



COUNTY OF MENDOCINO  
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482  
120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR  
TELEPHONE: 707-234-6650  
FAX: 707-463-5709  
FB PHONE: 707-964-5379  
FB FAX: 707-961-2427  
pbs@mendocinocounty.org  
www.mendocinocounty.org/pbs

May 19, 2020

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Zoning Administrator at its regular meeting on Thursday, June 11, 2020 at 10:00 a.m. will conduct a public hearing on the following project(s) at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending written comments to [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org), or via telecomment. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>. The meeting is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>.

**CASE#:** UR\_2020-0001

**DATE FILED:** 1/9/2020

**OWNER/APPLICANT:** TODD & JENNIFER SOLLER

**AGENT:** KELLY GRIMES

**REQUEST:** Use Permit Renewal for U\_2016-0008 which allowed for a distillery within an existing structure. The request also includes the change to Condition #2 to extend the renewal period from every two (2) years to every ten (10) years.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** 3± mi. northeast of Elk center, on the south side of Cameron Road (CR 516), 0.5± mi. west of its intersection with Philo-Greenwood Road (CR 132); located at 6100 Cameron Road, Elk (APN: 129-040-03)

**SUPERVISORIAL DISTRICT:** 5

**STAFF PLANNER:** SAM VANDEWATER

The staff report and notice will be available for public review 10 days prior to the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/zoning-administrator>.

In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org) by June 10, 2020, or orally via telecomment in lieu of personal attendance. All public comment will be made immediately available to the Zoning Administrator, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/zoning-administrator>.

To submit public comments via telecomment, a request form must be received by 8:00 a.m. the morning of the meeting. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>.

The Zoning Administrator's action regarding this item shall be final unless appealed to the Board of Supervisors. The last day to file an appeal of the Zoning Administrator's decision is the 10th day after the hearing. To file an appeal, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this

notice, or in written correspondence delivered to the Department of Planning and Building Services at, or prior to, the public hearing. All persons are invited to present testimony in this matter.

**AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE.** Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling (707) 234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Zoning Administrator's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

**BRENT SCHULTZ, Director of Planning and Building Services**



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**May 19, 2020**

**TO: Independent Coast Observer**  
**FROM: James F. Feenan, Commission Services Supervisor**  
**SUBJECT: Publication of Legal Notice.**

**Please publish the following notice one time on May 22, 2020 in the Legal Notices Section of the Independent Coast Observer.**

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BRENT SCHULTZ, Director of Planning and Building Service



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**ZONING ADMINISTRATOR  
STAFF REPORT- MINOR USE PERMIT RENEWAL**

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**JUNE 11, 2020  
UR\_2020-0001**

**SUMMARY**

**OWNER/APPLICANT:** TODD & JENNIFER SOLLER  
6100 CAMERON RD  
ELK, CA 95432

**AGENT:** KELLY GRIMES  
PO BOX 598  
LITTLE RIVER, CA 95456

**REQUEST:** Minor Use Permit Renewal for U\_2016-0008 which allowed for a distillery within an existing structure. The request also includes the change to Condition #2 to extend the renewal period from every two (2) years to every ten (10) years.

**LOCATION:** 3± miles northeast of Elk center, on the south side of Cameron Road (CR 516), 0.5± miles west of its intersection with Philo-Greenwood Road (CR 132); located at 6100 Cameron Road, Elk (APN: 129-040-03).

**TOTAL ACREAGE:** 28.91± Acres

**GENERAL PLAN:** Forestland (FL)

**ZONING:** Forestland (FL:160)

**SUPERVISORIAL DISTRICT:** 5<sup>th</sup> (Williams)

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt; Class I, Section 15301

**RECOMMENDATION:** APPROVE WITH CONDITIONS

**STAFF PLANNER:** SAM VANDY VANDEWATER

**BACKGROUND**

**PROJECT DESCRIPTION:** The applicants are requesting a use permit renewal for a previously approved project. The original use permit (U\_2016-0008) was approved by the Zoning Administrator on April 13, 2017, to establish a distillery in an existing 1,392± square foot accessory structure on the subject property. The project includes the conversion of an existing accessory storage barn into a small distillery facility. The structure would be accessory to the main residence, which already exists on-site. The proposed distillery would utilize an existing water supply from an on-site well. The existing septic system would also be used to service the sanitation facilities. No on-site tasting room was proposed. If, at a future, date the applicant proposes to establish a tasting room, a modification to the use permit would be required. The project involves two (2) phases:

- ♦ **Phase 1)** Storage of purchased spirits in barrels; and
- ♦ **Phase 2)** Installation of equipment to produce distilled spirits.

The project is currently still in Phase 1.

The existing structure that was converted into the distillery was divided into 4 separate spaces; the distillery room, a utility room, an office, and a half bathroom with sink and toilet. The source of heat

needed for the distilling process will be derived from a boiler located in the utility room. The utility room will be separate from the distilling room, and will be enclosed by one (1) hour fire resistant walls. Any and all electrical wiring will be surface-mounted commercial conduit. Storage of flammable liquids will be on racks that are limited to three barrels high (roughly 10ft) and will be secured at the top and bottom to prevent spills and tip-overs.

The renewal of the aforementioned use permit and approved activities includes the change to Condition #2 which gave a two (2) year renewal period. The applicants request a ten (10) year renewal period.

**SITE CHARACTERISTICS:** The subject parcel is approximately 28.91 acres in size and is situated roughly 3 miles northeast from the coastal community of Elk. Located on the south side of Cameron Road (CR 516), the subject parcel is accessed by a private paved driveway and is approximately ½ mile from the intersection of Cameron Road and Greenwood Road (CR 132). The northern portion of the subject parcel is relatively flat while the southern and western portions of the parcel have a steep slope. The subject parcel has a fair amount of vegetation, consisting mostly of coastal redwoods, as well as some open meadows. Existing structures on the property include a single family residence with an attached garage, a wooden shed, a water tower, and a storage barn that is the site of the distillery activities. The closest neighboring house is roughly 1,000 feet away from the project site.

<b>TABLE 1 – SURROUNDING LAND USE AND ZONING</b>				
	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LOT SIZES</b>	<b>USES</b>
<b>NORTH</b>	FL (Forest Land)	TP (Timber Production)	51± Acres	Residential
<b>EAST</b>	FL (Forest Land)	TP (Timber Production)	26± & 35± Acres	Unimproved/Woodlands
<b>SOUTH</b>	FL (Forest Land)	RL (Rangeland)	41± Acres	Residential
<b>WEST</b>	FL (Forest Land)	TP (Timber Production)	57± Acres	Unimproved/Woodlands

**RELATED APPLICATIONS:**

**On-Site**

- **Rezone 36-78**, proposed a change in the base zone of the subject parcel from A-1 (Unclassified) to U-F:B (Upland Forest: Special Building site combining to size) and **Minor Subdivision 35-78** proposed the subdivision the subject parcel into two smaller parcels. The application was denied by the Planning Commission due to inconsistency with the General Plan. An appeal was brought to the Board of Supervisors, which resulted in the submittal of **General Plan Amendment 1-78**. The amendment was denied due to scale of the proposal, subsequently resulting in the denial of the rezone and subdivision.
- **Building Permit BF\_2016-0440**, finalized permit for the construction of a new storage structure. Structure will be used for proposed distillery.

**Neighboring Property**

- No related applications on neighboring parcels have been identified as important in regards to this proposed project.

**PUBLIC SERVICES:**

Access: Cameron Road (CR 516)  
 Fire District: Elk Community Services District  
 Water District: None  
 Sewer District: None

**AGENCY COMMENTS:** On March 11, 2020, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below.

REFERRAL AGENCIES	COMMENT
Planning Division (Fort Bragg)	No Comment
Department of Transportation	No Comment
Environmental Health (Fort Bragg)	No Comment
Building Inspection (Fort Bragg)	No Comment
Assessor	No Response
Air Quality Management District	No Comment
CalFire	No Response
Alcohol Beverage Control Board	No Response
Elk Community Services District	No Comment
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

**KEY ISSUES**

- 1. General Plan and Zoning Consistency:** The subject parcel has a General Plan Land Use Designation of Forest Lands (FL) as defined by Chapter 3: Development Element of the Mendocino County General Plan. The Forest Lands classification is intended

*“to be applied to lands which are suited for and are appropriately retained for the growing, harvesting, and production of timber and timber-related products. The classification should include lands eligible to be zoned Timberland Production; intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of timber resource lands. The policy of the County and the intent of this classification shall be to protect these lands from the pressure of development and preserve them for future use as designated.”*

The applicant requests the renewal of a previously approved use permit to operate a distillery on the subject parcel. The General Plan Land Use Designation identifies cottage industries as an appropriate General Use within Forest Lands classification. This cottage industry use would include a small distillery.

