



Minutes for 11 July 2019

The regular monthly meeting of the Gualala Municipal Advisory Council (GMAC) was held on Thursday, 11 July at the Gualala Community Center in downtown Gualala. Council Members present were: Lloyd Chasey, Melissa Finley, Charles Ivor, Robert Juengling, and Tom Murphy. Newly-appointed Council Member Donald Hess also attended. Special Guests were: 5th District Supervisor Ted Williams; Director of Planning Brent Schultz, and; Chief Planner Julia Acker Krog. Administrative Secretary Mary Mobert and 25 members of the public were present (see sign-in sheet and speaker's cards). Council Chair Juengling convened the meeting at 18:30.

1. **Introductions and Announcements:** Council Members introduced themselves. **Council Chair Juengling** introduced new Council Members Tom Murphy and Don Hess. Council Member Hess will attend as a voting member 1 August.
2. **Consent Agenda:**
 - 2.a. **Minutes: 6 June 2019:**
 - i. It was moved by Council Member Ivor, seconded by Council Member Finley, and carried 4 Yes (Council Members Chasey, Finley, Ivor, and Juengling); 0 NO; 1 ABSTENTION (Council Member Murphy) that the Minutes of 6 June be approve as amended by:
 - 1) page 2, Item 8, paragraph 2, line 1: striking "...spoke with Warren Galetti, Superintendent..." and inserting "...spoke with the President of the Board...;"
 - 2) page 3, paragraph 2, line 3: striking "...last year..." and;
 - 3) pages 4-5, Item 13 inclusive: insert Mr. George Provencher's name where Mr. Coppotta's name is mentioned.
 - 2.b. **Correspondence:** All were acknowledged as received (see attached)
 - i. **CalFire Weekly Notification of Submissions:** THP #1-19-00082 MEN, Slick Rock Creek, Anchor Bay
 - ii. **CalFire Weekly Notification of Submissions:** THP #1-19-00066 MEN, Big Gulch, Gualala
 - iii. **CalFire Weekly Notification of Submissions:** THP #1-19-0096 MEN, Gualala River North Fork
Council Member Murphy stated one of the above Timber Harvest Plans (THP) is a clear-cut proposal and needed commentary from the Council as well as the community. Part of the Gualala Town Plan is to preserve the character of the town and surrounding area; Both he and **Council Member Ivor** felt, in order to comment on them properly, all THPs listed in the area should be put on the Agenda and be discussed.
Julia Acker stated County Planning and Building has little authority over THPs but only consider Timber Conversions under three acres and Source Exemption Permits CalFire may issue, e.g., fire-hazard clearance, construction of residential buildings, etc. They are included in a Coastal Development Permit (CDP).
Council Member Finley felt notices on local THPs should be printed in the *Independent Coast Observer* (ICO), and announced on all local radio stations. GMAC should make the public aware that THPs will be reported on and/ or discussed at monthly meetings.
Supervisor Williams suggested a Council Member Chasey attend second review discussions with CalFire on proposed local THPs. GMAC could hold more sway by its presence—sitting at the Agency Table during the process—than writing a letter. Considering changing weather patterns, fire safety, and local water issues, he thought GMAC's attendance would be appropriate.
It was moved by Council Member Chasey, seconded by Council Member Murphy, and unanimously carried that THPs will be permanently placed on the Agenda starting 1 August. Council Member Chasey will research and lead discussion on Gualala River's North Fork THPs at that time.
 - iv. **U-2019-0006 (Redwood Coast Wellness Center):** Location 38381 Ocean Ridge Drive; APN 144- 256-13 This permit will be assigned Council Members to walk/see the property at Item 19 (below).
 - v. **Letter: Henry & Adele Browsers** regarding Various Property Maintenance Codes and/or Ordinances. **Council Chair Juengling** felt the letter should be acknowledged and the Bowers be referred to County departments regarding their concerns.

It was moved by Council Member Murphy, seconded by Council Member Chasey, and unanimously carried that the Browers' letter be acknowledged as received. Council Member Murphy will respond.

3. Approval of Agenda:

It was moved by Council Member Chasey, seconded by Council Member Ivor, and unanimously carried that the Agenda be approved as amended by moving Item 10C Various Cal Trans & County Issues: i Mendocino Planning and Services Department to be heard after Item 5. Report: Mendocino County Law/Code Enforcement.

