



# COUNTY OF MENDOCINO

## DEPARTMENT OF PLANNING AND BUILDING SERVICES

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DATE: April 8, 2024

TO: Mendocino Historical Review Board

FROM: Julia Krog, Planning and Building Services Director

RE: Mendocino Historical Review Board Streamlining and Rule and Bylaw Amendments

## MEMORANDUM

### Purpose:

The Planning and Building Services Department ("Department"), at the direction of the Mendocino County Board of Supervisors, intends to streamline service delivery processes by creating efficiencies and reducing resource allocations while minimizing the impact to those services provided. This memorandum describes how these efforts extend to the Mendocino Historical Review Board ("MHRB"). It is not the intent of the Department at this time to make any amendments to the MHRB regulations outlined in the Mendocino County Code ("MCC") as that would require a Local Coastal Program ("LCP") amendment. However, the Department requests the following amendments to the MHRB Rules and Bylaws and support for shifts in Department support operations as they pertain to MHRB that would provide needed relief in resource management.

### Scope:

**Request #1** – A balanced approach to regulating.

There are instances when proposals reviewed by the Review Board are not in conformance with the strict interpretations of the standards outlined in MCC Sec. 20.760.050 but are in conformance with the California Building Code as adopted in MCC Ch. 18.04 and represent a significant upgrade in either safety or the quality of life of the occupants.

Proposed Solution: If these proposals do not impact the Town's historic character or harmony within the District, then the Review Board could consider relaxed interpretations of the standards. The spirit of law may be captured by amending the MHRB Rules and By-Laws ARTICLE II – DUTIES - SECTION 1. To read: "To review all applications for development within the Historical Preservation District pursuant to Chapter 20.760 of the Mendocino County Code, *while balancing the historical style of architecture with modern building practices and supporting the local community with sensible regulation.*"

**Request #2** – Meeting time modification to align with the working hours of the Department.

The 7:00 PM start time of MHRB meetings, in addition to any pre-meeting site inspections, places a resource burden on Department staff. Staff must work late into the night, especially staff that normally report to the Ukiah office and live inland.

Proposed Solution: Change the time of the MHRB meetings to coincide with the office hours of the Department (between 8 AM and 5 PM). The Department requests a meeting start time of 2:00 PM. The MHRB Rules and Bylaws ARTICLE IV – MEETINGS - SECTION 1. may be amended to read: "Said meetings shall commence at 2:00 PM in the Town of Mendocino or its immediate environs." With this proposed solution, a new meeting location would also be secured as the current room cannot be utilized prior to 5 PM (see Request #4).

**Request #3** – No publicly noticed site visits prior to MHRB meetings.

Presently, site visits are publicly noticed and performed with Review Board members, Department staff and members of the public.

Proposed solution: Though these visits have value, especially for Board members to evaluate potential visual impacts, these site visits may be performed by the individual Review Board members<sup>1</sup>, and the public should they desire, anytime prior to the meeting without the assistance of Department staff. This would greatly reduce the time commitment from the Department. Our request is to eliminate the publicly noticed site visits prior to the meeting. The MHRB Rules and Bylaws would require no modification to accommodate this request.

**Request #4** – A change of venue would be required to accommodate the proposed meeting start time.

The Mendocino Community Center would not be a feasible option for a 2:00 PM start time. The Community Center has other obligations that conflict with the use of the location.

Proposed solution: The MHRB meetings may be held in a different location in the town of Mendocino. However, the MHRB Rules and Bylaws ARTICLE IV – MEETINGS - SECTION 1. state: “Said meetings shall commence at 2:00 PM in the Town of Mendocino or its immediate environs.” There may be significant cost savings for the Department to host the MHRB meetings at a location in the City of Fort Bragg, approximately 15 minutes away from the Town of Mendocino. The practice of holding governing meetings outside of the jurisdiction that is impacted is not uncommon as this consistently happens with both the Mendocino County Board of Supervisors and the Mendocino County Planning Commission. The Department has researched viable options for both the Town of Mendocino and the City of Fort Bragg. The MHRB Rules and Bylaws would require no modification to accommodate this request.

**Request #5** – Streamline the actions and documentation of the MHRB meetings.

Presently, Department staff take minutes for the meeting though the meetings are recorded and publicly available typically within one week of the action. Department staff also print significant amounts of materials in support of the meetings, such as printed agenda packets, presentation materials, and supporting documentation.

Proposed Solution: The Department requests that no minutes be taken. The recorded meetings are available for review online and the permits issued reflect the final findings and conditions. Additionally, the Department requests to reduce the physical materials provided by the County to solely the mandated materials required by Code. All other materials would be available online as part of the regularly posted information.