With regard to the zoning district, the subject parcel is located within the Forest Land zoning district (MCC 20.064). The Mendocino County Code identifies the intent of the Forest Land zoning district is,

*“to create and preserve areas suited for the growing, harvesting, and production of timber and timber-related products. Processing of products produced on the premises would be permitted as would certain commercial activities associated with timber production and the raising of livestock. Typically the F-L District would be applied to lands not zoned Timberland Production but which have the present or future potential for timber production, intermixed smaller parcels, and other contiguous lands, the inclusion of which is necessary for the protection of efficient management of timber resource lands.”*

Mendocino County Code (MCC) Section 20.064.020(D) identifies “Packing and processing – general” as a use subject to a Use Permit within the Forest Land District. The use type “Packing and processing – general” is defined as “packing and processing of crops, mineral water, animals or their byproducts

regardless of where they are grown or found” by MCC Section 20.032.040(C) of the Mendocino County Code. Thus, the use type of “packing and processing – general” would allow for a small distillery. Furthermore, the use type of “Packing and processing – general” is allowed as a use permitted upon securing a Use Permit for “Cottage Industries” per MCC Section 20.160.030(B). This supports the cottage industry General Use as identified by the Forest Lands General Plan Land Use Designation, and thus, would support a small distillery. It should be noted that while the proposed small distillery, classified under the use type of “Packing and processing – general”, is not a timber-related commercial activity, such an operation would require no disturbance of timber resources, and thus conform to the Forest Land intent definitions identified in both the General Plan and Mendocino County Code regarding preservation of such resources.

2. **Environmental Protection:** The project is Categorically Exempt from the provisions of CEQA, pursuant to Class 1 of Article 19 of the California Environmental Quality Act Guidelines. The Class 1 exemption applies to the “operation... of existing public or private structures... involving negligible or no expansion of existing or former use”, meeting the criteria of Section 15301, has been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. The application proposes the continued use of a small structure as a small distillery where only minimal modifications are made to the structure. The project would not have any adverse impacts on the environment within the meaning of CEQA.
3. **Use Permit Findings:** The approval of Use Permit Renewal is only granted after four (4) key findings have been made as required by MCC Section 20.196.020. The following findings have been made:

1. *That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan; and*

As noted in the General Plan and Zoning Consistency section, the General Plan identifies “cottage industries” as an appropriate use for the General Plan Land Use Designation of Forest Land. Thus, the establishment of the proposed use is in conformity with the General Plan. Furthermore, the proposed use requires little disturbance of timber resources, which conforms to the intent of Forest Land as identified as a General Plan Land Use Designation by maintaining on-site timber as a potential resource for the future.

2. *That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided; and*

The utilities for the subject parcel are provided through a variety of entities. Water is provided from an on-site well. Gas and electricity are provided by utility companies through existing connections. The sewage and wastewater produced on-site is handled through a septic system.

3. *That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect; and*

The associated activities of the proposed distillery will be conducted inside the converted barn structure. This helps to mitigate detrimental effects to the health, safety, peace, morals, comfort, or general welfare of persons residing, or working, in or around the subject parcel. Additionally, the activities are not likely to be detrimental or injurious to any property on or near the converted structure. Furthermore, the project is found to be categorically exempt from CEQA and will not have an impact on the environment.



4. *That such use preserves the integrity of the zoning district.*

The proposed use is an allowed use with a Use Permit, as noted in the General Plan and Zoning Consistency section. The project will use an existing building and have no impact for forest resources. The original Use Permit was permitted

**RECOMMENDATION**

By resolution, grant Use Permit Renewal UR\_2020-0001 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

5/20/20

DATE



SAM VANDY VANDEWATER  
PLANNER II

Appeal Period: 10 Days  
Appeal Fee: \$1,616.00

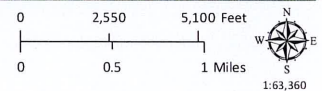
**ATTACHMENTS:**

- A. Location Map
- B. Aerial Imagery (Vicinity)
- C. Aerial Imagery (Site)
- D. Topographic Map
- E. Site Plan
- F. Zoning Display Map
- G. General Plan Classifications
- H. Adjacent Parcels
- I. Fire Hazard Zones & Responsibility Areas
- J. Western Soil Classes
- K. Lands in Williamson Act Contracts
- L. Farmland Classifications
- M. Timberland Production Zones

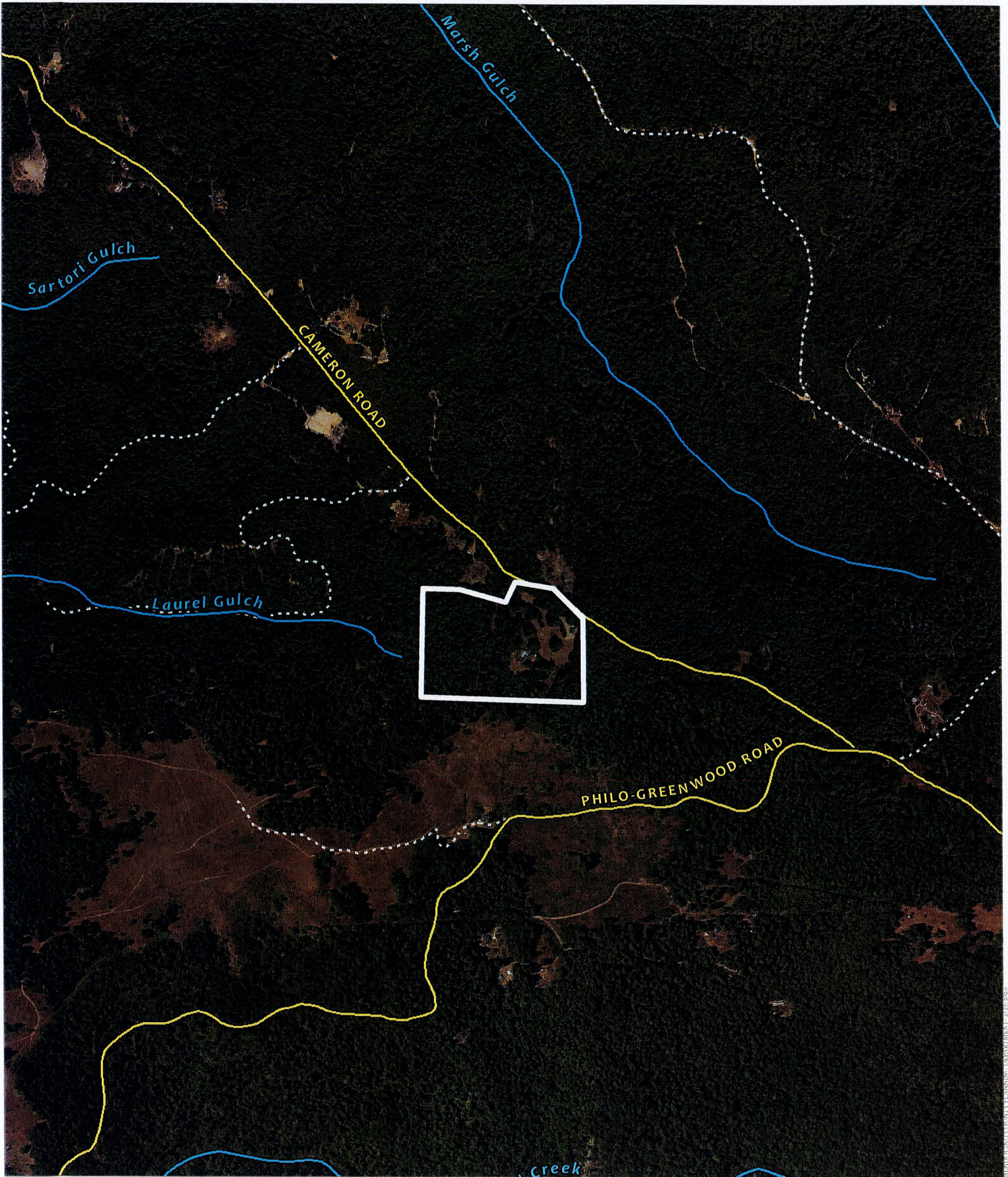


CASE: UR 2020-0001  
 OWNER: SOLLER, Todd & Jennifer  
 APN: 129-040-03  
 APLCT: Todd & Jennifer Soller  
 AGENT: Kelly Grimes  
 ADDRESS: 6100 Cameron Road, Elk