4. Public Input on Non-agenda Items:

a. **Terry Pfordresher**, Gualala-area resident, was concerned a cell tower would be constructed on a parcel on her private road. She listed health issues to residents, road maintenance, and fire danger from the generator running for 24 hours unattended on a property with no access to water. There was no egress from her neighborhood on Big Gulch Road during a fire emergency. She spoke to the County and they will notify her when the matter would be heard. She was assured it will be reviewed by environmental agencies before being referred for approval. Since there are other tower permits coming up for review and permitting, she wants all future tower permit proposals in the area to be discussed by the Council and the public.

Ms. Acker stated a lot of cell tower permits have been filed recently. Notices regarding pending permits have been posted at the entrances of the properties. Her office will review and refer these permits to GMAC. The public and the ICO will be notified within 21 days of a public hearing on any permits.

b. **Teresa Spade** of *Spade Natural Resources Consulting*, Fort Bragg, CA, urged the Council to consider updating the *Gualala Town Plan* (GTP) when addressing rezoning. She gave several reasons why the RCMS helipad, being in a Gualala Planned Development (G-DP) area was a problem. She cited from the GTP, page 316, GTP District on hillside east of Church Street. At the time of writing, the hillside was stated as being owned by two entities when in fact it was owned by four. This was a County error that makes zoning changes difficult to get through the rezoning process that requires a Master and Precise Plan process for the entire area. Each owner has their own specific needs and it's hard to match those concerns with another's. The 50% Residential and 10% Visitor Serving requirements are other difficulties and not feasible for RCMS and/or the *Coast Life Support District*. Dedicating that much land to these mandated uses is not in the purview of their business needs. Natural resources constraints will not allow for the development projections outlined in the GTP. The plan was to facilitate the expansion of a future commercial district but little has changed over the past 17 years due to the difficulties caused and requirements posed in the plan. She suggested the area's zoning be changed to Gualala Village Mixed Use (G-VMU) that would allow the existing entities to remain as Principally Permitted Uses.

c. **John Bower**, Gualala-area resident, thanked the Supervisor and planners for finally being here to look at the various issues Gualala is facing at present: rewriting the GTP—especially the environmental issues and restrictions it imposes on developers—, lack of parking for RCMS, and loss of same for Surf Market, is very impactful on the community. The GTP was put in place to help development but now is impeding it. Gualala is the service center for The Sea Ranch. The town is growing and needs to develop so it can provide services.

5. Report: Mendocino County Law/Code Enforcement: None

6. Discussion; Mendocino Planning & Building Services Department: Brent Schultz, Director of Planning; Julia Acker Krog, Chief Planner, & Ted Williams, Mendocino County 5th District Supervisor.

Council Chair Juengling welcomed the guests from Ukiah and summarized the list of questions for discussion that had previously been sent to Planning and Building (see attached). He announced the RCMS helipad rezoning fees will be paid by the County due to the zoning error mentioned above (see Item 4.b.).

Coastal Development Permits (CDPs):

Brent Schultz has just moved to Mendocino County and is the new Director of the *Planning and Building Department* now renamed the *Planning Building and Cannabis Department*. He has worked for several urban areas but the Coastal Plan, and California Coastal Commission (CCC) and County codes and ordinances are the most difficult he has had to use. The environmental mandates predicate his having a biologist on staff. If a citizen sees a code violation on a property or when a project is being built, the department now has four code-enforcement officers to address code violations. He and his staff will work with GMAC and meet with the public during the re-writing of the GTP. He wants the Helipad to pass quickly so services to the community will not be interrupted.

He asked attendees to let his office know what they like and/or don't like about the CDP process. There are no design guidelines in County and GMAC receives CDPs before the engineering or design phases are addressed, so the Council doesn't have to comment on these phases of the CDP. In highly scenic areas, they do look at the design, so they do want commentary on design, lighting, drainage, etc. Staff is mainly interested in protecting sensitive environmental areas covered by the *California Environmental Quality Act* (CEQA) and *Environmentally Sensitive Habitat Area* (ESHA), and/or knowing of endangered or rare plants and animals. They do not address Covenants, Conditions, and Restrictions (CC&Rs) mandated in a development when issuing a CDP.

Council Member Ivor felt the Federal government should have designated all the California Coastal areas from Jenner to Mendocino a national park due to its beauty. It is up to the citizens to protect it now. In order to do that, it should be difficult to obtain a CDP, and any CDP should have its design reviewed.

Cell Tower Permits:

Council Member Chasey noted the Council had addressed several cell tower permits over the past few months. Most community members voiced concerns about health issues caused by a cell tower's Electromagnetic Field (EMF) radiation emission.

