows. Note: Mendocino Town Plan Appendix 1 lists the site as a Category IIa Historic Resource (Fraser House c 1911).
ENVIRONMENTAL DETERMINATION: Categorically Exempt
LOCATION: 44761 Main Street, Mendocino (APN: 119-250-33)
SUPERVISORIAL DISTRICT: 5 (Williams)
STAFF PLANNER: JESSIE WALDMAN

PRESENTERS: While a presentation by Staff was not provided, Planner Waldman was available to answer questions. The property owner and applicant did not attend the meeting. Director Krog clarified that at this time wood windows are not installed; “after-the-fact” in this instance means vinyl windows were previously installed. Planner Waldman affirmed the applicant request to remediate by replacing installed vinyl windows with truly divided windowpanes and wood window

frames.

PUBLIC COMMENT: Mr. Kelly Grimes believes special treatment is extended to this after-the-fact permit, which requests to replace 22 windows. He mentioned that the Board did not visit the site earlier in the day. He stated vinyl windows were installed approximately thirty years ago. Mr. Grimes requested continuing the matter, allowing the applicant to clarify whether the windowpanes would be truly divided, to file elevations for each side of the building, and to allow time for a Review Board site visit.

Ms. Debra Lennox is not aware that the type of window proposed is manufactured; as proposed, the windows would be a custom order. Ms. Lennox stated a violation not appropriate for the Consent Calendar.

REVIEW BOARD DISCUSSION: Review Board Member Aum affirmed the order sheet included with the application states grid between glass (GBG) and GBG is not consistent with MHRB Guidelines.

Chair Roth provided comment that when a complaint is submitted to Code Enforcement for work that has occurred that is not consistent with MHRB Guidelines, the applicant shall obtain MHRB approval as a resolution to become consistent with MHRB Guidelines.

Review Board Member Aum added that windows consistent with MHRB guidelines are custom-made windows.

Chair Roth requested staff ask the applicant to provide elevation drawings, identifying which of windows would be replaced, and requested a future Review Board site visit.

Review Board Member Aum stated that, as Staff suggested, he visited the site.

REVIEW BOARD ACTION: Review Board Member Aum moved to continue the application to May 1, 2023. The motion was seconded by Review Board Member Saunders. By voice vote, the Review Board unanimously approved the motion (5-0).

9a.* CASE#: MHRB_2022-0013

DATE FILED: 10/31/2022

OWNER: ROGER WILLIAMS

REQUEST: Remove hedge and fence on west side of Kasten St. between 45100 Main St. and 10390 Kasten St. Install 50 ft. long by 2 to 3 ft. high retaining wall. Install 3-foot redwood fence on top of retaining wall.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 10390 Kasten St. (APN: 119-237-09) & 45100 Main St. (APN: 119-237-10)

SUPERVISORIAL DISTRICT: 5 (Williams)

STAFF PLANNER: MARK CLISER

PRESENTERS: Planner Cliser presented the project. Contractor Mike Casey advocated for the proposed project.

PUBLIC COMMENT: None

REVIEW BOARD DISCUSSION: Vice Chair Madrigal requested Sverko Files not be included with the printed Staff Report. She asked that the property's historical information be available through the meeting webpage (only).

REVIEW BOARD ACTION: Review Board Member Kappler moved to approve the application, based on the findings recommended in the March 6 staff report. The motion was seconded by Review Board Member Aum. By voice vote, the Review Board unanimously approved the motion (5-0).

The Chair announced a 5-minute break and the meeting resumed about 9:30 p.m.

- 9b.* CASE#:** MHRB_2022-0014
DATE FILED: 11/8/2022
OWNER/APPLICANT: MARCIA TRIMBLE
AGENT: DEBRA LENNOX
REQUEST: Mendocino Historical Review Board Permit for new single-family residence (1156 SF), decks and porches (710 SF), bike shed (48 SF), pump/battery storage shed (48 SF), utility enclosure (48 SF), two off-street parking spaces, trellis, gates, fencing, gravel walkways, and exterior downcast lighting.
ENVIRONMENTAL DETERMINATION: Categorically Exempt
LOCATION: 44900 UKIAH ST; APN: 119-150-34
SUPERVISORIAL DISTRICT: 5 (Williams)
STAFF PLANNER: STEVEN SWITZER

PRESENTERS: Planner Steven Switzer presented the proposed residential project. Agent Debra Lennox advocated for her residential design and the applicant was available by phone. After hearing public and Review Board comments, Ms. Lennox requested a continuance to the May 1, 2023.

PUBLIC COMMENT: Mr. Todd Newberger spoke on behalf of his client, Mrs. Sheppard, who lives on the property directly north of project site. He suggested design alternatives.

