



**MENDOCINO COUNTY PLANNING COMMISSION**

**MINUTES FOR THE MEETING HELD ON:**

**May 16, 2019**

**LOCATION:**

Mendocino County Board of Supervisors Chambers  
501 Low Gap Road, Room 1070  
Ukiah, California

**COMMISSIONERS PRESENT:**

Pernell, Nelson, Warner, Holtkamp, Hall, Ogle, Jacobszoon

**COMMISSIONERS ABSENT:**

None

**PLANNING & BLDG SVC STAFF PRESENT:**

Brent Schultz, Director  
Julia Acker, Chief Planner  
Jesse Davis, Senior Planner  
Keith Gronendyke, Planner III  
Sam Vandy Vandewater, Planner II  
Susan Summerford, Planner III  
Adrienne Thompson, Administrative Services Manager II  
Jim Feenan, Commission Services Supervisor

**OTHER COUNTY DEPARTMENTS PRESENT:**

Matthew Kiedrowski, Deputy County Counsel  
Amber Munoz, Department of Transportation

**1. Roll Call.**

The meeting was called to order at 9:03 a.m.

**2. Planning Commission Administration.**

**2a. Determination of Legal Notice.**

The Clerk advised the Commission that all items had been properly noticed.

**3. Director's Report and Miscellaneous.**

Ms. Julia Acker Krog noted that Director Schultz was available for questions, but did not have a report to present. She also noted that there were no items scheduled for the June 6, 2019 Planning Commission meeting, which had been canceled.

**4. Matters from Public.**

No one was present from the public who indicated a desire to address the Commission.

**5. Consent Calendar.**

None.

**6. Regular Calendar.**

**6a. CASE#: R\_2019-0001**  
**DATE FILED: 1/10/2019**

ATTACHMENT D

OWNER: PATRICK DUGGAN

APPLICANT: REDWOOD REMEDIES

AGENT: EMILY HACKBARTH

REQUEST: Rezone of a 12.34± acre portion of a 22.35± acre parcel within the Rural Residential zoning district, from a lot size minimum of 1 acre (RR:1) to 10 acres (RR:10).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 0.2± miles east of Redwood Valley center, on the south side of Road D (CR 232), 0.1± miles east of its intersection with Harris Court (Private); located at 1401 Road D, Redwood Valley (APNs 163-082-09 and 163-090-05)

SUPERVISORIAL DISTRICT: 1

STAFF PLANNER: SAM VANDEWATER

Mr. Vandewater, staff planner, reviewed the staff report and discussed the request related to a partial rezoning, which was to allow for the continued cannabis cultivation on the site. He noted that the current zoning of RR1 would “sunset” on May 4, 2020, and the applicant’s request would reduce the density of the southern portion of the parcel to RR10, while the northern portion of the parcel would remain at the RR1 zoning designation. He stated that staff found the project to be in conformance with the General Plan and County Zoning Code and requested the Planning Commission recommend that the Board of Supervisors approve the project.

Commissioner Warner asked if any neighbors had submitted comments.

Mr. Vandewater noted that he had not received any letters but had spoken to one neighbor on the phone to clarify the project description.

Commissioner Wiedemann asked what the source of the water was for the cultivations site.

Mr. Vandewater noted that the parcel was served by the water district and PBS did review cultivation permits for adequate water supply during processing.

Commissioner Wiedemann asked how the parcels were being split related to the zoning.

Mr. Vandewater clarified that the parcels were not being split; however the single legal parcel would have two different zonings on the site.

Ms. Acker Krog also clarified that the proposed rezoning did not include any development and a water source was not needed at this point; for future development water would need to be identified.

Commissioner Holtkamp noted that several rezones had come forward recently that reduced zoning and she asked if that could affect the Housing Element.

Ms. Acker Krog noted that the County was in process of updating the Housing Element and Jesse Davis could most appropriately respond.

Mr. Davis commented that the rezoning would reduce the density and thus availability of development; however there could be geographic constraints to development on existing sites and was unsure of the direct impact to the Housing Element. He commented that there would be more rezoning applications and general plan amendments coming to the Commission due to cultivation and the sunset clause.

The Commission and staff discussed the various dotted lines through the site plan related to the legal parcel boundary, proposed rezone delineation and cultivation site setback.

Chair Ogle asked how someone would be able to tell the parcel was split-zoned “in field”.

Mr. Vandewater noted that the applicant must submit a meets & bounds survey for approval.

Emily Hackbarth, Agent, supported staff’s determination of the project and also noted that there are 9 acres of vineyard on the upper portion of the parcel that would remain. She also commented that many of the surrounding parcels to the south were AG40 and it was not a solely residential area.

The public hearing was declared open, seeing no one come forward the public hearing was declared closed.

Upon motion by Commissioner Holtkamp, seconded by Commissioner Pernell, and carried by a voice vote of (7-0), IT IS ORDERED that the Planning Commission recommends the Board of Supervisors grant Rezone R\_2019-0001 for the Project, as proposed by the applicant, based on the facts and findings.

AYES: Pernell, Nelson, Warner, Holtkamp, Wiedemann, Jacobszoon, Ogle  
NOES: None  
ABSENT: None

**6b. CASE#: UM\_2019-0001**

DATE FILED: 3/15/2019

OWNER: RURAL COMMUNITES HOUSING DEVELOPMENT CORP. (RCHDC)

APPLICANT: RCHDC

AGENT: RYAN LARUE

REQUEST: Use Permit Modification for U\_2016-0003 to allow for project phasing and to change the target population from exclusively senior housing to mixed population low income housing.

ENVIRONMENTAL DETERMINATION: Addendum to a previously adopted Mitigated Negative Declaration

LOCATION: Bordering the Ukiah City limits, lying on the south side of Brush Street (CR 217) at the eastern intersection of Orr Street (CR 216), 250± ft. from the intersection of Orchard Avenue (City Limits) to the west. The property is bounded on the south by 1,000± ft. of Orr Creek, which defines the limits between the City and County (APN: 002-101-26).

SUPERVISORIAL DISTRICT: 2

STAFF PLANNER: SUSAN SUMMERFORD

Ms. Susan Summerford, staff planner, reviewed the staff report and discussed the Memo that had been distributed to the Commission. She reviewed the changes requested to the staff report, resolution and addendum to the previously adopted Negative Declaration. She discussed the variance to parking, which had previously been approved for a senior housing development and noted that special needs housing would also qualify for the reduction to parking standards. She noted that the modification in the request was to allow for project phasing and no substantial changes were made; although Condition #23 was added at the behest of the applicant.

Commissioner Pernell requested clarification on Condition #15, related to the term half-width widening.

Amber Munoz, Department of Transportation, discussed the meaning of half width road widening, which located all proposed improvements on one half of the road.

Commissioner Pernell discussed the bike path and connection to a future trail system.

Ms. Munoz commented that the bike lane and sidewalk would be along the road frontage and deferred to the applicant for future trails.

Ryan La Rue, RCHDC, discussed the proposed road improvements surrounding the 8 acre parcel and stated that they would tie into the Orchard Avenue Bridge. He also discussed the linear trail adjacent to Orr Creek.

Commissioner Warner commented about the improvement of the Orr Creek Bridge.

Mr. La Rue commented that RCHDC did not have funds for the Orr Creek Bridge at this time, but noted the City of Ukiah may be seeking grant funds to improve the bridge.

Commissioner Warner discussed the need for a fence along the creek in case young children were present.

Mr. La Rue agreed that a fence might be prudent; however there was a restriction to building in the riparian zone and they could not build the fence.