- Major Towns & Places
- Coastal Zone Boundary
- Highways
- 
- Major Rivers

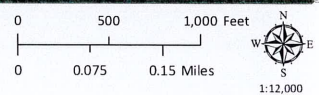


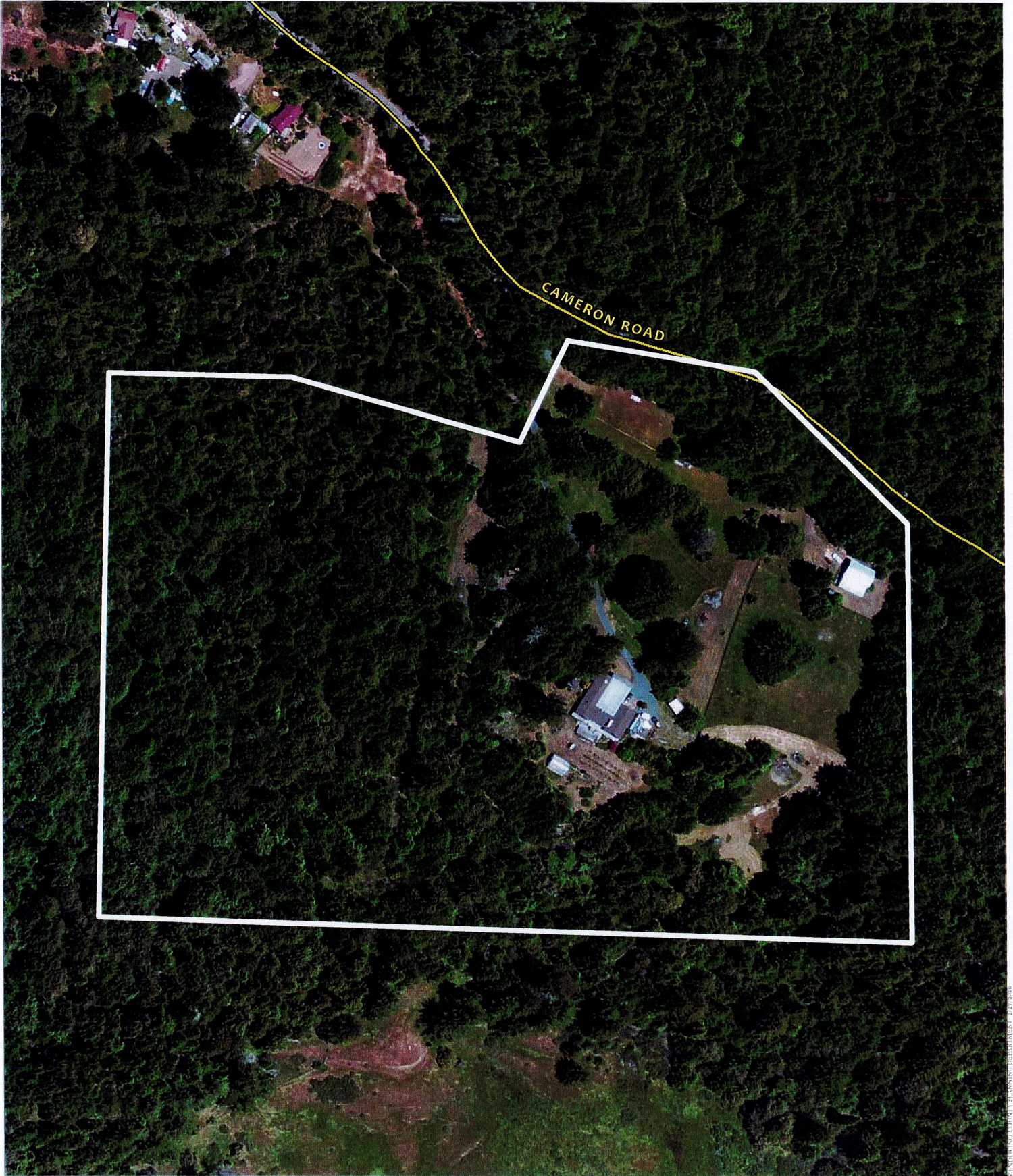
LOCATION MAP  
 ATTACHMENT A





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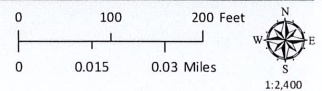
-  Named Rivers
-  Public Roads
-  Driveways/Unnamed Roads



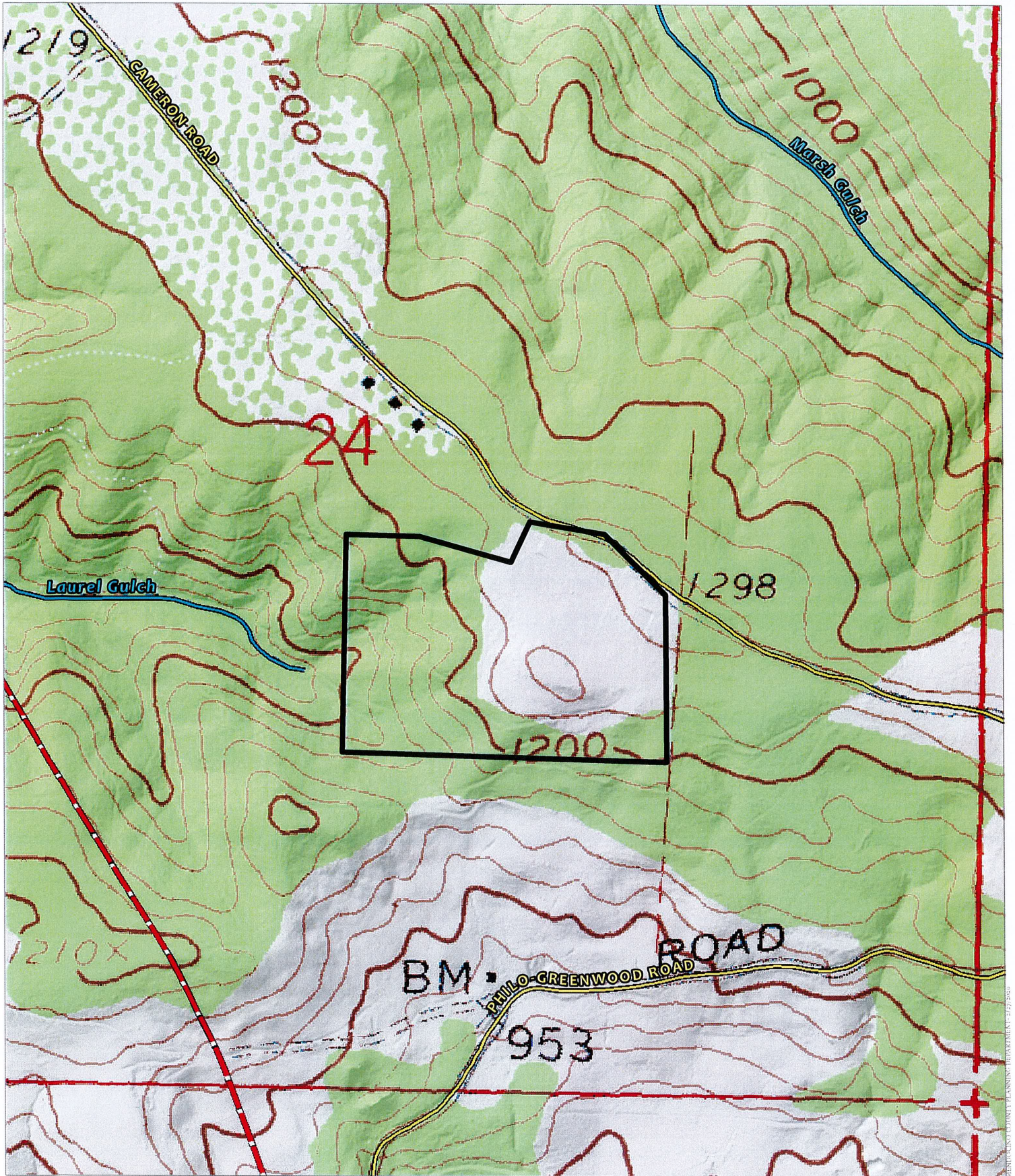


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 Named Rivers  
 Public Roads

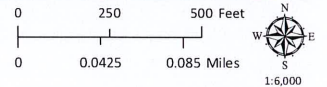


AERIAL IMAGERY  
ATTACHMENT C



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- Coastal Zone Boundary
- Driveways/Unnamed Roads
- Named Rivers
- Public Roads



