



Mendocino County

Legislation Details (With Text)

File #: 25-0449 **Version:** 1 **Name:**

Type: Resolution **Status:** Agenda Ready

File created: 5/5/2025 **In control:** Planning and Building Services

On agenda: 5/20/2025 **Final action:**

Title: Noticed Public Hearing - Discussion and Possible Action to Consider an Appeal of the Mendocino Historical Review Board's Denial of Mendocino Historical Review Board Application MHRB_2024-0009 to Replace an Existing Water Tower Staircase Attached to a Commercial Structure with a New Staircase; Located at 45040 Main Street, Mendocino, APN 119-238-10, Including Possible Adoption of a Resolution Reversing the Denial of Application MHRB_2024-0009 (Sponsor: Planning and Building Services)

Sponsors: Planning and Building Services, Steve Dunicliff

Indexes:

Code sections:

Attachments: 1. Resolution 25-096, 2. MHRB_2024-0009 Appeal Memo FINAL, 3. MHRB_2024-0009 Appeal Attachments FINAL, 4. MHRB_2024-0009 Letter from Attorney 03-19-25, 5. MHRB_2024-0009 BOS Resolution FINAL, 6. MHRB_2024-0009 Appeal Legal Notice FINAL, 7. 05-19-25 MHRB_2024-0009 Supplemental Memo, 8. 05-19-25 MHRB_2024-0009 Appeal Comments Combined

Date	Ver.	Action By	Action	Result
5/20/2025	1	Board of Supervisors		

To: BOARD OF SUPERVISORS

From: Planning and Building Services

Meeting Date: May 20, 2025

Department Contact: Liam Crowley

Phone: 707-234-6650

Department Contact: Julia Krog

Phone: 707-234-6650

Item Type: Noticed Public Hearing

Time Allocated for Item: 1 Hour

Agenda Title:

Noticed Public Hearing - Discussion and Possible Action to Consider an Appeal of the Mendocino Historical Review Board's Denial of Mendocino Historical Review Board Application MHRB_2024-0009 to Replace an Existing Water Tower Staircase Attached to a Commercial Structure with a New Staircase; Located at 45040 Main Street, Mendocino, APN 119-238-10, Including Possible Adoption of a Resolution Reversing the Denial of Application MHRB_2024-0009 (Sponsor: Planning and Building Services)

Recommended Action/Motion:

Adopt a resolution reversing the Mendocino Historical Review Board's denial of Mendocino Historical Review Board application MHRB_2024-0009 to replace an existing water tower staircase attached to a commercial structure with a new staircase; located at 45040 Main Street, Mendocino, APN 119-238-10; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

In 1995 the Board adopted Division III of Title 20 of the Mendocino County Code through Ordinance No. 3915. Chapter 20.760 is included in Division III, which establishes the Mendocino Historical Preservation District, Historical Review Board, and associated regulations. Chapter 20.728 is also included in Division III, which establishes procedures for the appeal of Mendocino Historical Review Board decisions.

Summary of Request:

The request is for a Mendocino Historical Review Board (MHRB) permit to replace an existing water tower staircase attached to a commercial structure with a new staircase. The property is located at 45040 Main Street, Mendocino; APN 119-238-10. The MHRB permit was denied by the Review Board on December 2, 2024.

On December 4, 2024, Jennifer Raymond, on behalf of Main Street Mendo LLC, filed an appeal of the Review Board's decision. The appeal asserts that the deteriorated condition of the tower requires that it be removed or completely rebuilt, the cost of which would be prohibitive to the current owner(s). The appellant also submitted an addendum which claims that a Review Board member failed to reveal a conflict of interest and recuse themselves from the hearing.

Per County Code Section 20.760.072(C), the appellant must demonstrate how the denied proposal would conform with Section 20.760.065, which contains the three (3) required findings for approval of MHRB applications. The appellant submitted a statement of findings to comply with this requirement.

Please see the attached memorandum for further details.

Alternative Action/Motion:

Either (1) remand the decision to the Review Board to reconsider the Project, including for purposes of CEQA, (2) affirm the Review Board's decision, or (3) modify the Review Board's decision. The Board must adopt findings which specify the facts relied upon in deciding the appeal.

Strategic Plan Priority Designation: A Safe and Healthy County

Supervisory District: District 5

Vote Requirement: Majority

Supplemental Information Available Online At:

<https://www.mendocinocounty.gov/departments/planning-building-services/public-noticing>

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

budget clarification: N/A

annual recurring cost: N/A

budgeted in current f/y (if no, please describe): N/A

revenue agreement: N/A

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: Yes

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Atlas Pearson, Senior Deputy Clerk

Date: May 20, 2025

Final Status: **Adopted**

Executed Item Type: Resolution

Number: 25-096

