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 – June 12, 2023

DRAFT ACTION MINUTES – JUNE 12, 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 July 10, 2023 MHRB SPECIAL meeting.

1. Call to Order.

The Review Board convened at 5:00 p.m. for its scheduled site views. The site views concluded at 5:15 p.m.. Sites were visited in the following order: Agenda Item 9b. All Review Board members, other than Madrigal and Saunders, were present.

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

2. Roll Call.

Present:

Review Board Members: Chair Roth, Aum and Kappler.

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

Absent:

Review Board Members: Madrigal and Saunders by pre-arrangement.

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

Chair Roth reordered the agenda to hear agenda item 11a before agenda item 8.

4. Approval of Minutes.

4a. **May 2023 Draft Minutes** were adopted with minor corrections, including Agenda Item 11a: Remove “Tony Graham” and “Deirdre Lamb” from Public Comments; Add “Tony Graham presented the State Assembly Bill AB17?”; Agenda Item 11b. Change “verses” to “versus”. Following a motion by Review Board Member Kappler, which was seconded by Review Board Member Aum, the Review Board unanimously approved the March meeting minutes with corrections (3-0).

5. Correspondence. None.

6. Report from the Chair. None.

7. Public Expression.

7a. Randy Mendosa requested Mills Act be brought back to the attention of MHRB and Mendocino County Board of Supervisors. Review Board Kappler asked Staff on status of past requests being sent to MC PBS. Director Krog confirmed Staff had sent memorandum to BOS.

7b. Rich Sacks requested summary of what the Mills Act. Review Board Member Kappler provided a summary that the Mills Act is economic incentive program in California for the restoration and preservation of qualified historic buildings by private property owners.

8. Consent Calendar. None.

***11. Matters from the Staff.**

***11a. Code Enforcement Town of Mendocino Activity Report**

PRESENTER: Supervising Code Enforcement Officer McLaughlin summarized code complaints filed during years 2022 and 2023 and their status. McLaughlin stated that over thirty (30) additional complaints, all regarding signs, have been submitted since May 2, 2023. Code Enforcement is preparing a sign pamphlet as a response to these sign complaints.

PUBLIC COMMENTS: Rick Sacks.

REVIEW BOARD DISCUSSION: Chair Roth thanked Staff for their quarterly report. Kappler requested Staff provide a definition of pending investigations.

REVIEW BOARD ACTION: None.

9. Public Hearing Items

9a. Restoration of the carriage house at the “Jerome House,” a Category I Historic Resource located at 45150 Calpella Street by owner Eliana Leilani Yoneda, contractor Windspirit Aum, and Architect Kelly Grimes (MHRB_2020-0007).

PRESENTATION: Neither owner, contractor nor the Architect where present for Chair Roth to present the Historic Preservation Award for acknowledgement of their contribution to preserving the history of Mendocino. Chair Roth requested Staff to contact the owner, contractor or Architect regarding their nomination.

9b. **CASE#:** MHRB_2023-0004
DATE FILED: 4/17/2023
OWNER: ARIANA CANADA ONSTAD
APPLICANT: DEBRA LENNOX
REQUEST: Mendocino Historical Review Board request for a 3.5 square foot single-faced wood sign painted white (background), black (lettering), and red, blue, green, and yellow (accents). Sign copy to read "DBL" “architect”.
ENVIRONMENTAL DETERMINATION: Categorically Exempt
LOCATION: 45280 Main St, Mendocino; APN: 119-217-13.
SUPERVISORIAL DISTRICT: 5
STAFF PLANNER: MARK CLISER

PRESENTERS: Planner Cliser requested this project be continued to after Matters from Staff *Item 11b: Discussion and possible action regarding Draft policy for commercial sign exemptions in the Town of Mendocino* be discussed.

Chair Roth and Review Board Members verbally agreed to postponed Item 9b to after Item 11b.

10. Matters from the Board. None.

***11. Matters from the Staff.**

***11b.** Discussion and possible action regarding Draft policy for commercial sign exemptions in the town of Mendocino.

PRESENTERS: Planner Cliser presented the *Draft Policy regarding Draft policy for commercial sign exemptions in the town of Mendocino* memorandum dated June 2, 2023. Staff specified that previously issued MRHB permits included a condition of approval which prohibited "sign copies" as described under MCC Section 20.760.040(H).