Ms. Acker noted an agency can't recommend denial of a project if it meets Federal EMF standards. These projects have a sunset date that, if they are not addressed/approved, they will be built. Height issues are not addressed by County but if the height interferes with scenic views or causes an eyesore when entering a community, the project could be denied.

Council Member Finley stated Federal standards were issued in the 1980s, are way out of date, and noted studies proving EMFs were hazardous to the health of all species. **Council Member Murphy** felt it would be a dereliction of GMACs duty not to protect the community against all health hazards. If people don't want a tower in their community, they should rise up and let the Government know.

Gualala Town Plan (GTP):

Council Member Chasey stated most residents want the GTP rewritten. Should the GMAC address all of the plan or only segments, e.g., zoning, mandated usage, etc. **Ms. Acker** suggested segments and some mandates be rewritten. The Residential mandate of 50% on a commercial parcel is too high. G-VMU zoning for commercial areas is better for the RCMS/Life Support area than G-DP.

Mr. Schultz and Ms. Acker asked ideas be sent to the office for their input. they will look into codes and environmental issues. The plan has to be consistent with other County, State and/or CCC plans and elements. Only four code rewrite plans can be approved per year; at present staff is working on eight plans from throughout the County. Plans must go through a three-step process: approval of the *County Planning Commission*, *County Board of Supervisors*, and the CCC, which may take a year or two.

Start with committee and community meetings. Look at each parcel to make the changes needed; then send all the outcomes to their office. On the County website, there are sixteen parcels east of Highway One needing re-zoning. Ask an architect to help design what is wanted, then change zoning accordingly. There are thirteen planners who could potentially work with GMAC on the project. Make all changes at once; don't submit several piecemeal for each will take the same time to approve. Submit the helipad plan singularly and then submit the rezoning in its entirety.

David Bower, Gualala-area resident and president of the North Gualala Water Company, noted low-cost, low-income housing is not available on the Coast because of the cost to build it with the mandated solar panels on roofs and other environmental requirements. **Council Member Murphy** said that, since the CCC is becoming stricter on the environment, the Coastal Element may have to be rewritten. Both planners agreed. **Mr. Schults** noted the County Housing Element is being rewritten and will be approved by December. The GTP may not want to initiate high-density parcels that would change the look/feel of the area. **Mary Mobert** suggested the County change the building codes to approve green building techniques such as cob and wattle and daub. She urged planners and the Supervisor to visit Gualala every quarter as the Sheriff does. It had been over five years since planners had visited Gualala to hear community concerns.

Deborah Lane, Gualala-area resident and RCMS representative, stated RCMS needs their Use Permit for the helipad and a resolution of the problems the GRP pose to be completed to submit the permit for approval. **Ms. Acker** stated the rezoning is a separate issue from the Use Permit. Rewriting the GTP is not required for RCMS to submit

the Use Permit for approval from the County and State. This will take until September and then a month for issuance of approval by her office.

Gualala Community Action Plan (Streetscaping Planning) (GCAP):

Council Chair Juengling stated the initial Environmental Phase has been completed and posted online at the CalTrans website. The Rezoning Committee has been discussing zoning as well as the GTP, streetscaping, and parking issues, e.g., the GTP needs to be amended to conform with CalTrans' highway-width change from 90 ft. to 60 ft. **Ms. Acker** said they are reviewing the plan.

Steve May, owner of the Surf Market, felt that, since the planning stage was beginning, allowing on-street parking could be the solution to some of the parking problems. **Council Member Finley** remembered Mr. Bower's proposal to raze the building complex north of the market and put in parking with an unobstructed view of the river and ocean. **Ms. Acker** suggested a public parking lot within walking distance of shopping and downtown areas. **Council Chair Juengling** suggested using the westerly part of the eastern G-PD district on Church Street for parking.

A seven minute recess was taken from 20:42 to 20:49.

7. Downtown Gualala Rezoning & RCMS Helipad:

Council Member Juengling introduced Deborah Lane, Compliance and Safety Officer of RCMS who introduced the new RCMS CEO, David Jemison-Ball, and George Provencher who researched and helped write the helipad Use Permit.

Council Chair Juengling read the CDP. The Council saw no problems with the project. **It was moved by Council Member Chasey, seconded by Council Member Finley, and unanimously carried that the CDP be recommend for approval. Council Member Chasey** will write the County.