REVIEW BOARD DISCUSSION: All Review Board Members discussed the proposed project bulk, building heights and setbacks and landscaping. Review Board Member Saunders inquired about setbacks regarding fire safety and proposed sheds at rear property line. Vice Chair Madrigal, Review Board Members Saunders and Kappler expressed concern regarding the exterior spiral staircase and exterior design and the projects consistency with MHRB Guidelines.

REVIEW BOARD ACTION: At the request of the agent, Review Board Member Aum moved to continue the application to May 1, 2023. Review Board Member Saunders seconded the motion. The motion unanimously passed by voice vote (5-0).

- 9c.* CASE#:** MHRB_2022-0017
DATE FILED: 12/1/2022
OWNER: BROWN, JUDITH
APPLICANT: PETER O. LOPEZ
AGENT: MOLLIE WARREN
REQUEST: An after-the-fact Mendocino Historical Review Board Permit request to install Walkways (686 SQFT) with Basalite Plank Pavers and Patios (total 583 SQFT) on the driveway and backyard with Basalite Artisan Slate Circle.
ENVIRONMENTAL DETERMINATION: Categorically Exempt
LOCATION: 44861 UKIAH ST, MENDOCINO (APN 119-250-12)
SUPERVISORIAL DISTRICT: 5 (Williams)
STAFF PLANNER: TIA SAR

PRESENTER: Via email, Ms. Mollie Warren requested a continuance to May 1, 2023. Planning staff was available to respond to questions about the request.

PUBLIC COMMENT: None

REVIEW BOARD DISCUSSION: None

REVIEW BOARD ACTION: At the request of the agent, Chair Roth moved to continue the application to the May 1, 2023 Meeting. Review Board Member Saunders seconded the motion. The motion unanimously passed by voice vote (5-0).

10. Matters from the Board.

10a. Report from Reports from Individual Review Board Members: Aum, Saunders, Kappler, and Madrigal

No reports from individual Review Board Members.

10b. Madrigal and Aum: Streamlining commercial sign permits and MCC Sec. 20.760.050(A)(8)

PRESENTATION: Vice Chair Madrigal and Review Board Member Aum sought support for streamlining commercial sign permit applications.

REVIEW BOARD DISCUSSION: Review Board Members Kappler and Saunders agreed with the premise.

REVIEW BOARD DIRECTION: Chair Roth requested staff to prepare a policy amendment based on the Review Board's discussion and present their recommendations on May 1, 2023.

10c. Aum: Clarifying or amending the 2020 MHRB Exterior Paint Colors in Town of Mendocino Policy and MCC Sec. 20.760.050(A)(9)

PRESENTATION: Review Board Member Aum suggested an amendment to the 2020 exterior paint color policy; he asked for support for allowing the exterior building "body" or "base" color to include colors from the Benjamin Moore Historic Collection.

REVIEW BOARD DIRECTION: Following discussion between Review Board members, Chair Roth requested staff to prepare a draft amendment for consideration by the Review Board on April 3, 2023.

10d. Aum: Window frames and MCC Sec. 20.760.050(A) and (C), MCC Sec. 20.760.040(C), and Appendix 7: Design Guidelines Sec. VII.3 and VII.4

PRESENTATION: Review Board Member Aum sought support to expand the type of window frame material that could potentially harmonize with existing structures located in the Historic District. Review Board Member Aum discussed availability of truly divided light windows, including Marvin verses custom made wood windows and aluminum clad windows.

REVIEW BOARD DISCUSSION: As windows were previously discussed by the Review Board, Chair Roth reminded his cohorts of their agreement to review windows on a case-by-case basis. Review Board Member Madrigal mentioned the project behind Dick's Place.

REVIEW BOARD DIRECTION: No direction was given to staff.

10e. Aum: Exterior Landscaping and MCC Sec. 20.760.050(A)(11), 20.760.050(C)(5), and others

REVIEW BOARD DISCUSSION: Review Board Member Aum asked for information about landscaping and MHRB guidelines.

REVIEW BOARD DIRECTION: Following a brief discussion, Chair Roth asked Staff to email website links to MCC Chapter 20.760 Historical Preservation District for Town of Mendocino.

10f. Arrangements to acknowledge 2022 Historic Preservation Awardees during the April MHRB Meeting

REVIEW BOARD DIRECTION: Following a quick discussion, the Chair requested staff provide pictures for the award and that the Director Krog email examples of past awards to the Chair.

12. Adjournment:

REVIEW BOARD ACTION: Review Board Member Aum moved to adjourn the meeting. Review Board Member Saunders seconded the motion. The motion unanimously passed by voice vote (5-0). The meeting adjourned at 10:26 p.m.