REVIEW BOARD DISCUSSION: Chair Roth clarified the direction would be for projects moving forward, rather than retroactive. Staff confirmed this would apply for projects moving forward. Review Board Member Aum interpreted the sign policy would eliminate conditions of approval from past sign permits, as well as the need for planning approved signs copies from being present to the Review Board. Review Board Member Kappler conferred that the policy is for only sign copy changes to legally existing signs.

Director Krog provided clarification that MCC Section 20.760.040(H) limits the ability of both Staff and the Review Board from retroactively overruling conditions of approval on previously issued MHRB permits, as well as future proposed signs are subject to either the Sign Standards under MCC Chapter 20.715 or MHRB exemptions per MCC 20.760.040(H).

PUBLIC COMMENT: Rick Sacks commented the sign copy exemptions allow and maintain the character of the community and eliminate discord within any given area of the Town of Mendocino. Debra Lennox requested if the conditions of approval were a policy within the code or direction from the Review Board.

Colin Morrow discussed the potential of violations to the 1st Amendment for freedom of speech, religion and the press, specifically the statement within the draft policy, specifically "*Telephone numbers, web-addresses, social media contacts (e.g. Facebook, Instagram, Twitter and similar) are not allowed to appear on sign"*.

REVIEW BOARD ACTION: Review Board Member Kappler moved to continue the item to August 7, 2023, to allow Staff time to review with Mendocino County Counsel and bring back in front of the Review Board on. The motion was seconded by Review Board Member Aum. By voice vote, the Review Board unanimously approved the motion (3-0).

***9. Public Hearing Items**

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LOCATION: 45280 Main St, Mendocino; APN: 119-217-13.
SUPERVISORIAL DISTRICT: 5
STAFF PLANNER: MARK CLISER

PRESENTERS: Planner Cliser presented the Staff Report with clarifications that the MHRB agenda misrepresented the project request, missing the 2nd sign request. The projects public notice and staff report did properly represent the request for this project.

REVIEW BOARD DISCUSSION: Chair Roth requested the three (3) additional recommended conditions of approval #5, 6, and 7 be read for the record. Director Krog recommended condition of approval #5 be removed from staff recommendations.

PUBLIC COMMENT: Rick Sacks noted that only change is the color of the sign. Debra Lennox provided additional detail regarding the proposed colors.

REVIEW BOARD ACTION: Review Board Member Aum moved to approve the project with the recommended findings, conditions, and the exclusion of Condition #5. Review Board Member Kappler seconded the motion. By voice vote, the Review Board unanimously approved the motion (3-0).

11. Matters from the Staff.

***11c.** Temporary Tents Ordinance and Memo

PRESENTER: Director Krog provided the Press Release and additional information regarding AB1217 (2023) that was mentioned during the May 2023 Hearing.

Director Krog presented the memorandum for clarification which states that all tents require the approval of MHRB and are subject to lot coverage. However, the California Building Code considered “temporary tents” include tents that are erected for a period of less than 180 days. Krog found it reasonable to apply this standard to determine that tents that are erected for less than 180 days would not count towards lot coverage.

REVIEW BOARD DISCUSSION: Review Board Kappler acknowledged the need for temporary tents and alternative design ideas for consistency with MHRB design guidelines. Review Board Aum requested investigation of water and sewer impacts at Mendocino City Community Services District (MCCSD). Chair Roth understood the benefits to local economy Chair Roth asked Staff for direction for lot coverage variances.

PUBLIC COMMENT: Tony Graham asked if the Review Board would like additional information regarding MHRB_2020-0012 (Patterson’s) conditions regarding the potential of an extension.

REVIEW BOARD ACTION: None.

11d. BF_2023-0261 Building Permit Application For 44797 Main Street – Loretz Roof Mount Solar

PRESENTERS: Planner Waldman presented the roof mount solar panel project.

PUBLIC COMMENT: None.

BOARD DISCUSSION: Review Board Member Aum stated this is for informational purposes only. Chair Roth stated that while this is an exterior alteration requiring Review Board approval, Government Code section 65850.5 prohibits discretionary review of same. Review Board Member Kappler appreciated that the project would not alter an historic resource and is proposed below the existing elevation of Main Street.

REVIEW BOARD ACTION: The Review Board thanked the applicant for requesting a conference with MRHB.

12. Adjournment:

REVIEW BOARD ACTION: Review Board Member Aum moved to adjourn the meeting. Review Board Member Kappler seconded the motion. The motion unanimously passed by voice vote (3-0). The meeting adjourned at 8:45 p.m.