

ATTACHMENT D

CLIFFORD PAULIN
1ST DISTRICT
COMMISSIONER
VICE-CHAIR

ELORA BABBINI
2ND DISTRICT
COMMISSIONER

ALISON PERNELL
3RD DISTRICT
COMMISSIONER

MARIE JONES
4TH DISTRICT
COMMISSIONER

DIANA WIEDEMANN
5TH DISTRICT
COMMISSIONER
CHAIR



JULIA KROG, DIRECTOR
PLANNING AND BUILDING SERVICES

MATTHEW KIEDROWSKI
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MENDOCINO COUNTY PLANNING COMMISSION

ACTION MINUTES – December 7, 2023

BEFORE THE PLANNING COMMISSION
COUNTY OF MENDOCINO – STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)

AGENDA ITEM NO. 1 – OPEN SESSION AND ROLL CALL 10:00 A.M.

Present: Commissioner Clifford Paulin, Commissioner Elora Babbini, Chair Diana Wiedemann presiding.

Absent: Commissioner Marie Jones, Commissioner Alison Pernell by pre-arrangement

Staff Present: Julia Krog, Director; Russ Ford, Senior Planner; James Feenan, Commission Services Supervisor; Jocelyn Gonzalez-Thies, Administrative Assistant; Matthew Kiedrowski, Deputy County Counsel; Scott Spears, IT;

AGENDA ITEM NO. 2 - PLANNING COMMISSION ADMINISTRATION.

2a. Determination of Legal Notice – The Clerk advised the Commission that all items on the agenda had been properly noticed.

AGENDA ITEM NO. 3 – DIRECTOR AND ASSISTANT DIRECTOR REPORT

Director Krog announced that John Burkes has been hired as the new Planning & Building Services Assistant Director.

Commissioner Paulin requested an update on the Inland Zoning Ordinance and a timeline.

Ms. Krog stated that the 2nd draft was just completed. She estimated that the Inland Zoning Ordinance would be before the Planning Commission in March or April 2024.

AGENDA ITEM NO. 4 – MATTERS FROM THE PUBLIC**Public Comment:** None**AGENDA ITEM NO. 5 – CONSENT CALENDAR****5a. Approval of 11-16-23 Planning Commission Minutes.**

Upon motion by Commissioner Paulin, seconded by Commissioner Babbini, and carried by a roll call vote of (3-0), IT IS ORDERED that the Consent Calendar is approved without edits.

AYES: BABBINI, PAULIN, WIEDEMANN
 NOES: NONE
 ABSENT: JONES, PERNELL

AGENDA ITEM NO. 6 – REGULAR CALENDAR**6a. Noticed Public Hearing****CASE#:** UM_2020-0006**DATE FILED:** 8/6/2020**OWNER:** VICKI TODD**APPLICANT:** COLD CREEK COMPOST (MARTIN MILECK)**REQUEST:** Use Permit Modification to #U 26-93/2009 to allow for the expansion of operations at an existing compost site. The expansion request consists of: the grading of an adjacent 7.20± acre area for storage of finished compost, the development of an 8.4± acre storm water pond, and an increase to the allowable annual tonnage received, from 50,000 to 70,000 tons.**ENVIRONMENTAL DETERMINATION:** Addendum to EIR/ND**LOCATION :** 4.6± miles south of Potter Valley, accessed by a private road on the east side of East Side Potter Valley Road (CR 240), lying 1.5± miles northeast of its intersection with State Route 20, located at 6000 East Side Potter Valley Road; APN's: 177-150-03 and 177-150-02.**SUPERVISORIAL DISTRICT:** 1 (McGourty)**STAFF PLANNER:** SUSAN SUMMERFORD

The public hearing was declared open.

Public Comment: Philips A. Williams**Telecomments:** No telecomments requested

The public hearing was declared closed.

Upon motion by Commissioner Babbini, seconded by Commissioner Paulin, and carried by a roll call vote of (3-0), IT IS ORDERED that the matter be continued to a date uncertain.

AYES: PAULIN, BABBINI, WIEDEMANN
 NOES: NONE
 ABSENT: JONES, PERNELL

6b. Noticed Public Hearing**CASE#:** U_2021-0016 & V_2021-0005**DATE FILED:** 10/28/2021**OWNER/APPLICANT:** FAIZAN CORPORATION & 898 MAIN STREET LLC**AGENT:** RICHARD RUFF & ASSOCIATES INC.**REQUEST:** Minor Use Permit to establish and operate a gas station with ten (10) gas pumps, two (2) separate illuminated canopies, twenty-eight (28) new parking spaces, landscaping, and convert part of an existing structure to a convenience store. A concurrent Variance is requested for a sixty-five (65) foot tall business identification sign.**ENVIRONMENTAL DETERMINATION:** MITIGATED NEGATIVE DECLARATION**LOCATION:** 1.6± miles southwest of Redwood Valley center, on the north side of North State Street (CR 104), 600± feet east of its intersection with U.S. Route 101 (US 101), located at 9621 & 9601 North State St, Redwood Valley; APNs 162-100-58 & 162-100-59.**SUPERVISORIAL DISTRICT:** 1 (McGourty)**STAFF PLANNER:** LIAM CROWLEY

The public hearing was declared open.