TOPOGRAPHIC MAP  
 CONTOUR INTERVAL IS 40 FEET

ATTACHMENT D

**1** SITE PLAN  
A1 NO SCALE

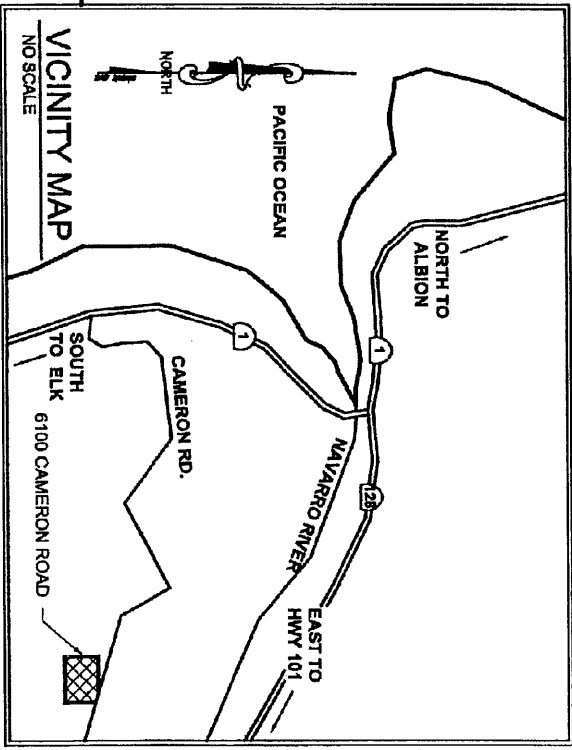
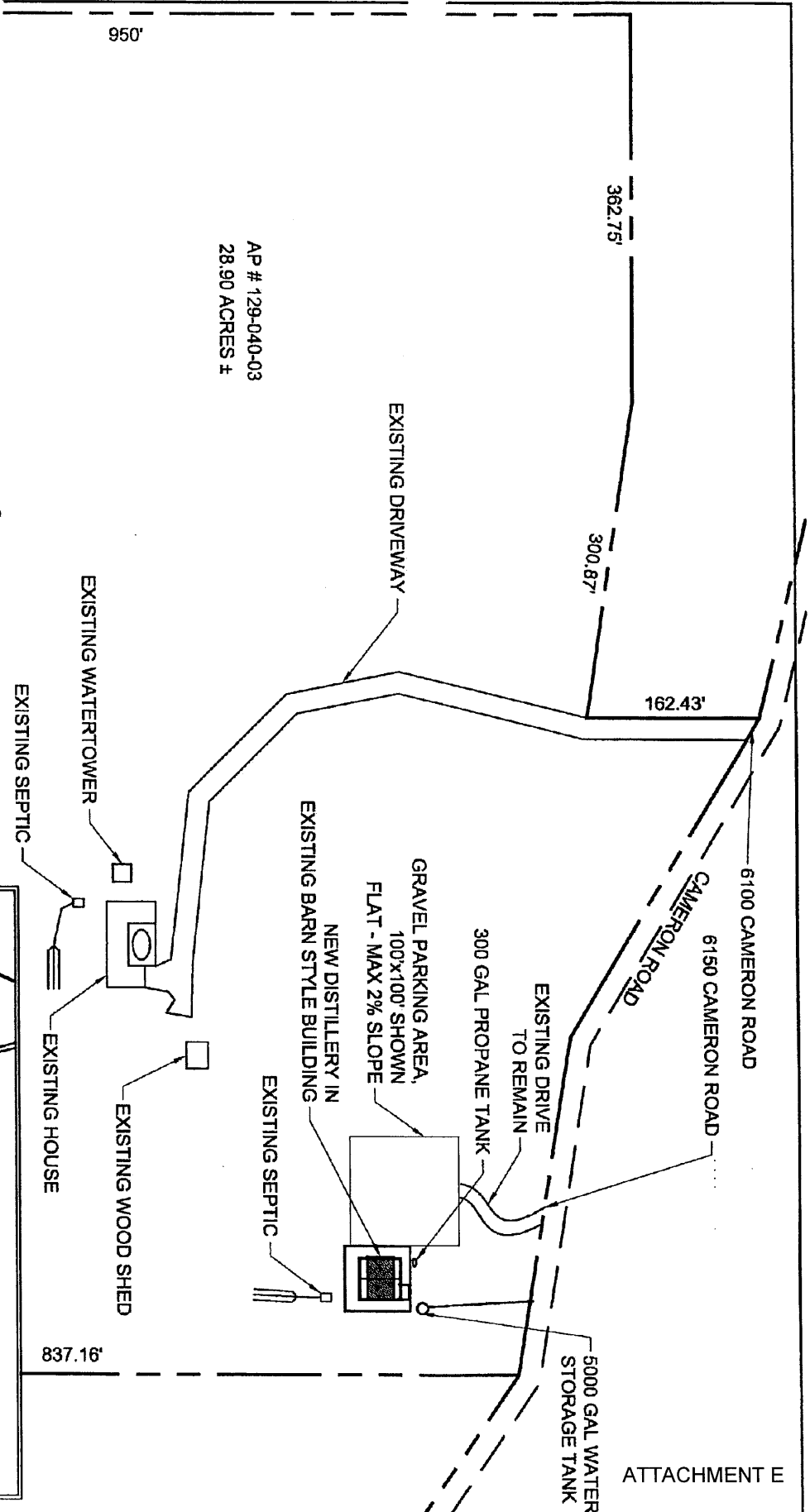


1272.27'

**Todd and Jennifer Soller**  
6100 & 6150 Cameron Road  
Elk, California  
95432

*A New DISTILLERY Barn for:*

AP # 129-040-03  
28.90 ACRES ±

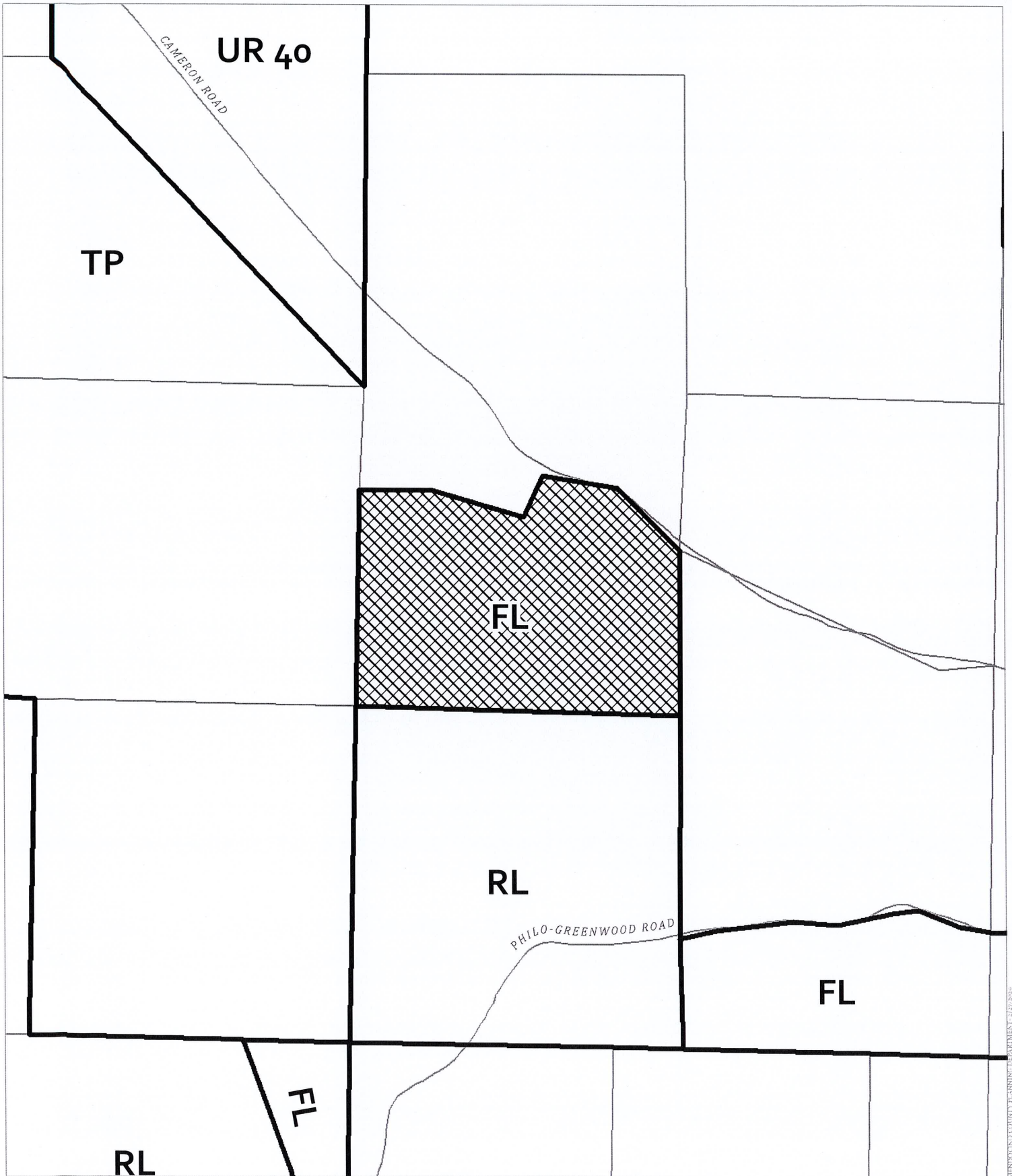


**BARN TO DISTILLERY USE CHANGE FOR:**  
**TODD AND JENNIFER SOLLER**  
6100 CAMERON RD.  
ELK, CA 95432  
A.P. # 129-040-03