8. Downtown Gualala Rezoning of G-PD Areas: (Council Chair Juengling & Rezoning Committee Members)

Council Member Chasey recommended continuing with sub-committee meetings to identify the high-priority areas and work with planners. Committee members are John Bower, Lloyd Chasey, Robert Juengling, and George Provencher. The next scheduled meeting is 16 July, at the *North Gualala Water Company's* conference room starting at 11:00. It was agreed Council Member Murphy will join the committee after Council Member Hess is sworn into office.

9. Status of the Gualala Water Moratorium:

David Bower stated there were no changes; at present all was up in the air. He will hear about the grant application for a water tank in Anchor Bay next week. Then, he will look at a building a reservoir to work in tandem with water wells; maybe these projects could lift the moratorium. A smaller reservoir can be built on a smaller parcel than originally planned making it more affordable in the long run. With water conservation practices in mind, the reservoir would be able to accommodate 1,300 to 1,350 new customers through the worst draught conditions that seen over the past few years. In 20 years, another small reservoir could be built.

Council Member Murphy asked, if a developer wanted to construct affordable housing for future residents, how would it affect the water situation. **Mr. Bower** said it depended on customer usage but with the present restrictions in place, he doesn't see over 200 houses being built in the Water District over the next several years.

Council Member Juengling asked how long it would take to build a reservoir if a permit was approved. **Mr. Bower** didn't know and had no design in place at present. Perhaps one to two years. **Mary Sue Ittner** asked how the company would pay for the reservoir. **Mr. Bower** stated 40% would come from a grant, 60% from the company. If a subdivision was built, residents would pay for some of it via their water rates.

10. Council Matters:

10.a. Various CalTrans and; County Issues:

i. Gualala Community Action Plan (Streetscaping Planning) (GCAP)

Council Chair Juengling restated he has received CalTrans' Initial Environmental Study. CalTrans asks input be submitted by 8 August. The report can be seen at his office or on the CalTrans website at:

<https://ceqanet.ca.gov/2019079020\2> or, once on the site, searching for "Gualala."

The plan contains all alternatives for the highway's layout. The next phase is the Design Phase.

ii. Discussion: Gualala Parking Issues & Future Parking Forum:

A Rezoning Committee meeting will be held 16 July at 11:00 at the *North Gualala Water Company's* conference room.

iii. Future Mill Bend Coalition:

Kathleen Chasey noted the Mill Bend property is still in escrow and the Coalition is trying to find new land along the river to purchase for the park.

iv. Invite Planning and Building Department Representative to Speak: Planners attended this evening.

11. Chairman Juengling's Report:

Council Chairman Juengling noted the renewed interest in GMAC, the progress in the streetscaping project, repaving of the highway from the Gualala Bridge to just north of Point Arena, and the rezoning and rewriting of the GTP. Completing these projects will make Gualala a better place for all.

12. Vice-Chairman Ivor's Report: None

13. Treasurer's Report: None.

14. Website Report: Maintenance of GMAC Website: None.

15. Broadband Report: None.

16. GMAC Promotion, Citizen Participation & Recruitment:

Council Chair Juengling restated the Council had two new members, Tom Murphy and Donald Hess. It still needs two more members, one Regular Member and one Alternate Member.

17. Administrative Secretary Mober's Report:

Administrative Secretary Mober reported working 22.36 hours; materials were \$7.39, for a total of \$343.07.

18. Walk/See: U-2019-0006 (Redwood Coast Wellness Center): Two representatives of the *Redwood Coast Recreation Center* that is building the Wellness Center were present. The grant is due at the end of the month. Council Members Finley and Murphy volunteered to walk, see, and lead the project.

19. Agenda for next meeting 1 August 2019:

a. Invitations for Future Speakers:

b. Rezoning Committee Report:

Convening meetings at 18:00 rather than 18:30 was discussed. When the Sheriff's Forum is held, the meeting would begin after the forum adjourns.

It was moved by Council Member Finley, seconded by Council Member Murphy and unanimously carried that meetings will convene at 18:00 starting 1 August.

20. Adjournment: 21:26

DRAFT Minutes prepared by Administrative Secretary Mober

GMAC's archives may be viewed at this website: www.gualalamac.org, and/or by contacting Administrator Mober: (707)884-3368.

The Mendocino County Board of Supervisors established the Gualala Municipal Advisory Council (GMAC) to advise them on planning issues that affect or have the potential to affect the Gualala area. The GMAC's role is advisory only.

Public Attendance and Participation is Encouraged at GMAC Meetings.