**Request #6** – Streamlined policy and guidance by the Review Board.

Currently Review Board members regularly request that Department staff prepare policies or guidance to them regarding particular topic areas. This comes at a significant resource cost to the Department for which there is no cost recovery.

Proposed Solution: As a proposed middle-ground, policy or guidance documents may be drafted and prepared by Review Board members and submitted to Department staff for review. Once Department staff have reviewed a policy or guidance document it would then be placed on a subsequent agenda for review by the full Review Board.

**Recommended Action:** Support the requested changes to MHRB operations prepared by staff and amend the Rules and Bylaws as shown in the attached Redline document.

**Attachments:**

Draft Redline of Rules and Bylaws

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<sup>1</sup> Site visits must be conducted from public right of way or with property owner consent. More than two Review Board members should not communicate on any one topic independently of a publicly noticed meeting as that may create serial meeting and a potential violation of the Ralph M. Brown Act.

**RULES AND BYLAWS  
OF THE  
MENDOCINO HISTORICAL REVIEW BOARD**

**ARTICLE I – NAME**

SECTION 1. The name of this Board shall be the Mendocino Historical Review Board.

**ARTICLE II – DUTIES**

SECTION 1. To review all applications for development within the Historical Preservation District pursuant to Chapter 20.760 of the Mendocino County Code, while balancing the historical style of architecture with modern building practices and supporting the local community with sensible regulation.

**ARTICLE III – MEMBERSHIP & OFFICERS**

SECTION 1. Membership of the Board shall be as specified in Section 20.760.020 of the Mendocino County Code.

SECTION 2. The officers of the Board shall be a Chair and a Vice Chair.

SECTION 3. The offices of Chair and Vice Chair shall be elected by a majority of the total membership of the Board. The persons so elected shall serve for a term of one (1) year. Elections shall be held at the first regular meeting in April of each year.

SECTION 4. CHAIR – The Chair shall preside at all meetings of the Board, shall appoint committees, and at each meeting shall submit such recommendations and information as may be considered proper concerning the business, affairs and policies of the Board.

SECTION 5. VICE CHAIR – The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair; and in the case of the resignation or death of the Chair, the Vice Chair shall perform the duties of the Chair until such time as the Board shall elect a new Chair. If Chair and Vice Chair are not present, the presiding officer shall be the senior member of the Board.

**ARTICLE IV – MEETINGS**

SECTION 1. REGULAR MEETINGS – Regular meetings of the Board shall be held once each month on the first Monday. Said meetings shall commence at ~~7:00~~7:00:00 PM in the Town of Mendocino or its immediate environs. When the first Monday falls on a legal holiday, the regular meeting shall be held on the second Monday.

- SECTION 2. SPECIAL MEETINGS – Any regular meeting may be adjourned and be reconvened at any specified time and place upon a majority vote of a quorum. Special meetings may be held upon seventy-two (72) hours notice to each member of the Board and to the media, public and applicants in accordance with the provisions of the Ralph M. Brown Act. At such special meetings no business shall be considered other than as designated in the call.
- SECTION 3. QUORUMS – A majority of the membership of the Board shall constitute a quorum for the purpose of conducting routine business. It shall require a majority vote of the Board members to adopt or amend these regulations and bylaws.
- SECTION 4. AMENDMENT OR REPEAL OF BYLAWS – A majority vote of the full Board membership shall be required to amend or repeal these regulations and bylaws.
- SECTION 5. ORDER OF BUSINESS – At the regular meetings of the Board, the following shall be the order of business:
- 1) CALL TO ORDER
  - 2) ROLL CALL
  - 2)3) DETERMINATION OF LEGAL NOTICE
  - 3)4) APPROVAL OF MINUTES
  - 4)5) CORRESPONDENCE
  - 5)6) REPORT FROM THE CHAIR
  - 6)7) PUBLIC EXPRESSION
  - 7) ~~DETERMINATION OF NOTICING~~
  - 8) ~~PUBLIC HEARINGS (CONTINUED)~~ CONSENT CALENDAR
  - 9) ~~PUBLIC HEARINGS (NEW) ITEMS~~
  - 10) MATTERS FROM THE BOARD
  - 11) MATTERS FROM THE STAFF
  - 12) ADJOURNMENT
- SECTION 6. MANNER OF VOTING – The voting on formal resolutions and on such other matters as may be required by any member of the Board shall be by roll call, and the ayes and noes and members present and not voting shall be entered on the minutes of such meeting except the election of officers which may be by ballot.
- SECTION 7. RULES OF ORDER – ~~All rules of order not herein provided shall be determined with Sturgis' applicable publication. On all points of order or procedure not governed by these rules, the general rules of parliamentary practice as outlined in Robert's Rules of Order, latest revised edition, shall govern.~~

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approved by BOS ~~2/24/97~~