ATTACHMENT E

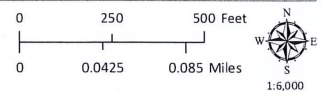
NOTES:	DATE: JULY 21, 2016	<i>Kelly B. Grimes, Architect</i> P.O. Box 598 Little River, CA 95456 707-937-2904 
	SCALE: AS NOTED	
	DRAWN BY: KGB	
	JOB: SOLLER	
	SHEET NO: A1 of 4	

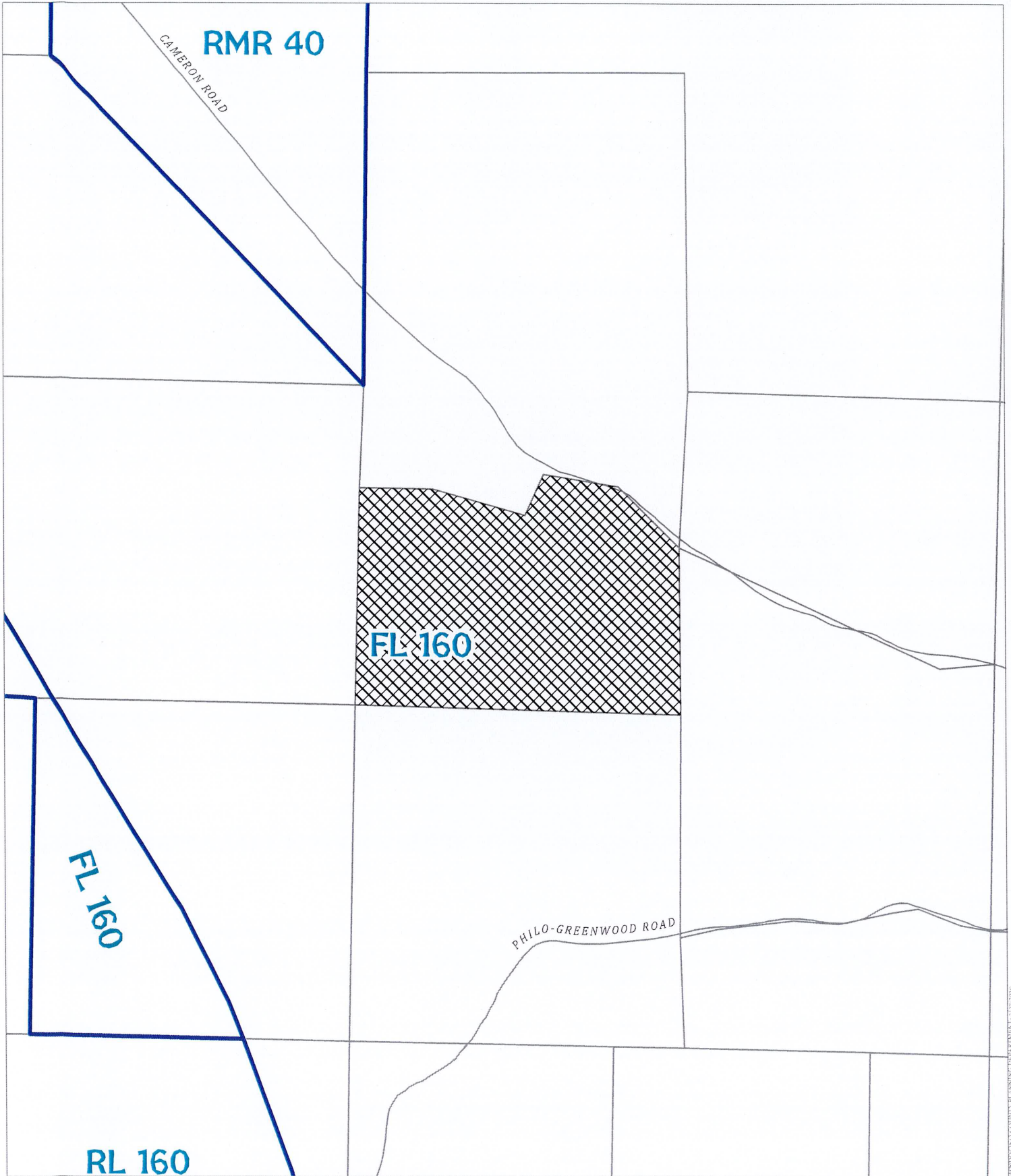
SHEET NAME: **SITE PLAN**



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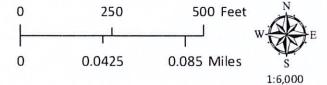
-  Zoning Districts
-  Public Roads
-  Assessor's Parcels





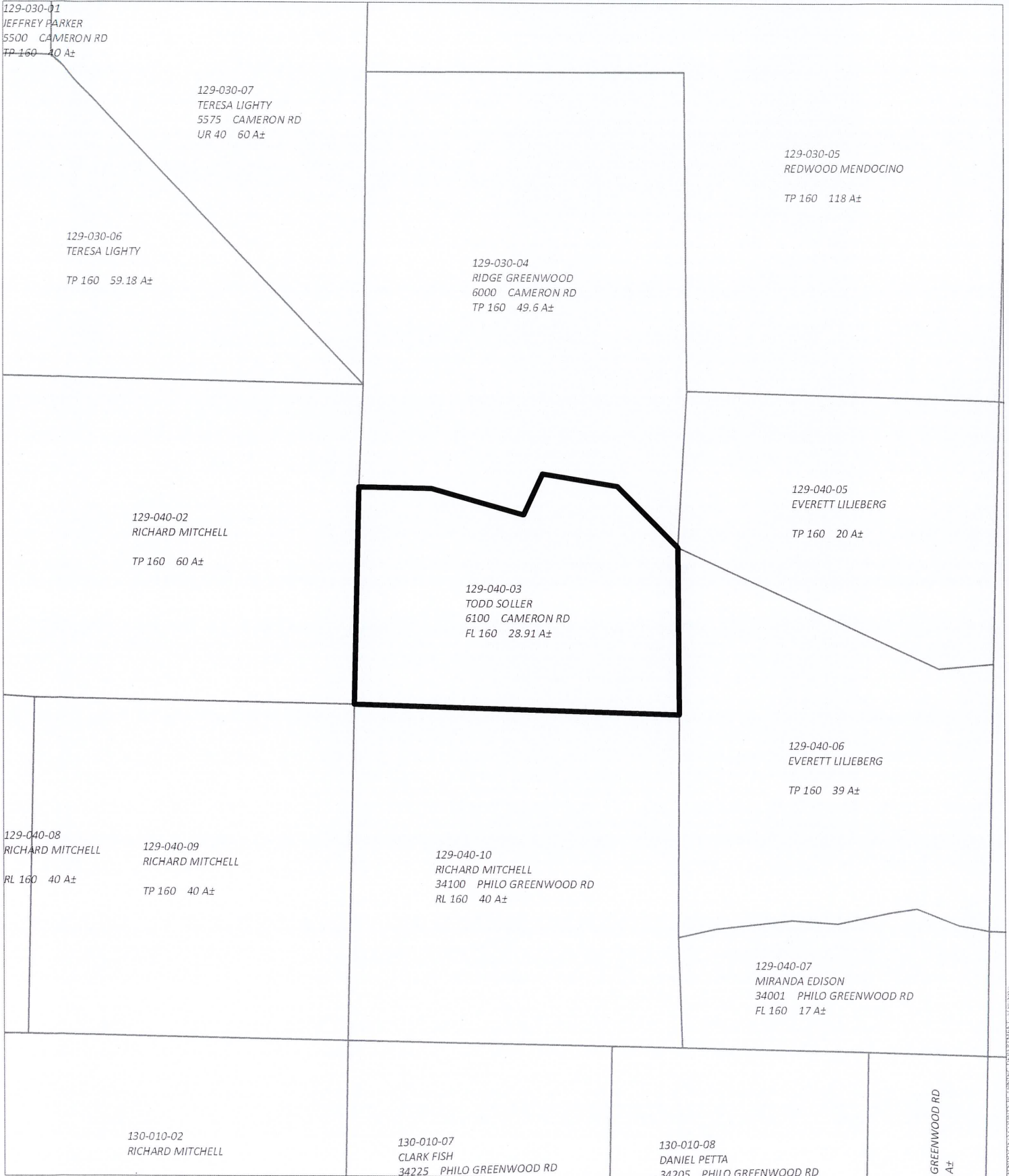
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- General Plan Classes
- Public Roads
- Assessors Parcels




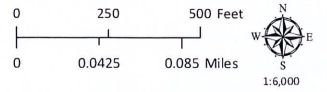
HENNING COUNTY TECHNICAL DEPARTMENT 2/27/2020

