

RESOLUTION NO. 25-096

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REVERSING THE DECISION OF THE MENDOCINO HISTORICAL REVIEW BOARD TO DENY MENDOCINO HISTORICAL REVIEW BOARD APPLICATION MHRB_2024-0009 FOR MAIN STREET MENDO LLC, APN 119-238-10, AND MAKING FINDINGS TO APPROVE SAID APPLICATION

WHEREAS, the applicant, Main Street Mendo LLC, filed an application with the Mendocino County Department of Planning and Building Services to replace an existing water tower staircase attached to a commercial structure with a new staircase, located at 45040 Main Street, Mendocino (the "Project"); APN 119-238-10; General Plan Commercial (C); Zoning Mendocino Commercial (MC); Supervisorial District 5; and

WHEREAS, the Project has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Mendocino Historical Review Board (MHRB) held a noticed public hearing on December 2, 2024, at which time the MHRB heard and received all relevant testimony and evidence presented orally or in writing regarding the Project; and

WHEREAS, at the MHRB hearing on December 2, 2024, all interested persons were given an opportunity to be heard regarding the Project and the MHRB denied the Project; and

WHEREAS, Jennifer Raymond, on behalf of Main Street Mendo LLC, filed an appeal of the MHRB's decision on December 4, 2024 in accordance with Mendocino Town Zoning Code Chapter 20.728; and

WHEREAS, the Board of Supervisors upon receipt of the timely appeal, did schedule a noticed public hearing to consider the appeal; and

WHEREAS, said public hearing was duly held on the 20th day of May 2025, pursuant to proper notice and all evidence was received and the same fully considered; and

WHEREAS, the Board of Supervisors has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Board of Supervisors regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors, based on the evidence in the record before it, makes the following findings:

1. Pursuant to Mendocino County Code (MCC) Section 20.760.065(A), the exterior appearance and design of the proposed work is in harmony with the exterior appearance and design of existing structures within the District and that of the existing subject structure, if any. Water towers and structures resembling water towers exist elsewhere in the District. Exterior staircases also exist elsewhere in the District, including some along Main Street. The proposed staircase would be made of unpainted redwood with copper handrails and would lead to a second-floor entrance. The design and scale is similar to existing exterior staircases. The proposed staircase is in harmony with the attached non-historic commercial structure and existing water tower staircase, which do not correspond with any of the example architectural styles found in the Design Guidelines.

2. Pursuant to MCC Section 20.760.065(B), the appearance of the proposed work will not detract from the appearance of other property within the District. The proposed work would not impair views of other property. The scale of the proposed staircase is smaller than the existing water tower, which would allow greater visibility of nearby structures. The structure to be demolished is not historically significant.
3. Pursuant to MCC Section 20.760.065(C), such work will not unnecessarily damage or destroy a structure of historical, architectural or cultural significance. The existing water tower staircase is not historically, architecturally, or culturally significant because it does not meet the definition of "Landmark Structure". The water tower structure is not listed in the Inventory of Historic Structures.

BE IT FURTHER RESOLVED that the Board of Supervisors finds the project Categorically Exempt from the California Environmental Quality Act; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby reverses the denial decision by the MHRB, approves the project as proposed, and adopts the conditions of approval contained in Exhibit A; and

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 501 Low Gap Road, Ukiah, CA 95482.

The foregoing Resolution introduced by Supervisor Mulheren, seconded by Supervisor Cline, and carried this 20th day of May 2025, by the following vote:

AYES: Supervisors Cline, Mulheren, Haschak, and Norvell
NOES: Supervisor Williams
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

JOHN HASCHAK, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHARLOTTE E. SCOTT
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy

EXHIBIT A

CONDITIONS OF APPROVAL

MHRB_2024-0009 – MAIN STREET MENDO LLC

APPROVED PROJECT DESCRIPTION: Mendocino Historical Review Board application to replace an existing water tower staircase attached to a commercial structure with a new staircase, including an accessible route to the second floor.

CONDITIONS OF APPROVAL:

1. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and or use of the property in reliance on such permit has been completed prior to its expiration.
2. The application along with supplemental exhibits and related material shall be considered elements of this permit, and compliance therewith is mandatory.
3. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division.
4. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. That such permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which such permit was granted have been violated.
 - c. A final judgment of a court of competent jurisdiction has declared one (1) or more conditions to be void or ineffective or has enjoined or otherwise prohibited the enforcement or operation of one (1) or more such conditions.
5. To establish that site-work satisfies the requirements of MHRB Permit 2024-0009 and the Board of Supervisor's action, the property owner shall request a Planning Inspection prior to the expiration of this permit. Prior to this MHRB Permit's expiration (if no Building Permit is obtained) and at the request of the property owner, PBS will furnish, following a site inspection of completed work, a functionally equivalent document demonstrating that the requirements of MHRB Permit 2024-0009 have been satisfied.
6. Any Building Permit request shall include MHRB Permit 2024-0009 (attached to or printed on the plans submitted).
7. New or replacement exterior building materials shall not include use of imitation or synthetic materials, such as aluminum or vinyl siding, imitation stone, imitation brick, plastic laminated beams, concrete block or boards, stucco or asbestos shingles or panels, or plywood panels.
8. The permittee shall obtain an encroachment permit from the Mendocino County Department of Transportation for any work within County rights-of-way.
9. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.