Staff Presentation: Liam Crowley, Planner II; Russ Ford, Senior Planner

[Break 11:05 a.m. – 11:15 a.m.]

Applicant/Owner/Agent: Attorney Brian Momson for Faizan Corporation; Dana Whitlock; Ernie Wipf; Mahmood Alam.

Public Comment: Rex Jackman, Caltrans; Tom Rawles; Christine Boyd; Dolly Riley; Steve Henderson; Bob Edwards; Mari Rodin; Peter McNamee; Don Hess; Carrie Durkee; Marcy Snyder; Woody Hastings.

Telecomments: No telecomments requested.

The public hearing was declared closed.

Tentative Motion:

Upon motion by Commissioner Paulin, seconded by Commissioner Babbini, and carried by a roll call vote of (3-0), IT IS ORDERED, the Planning Commission, County of Mendocino, State of California, tentatively denies the following project (U_2021-0016 & V_2021-0005), with direction to the Planning Staff to prepare a Resolution for Denial that would be reviewed by the Planning Commission on January 4, 2024.

AYES: BABBINI, PAULIN, WIEDEMANN
NOES: NONE
ABSENT: JONES, PERNELL

6c. Noticed Public Hearing

CASE#: UR_2023-0005

DATE FILED: 6/26/2023

OWNER: RICHARD & JUDIE MURPHY

APPLICANT/AGENT: JOHN SCANDOLA (CAMP & ASSOCIATES)

REQUEST: Renewal of Use Permit U 21-2004 to allow continued use of an existing wireless communication facility.

ENVIRONMENTAL DETERMINATION: CATEGORICALLY EXEMPT

LOCATION: 1± mile northwest of Calpella, on the east side of Finne Road (private), 1± mile south of its intersection with Uva Drive (CR 239), located at 821 Finne Road, Redwood Valley; APN: 151-220-05.

SUPERVISORIAL DISTRICT: 1 (McGourty)

STAFF PLANNER: LIAM CROWLEY

The public hearing was declared open.

Staff Presentation: Liam Crowley, Planner II

Applicant/Owner/Agent: John Scandola, Paul Albritton

Public Comment: Robert Edwards

Telecomments: No telecomments requested.

The public hearing was declared closed.

Upon motion by Commissioner Babbini, seconded by Commissioner Paulin, and carried by a roll call vote of (3-0), IT IS ORDERED, By resolution, the Planning Commission, County of Mendocino, State of California, approve Use Permit Renewal UR_2023-0005 based on the facts and findings and subject to the conditions of approval contained in the attached Exhibit A.

AYES: PAULIN, BABBINI, WIEDEMANN
NOES: NONE
ABSENT: JONES, PERNELL

AGENDA ITEM NO. 7 – MATTERS FROM STAFF

7a. None

AGENDA ITEM NO. 8 – MATTERS FROM COMMISSION

8a. Chair Wiedemann requested to have hearing packets available if requested.

Ms. Krog stated that the Commission office would be able to provide packets for larger and more complex projects and informed the Commission that if they would like a packet, than they would just need to notify Jim Feenan and he would provide a packet for pick-up in the Ukiah or Fort Bragg office.

AGENDA ITEM NO. 9 – ADJOURNMENT

THERE BEING NOTHING FURTHER TO COME BEFORE THE PLANNING COMMISSION, THE MENDOCINO COUNTY PLANNING COMMISSION ADJOURNED AT 1:15 P.M.

Attest: James Feenan
Commission Services Supervisor

Diana Wiedemann
DIANA WIEDEMANN, CHAIR

James Feenan

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY PLANNING COMMISSION MEETINGS.

- Effective March 1, 2020, Planning Commission minutes will be produced in “action only” format. As an alternative service, public access to recorded Commission proceedings will be available on the Planning and Building website.
- LIVE WEB STREAMING OF COMMISSION MEETINGS is now available via the County’s YouTube Channel. If technical assistance is needed, please contact Mendocino County Planning & Building Services at (707) 234-6650.
- Minutes are considered draft until adopted/approved by the Planning Commission.
- The Planning Commission action minutes are also posted on the County of Mendocino website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.
- To request an official record of a meeting contact the Mendocino County Planning and Building Department at (707) 234-6650.
- Please reference the departmental website to obtain additional resource information for the Planning Commission at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

Thank you for your interest in the proceedings of the Mendocino County Planning Commission.