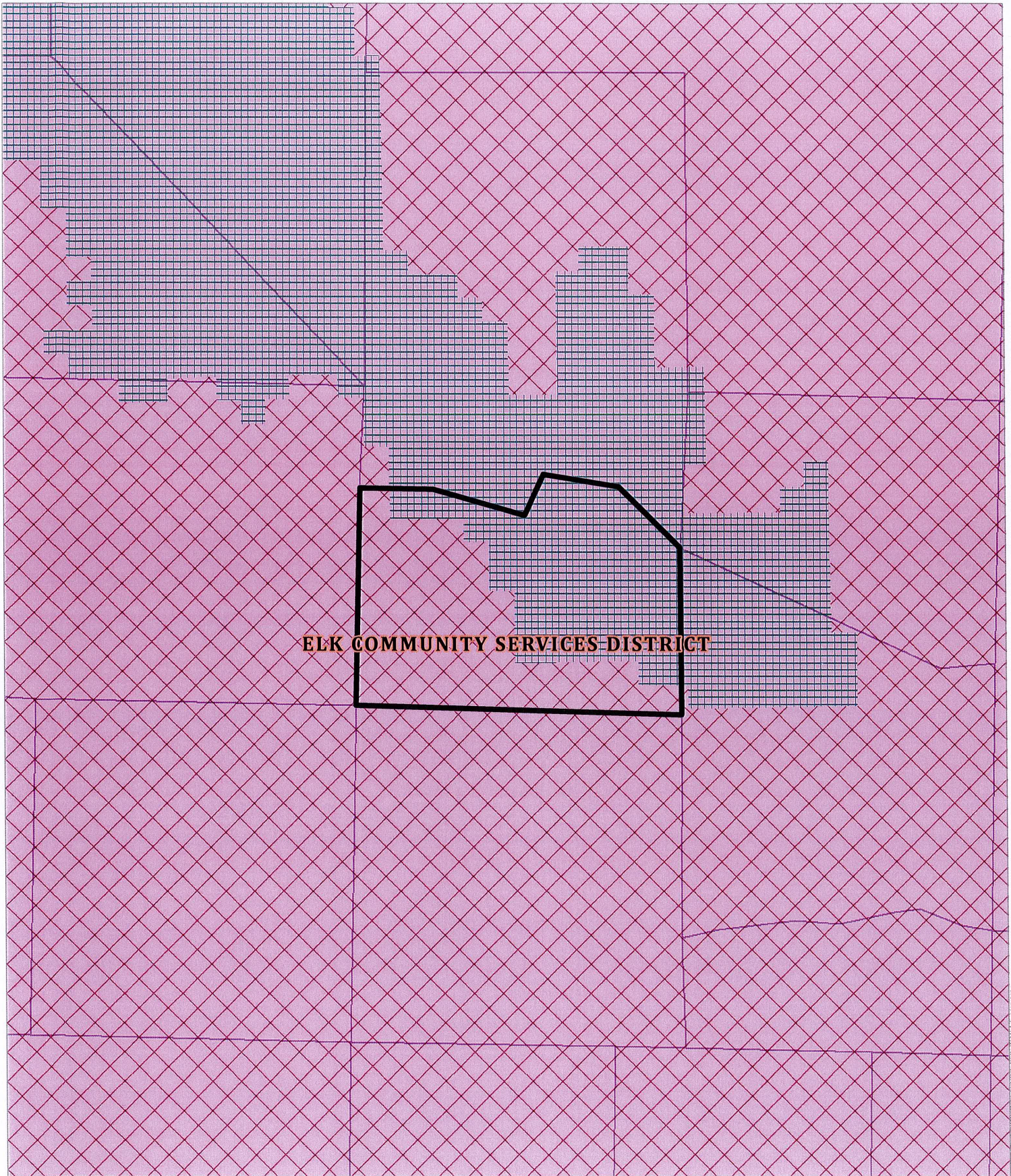




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 ADDRESS: 6100 Cameron Road, Elk





 Assessors Parcels

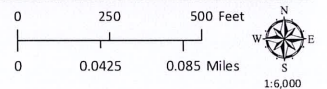




**ELK COMMUNITY SERVICES DISTRICT**

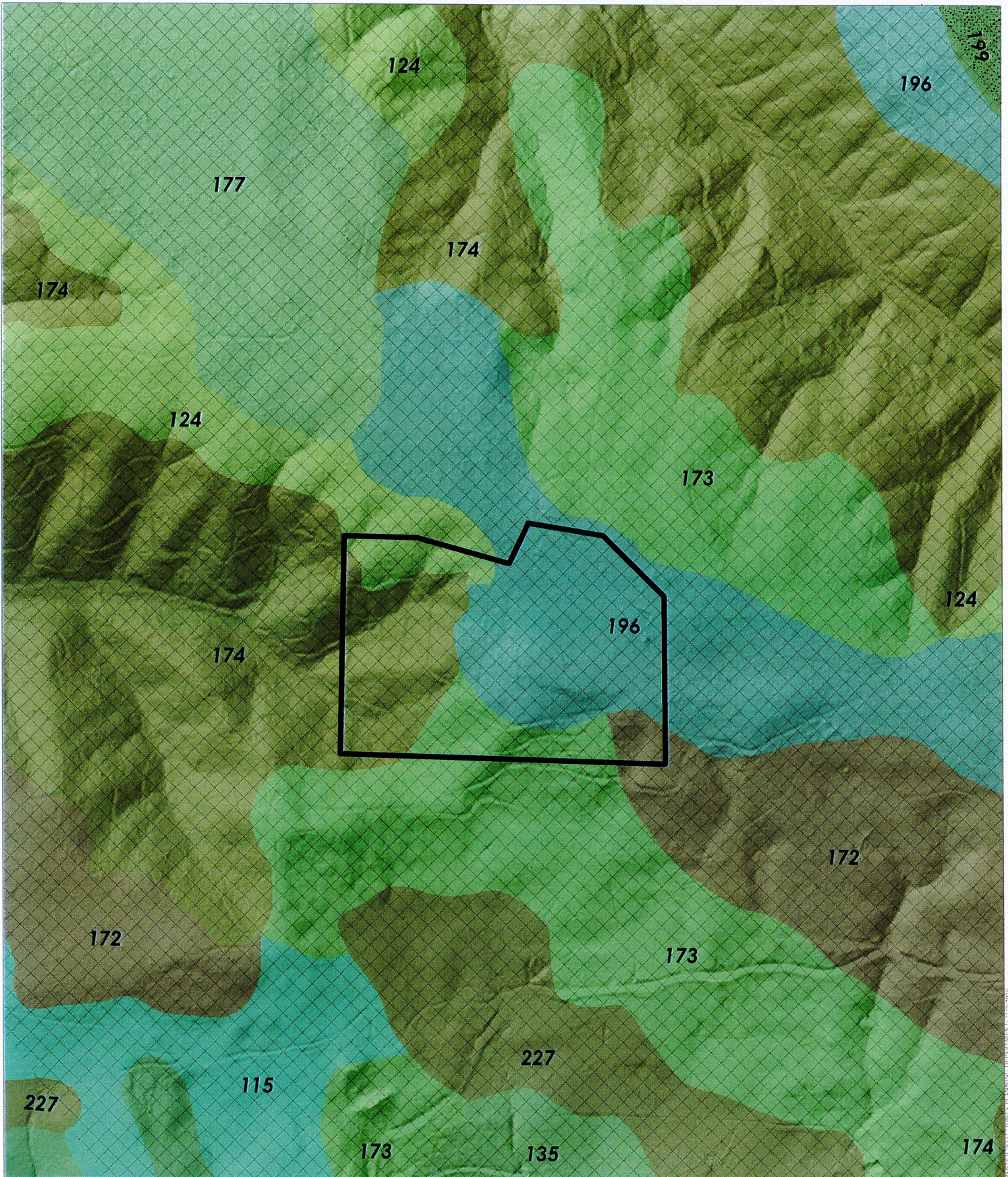
CASE: UR 2020-0001  
 OWNER: SOLLER, Todd & Jennifer  
 APN: 129-040-03  
 APLCT: Todd & Jennifer Soller  
 AGENT: Kelly Grimes  
 ADDRESS: 6100 Cameron Road, Elk

-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts
-  Assessors Parcels





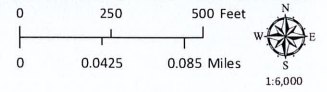
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA

MERCURY COMMUNITY PLANNING DEPARTMENT 2/27/2020







CASE: UR 2020-0001  
 OWNER: SOLLER, Todd & Jennifer  
 APN: 129-040-03  
 APLCT: Todd & Jennifer Soller  
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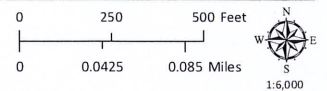
-  Shinglemill-Gibney Complex
-  Bishop Pine



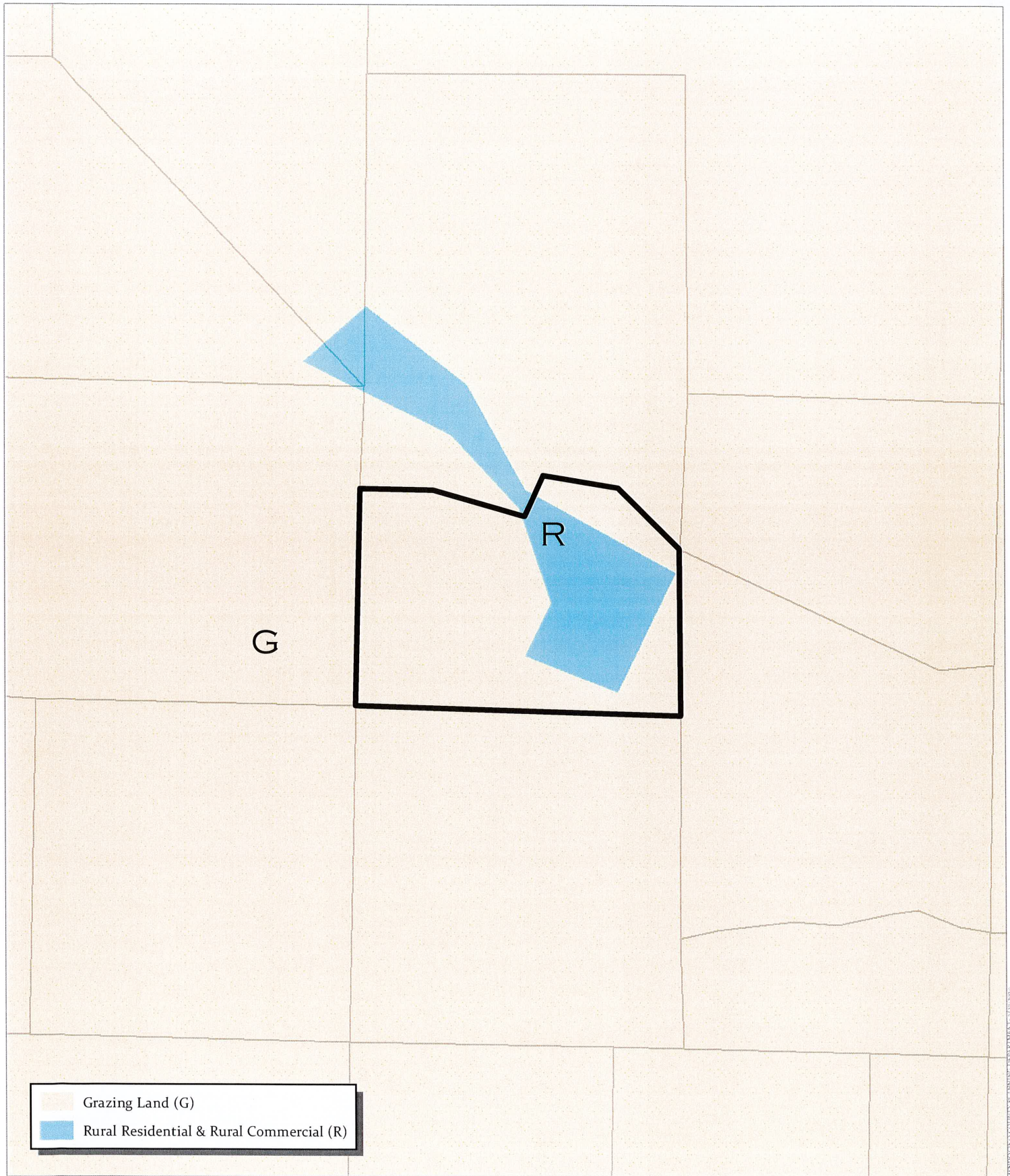


CASE: UR 2020-0001  
 OWNER: SOLLER, Todd & Jennifer  
 APN: 129-040-03  
 APLCT: Todd & Jennifer Soller  
 AGENT: Kelly Grimes  
 ADDRESS: 6100 Cameron Road, Elk

-  Williamson Act 2018
-  Prime Ag 2018
-  Non-Prime Ag 2018
-  Assessors Parcels

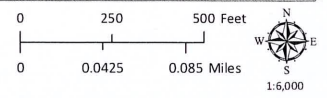


HENNING COUNTY TENSING DEPARTMENT 2/21/2020

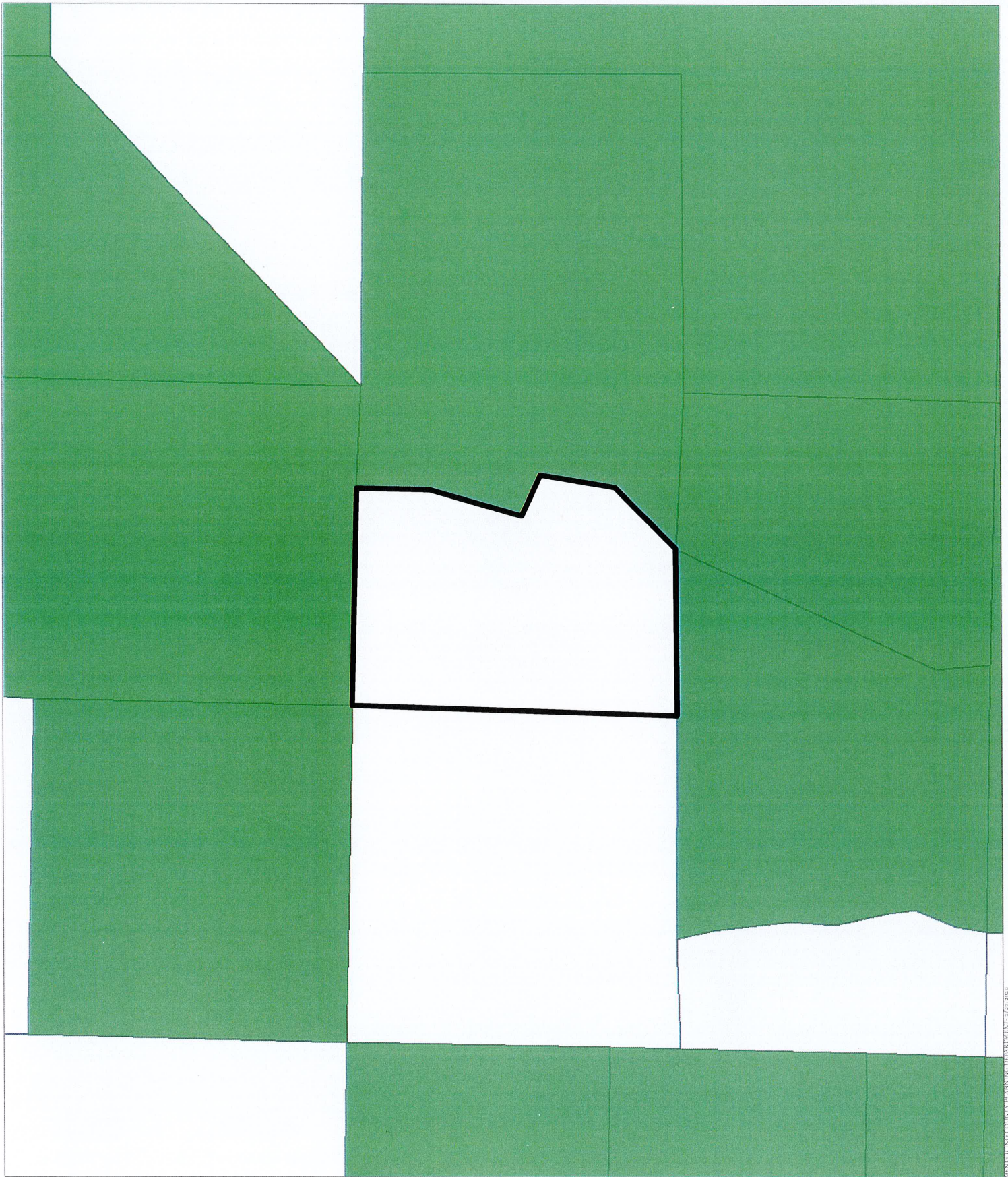


CASE: UR 2020-0001  
 OWNER: SOLLER, Todd & Jennifer  
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
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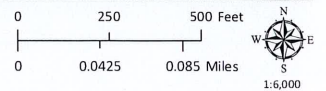


HENNINGSON COUNTY TECHNOLOGY DEPARTMENT 7/27/2025



CASE: UR 2020-0001  
 OWNER: SOLLER, Todd & Jennifer  
 APN: 129-040-03  
 APLCT: Todd & Jennifer Soller  
 AGENT: Kelly Grimes  
 ADDRESS: 6100 Cameron Road, Elk

 TPZ 2018  
 Assessor's Parcels



TIMBERLAND PRODUCTION ZONES

ATTACHMENT M

Resolution Number \_\_\_\_\_

County of Mendocino  
Ukiah, California

JUNE 11, 2020

UR\_2020-0001 TODD & JENNIFER SOLLER

RESOLUTION OF THE ZONING ADMINISTRATOR, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, GRANTING A RENEWAL FOR USE PERMIT #U\_2016-0008 FOR A SMALL DISTILLERY.

WHEREAS, the applicant, TODD & JENNIFER SOLLER, filed an application for a Use Permit Renewal with the Mendocino County Department of Planning and Building Services to renew Use Permit #U\_2016-0008 which permitted a small distillery, 3± mi. northeast of Elk center, on the south side of Cameron Road (CR 516), 0.5± mi. west of its intersection with Philo-Greenwood Road (CR132) at 6100 Cameron Road, Elk (APN: 129-040-03).

WHEREAS, the Secretary for Resources has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents, and the Project was determined to meet the criteria for a CATEGORICAL EXEMPTION from the California Environmental Quality Act (CEQA) under Class 1; and

WHEREAS, the Zoning Administrator on April 13, 2017 approved a Minor Use Permit U\_2016-0008 allowing for phased implementation of a distillery operation; and

WHEREAS, in accordance with applicable provisions of law, the Zoning Administrator held a public hearing on June 11, 2020, at which time the Zoning Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator makes the following findings;

1. **General Plan and Zoning Consistency Findings:** The proposed project is consistent with the purpose and intent of the General Plan Land Use Designation applicable to the property, as well as the provisions of the MCC and preserves the integrity of the zoning district; and
2. **Environmental Protection Findings:** The proposed project will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
3. **Use Permit Findings:** The proposed project satisfies the use permit required findings of MCC Section 20.196.020.

BE IT FURTHER RESOLVED that the Zoning Administrator hereby grants the requested use permit renewal, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Zoning Administrator designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Zoning Administrator decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Zoning Administrator action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

*I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.*

ATTEST: JAMES F. FEENAN  
Commission Services Supervisor

By: \_\_\_\_\_

BY: BRENT SCHULTZ  
Zoning Administrator

\_\_\_\_\_



## EXHIBIT A

### CONDITIONS OF APPROVAL UR\_2020-0001 – TODD & JENNIFER SOLLER

JUNE 11, 2020

**APPROVED PROJECT DESCRIPTION:** Minor Use Permit Renewal for U\_2016-0008 which allowed for a distillery within an existing structure. The request also includes the change to Condition #2 to extend the renewal period from every two (2) years to every ten (10) years.

#### **CONDITIONS OF APPROVAL:**

1. This permit shall become effective after all applicable appeal periods have been expired or appeal processes exhausted. Failure of the permittee to make use of this permit within (two) years or failure to comply with payment of any fees within specified time periods shall result in the automatic expiration of this permit.
2. **The granting of this permit shall be valid for a period of ~~two (2)~~ ten (10) years. This permit shall expire on ~~April 13, 2019~~ June 11, 2030.** The applicant has sole responsibility for renewing this permit before the expiration date listed above. The County will not provide a notice prior to the expiration date.
3. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Title 20 of the Mendocino County Code unless modified by conditions of the use permit.
4. The application along with supplemental exhibits and related material shall be considered elements of this entitlement and that compliance therewith be mandatory, unless a modification has been approved by the Zoning Administrator.
5. This permit shall be subject to revocation or modification by the Zoning Administrator upon a finding of any one (1) or more of the following grounds:
  - a. That such permit was obtained or extended by fraud.
  - b. That one or more of the conditions upon which such permit was granted have been violated.
  - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.

Any such revocation shall proceed as specified in Title 20 of the Mendocino County Code.

6. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
7. This permit is subject to the securing of all necessary permits for the proposed development and eventual use from County, State and Federal agencies having jurisdiction. Any requirements imposed by an agency having jurisdiction shall be considered a condition of this permit.
8. The applicant shall obtain all authorizations required by and comply with all conditions established by the following agencies having jurisdiction over the project, including, but not limited to:
  - a. County of Mendocino Planning and Building Services – Building Division
  - b. California (North Coast) Regional Water Quality Control Board

- c. Mendocino County Air Quality Management District
9. The requirements set forth in the below noted letters shall be adhered to. Said letters are on file with the Department of Planning and Building Services in project folder U\_2016-0008:
    - a. California (North Coast) Regional Water Quality Control Board (NCRWQCB); and
    - b. Mendocino County Air Quality Management District.
  10. It shall be the responsibility of the applicant to ensure that contractors engaged to perform work on the site are aware of the conditions of this permit and that all work performed is in compliance with applicable conditions.
  11. Prior to commencement of operations the applicant shall submit a copy of their Mendocino County Business License to the Department of Planning and Building Services. This license shall be kept active and if in the event that the license is inactive for a period of one (1) year or longer, the use permit and business will automatically expire.
  12. The distillery operation shall be limited to immediate family members only and no employees shall be allowed.
  13. No on-site tasting room, customers, or retail sales shall be allowed including those occurring during special events.
  14. No heavy commercial vehicles shall be used for the delivery of grapes to the site or the delivery of wine from the premises. Only those vehicles normally associated with the delivery of services to a residence shall be allowed.
  15. No equipment or process used shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of the customarily generated by single family residential uses in the neighborhood, nor shall noise exceed the one or two-family residential standards in Appendix C of the Mendocino County Code at the nearest off-site dwelling unit.
  16. In the event that process wastewater will be discharged onto the site, the applicant shall acquire the appropriate permits and clearances from the Regional Water Quality Control Board. Proof of clearance from the Regional Water Quality Control Board shall be supplied to the Department of Planning and Building Services.
  17. All external lighting shall be shielded and downcast to prohibit light from being cast beyond the property boundaries. Outdoor lighting shall be turned off at 7:00 p.m. in the evenings and not be turned back on until the following day after 6:00 a.m. in the morning. (Twenty-four hour security lighting would be exempt from this time requirement, however any exterior security lighting installed on the property shall utilize motion-sensored activation) All lighting along the property boundaries shall be setback a minimum of 20 feet from all property lines.
  18. In conformance with encroachment permit procedures administered by the Mendocino County Department of Transportation, applicant shall construct and maintain an asphalt concrete standard commercial road approach at 6150 Cameron Road (CR516), to a minimum width of eighteen (18) feet, and length of twenty (20) feet from the edge of the County road. This encroachment shall be maintained for the duration of the use permit.
  19. The access road and interior circulation routes shall be treated with a dust suppressant and maintained in such a manner as to insure minimum dust generation subject to the Air Quality Management District's dust regulations.
  20. The property owner shall comply with requirements of the Elk Community Services District or other alternatives as acceptable to Fire District. Written verification shall be submitted from the Fire District

to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Fire District.

21. The applicant shall secure all required permits from the Building Inspection Division of the Department of Planning and Building Services for all construction, structural modifications, changes of occupancy for the conversion of the structures into a distillery, establishment of signs and compliance with handicapped accessibility for the facility if required.
22. The applicant shall submit to the Division of Environmental Health a site plan showing the location of the existing septic tank and the leach field expansion area on the Site Plan.
23. The applicant shall submit a report to the Division of Environmental Health prepared by a qualified Septic System Site Evaluator that includes designs for:
  - a. Septic System (including Expansion Area) to serve the distillery that meets the North Coast Regional Water quality Control Board's Basin Plan Requirements, and
  - b. Septic System Design for an Expansion Area to serve the existing residence that meets Mendocino County Division of Environmental Health repair policy.
24. The applicant shall submit a Hazard Materials Business Plan and obtain a Hazardous Materials Permit if the proposed uses will have hazardous materials on site of the following quantities: 55 gallons or more of liquids, 500 pounds or more of solids or 200 cubic feet or more of gases.
25. All informational signs shall not exceed four (4) square feet in size. Sign locations shall be subject to the approval of the Director of the Planning and Building Services Department.
26. The project is subject to the requirements of Regulation 1, Rule 492 (National Emission Standards for Hazardous Air Pollutants), of the Mendocino County Air Quality Management District. The applicant is required by Part 61 Chapter 1, Title 40, of the Code of Federal Register, to submit proof of asbestos inspection to the District prior to a Demolition/Renovation Permit being issued and to properly notify the District prior to removal of asbestos containing material and payment of any fees if applicable. Written clearance from the Air Quality Management District shall be submitted to the Department of Planning and Building Services that this requirement has been met.
27. The applicant shall grant access to the property during hours of operation to permit County representatives or any consultants hired by the County for inspection, enforcement, or monitoring activities deemed desirable by the County. The applicant shall designate an individual who is to be available at all times for purposes of supplying information deemed necessary by the authorized County representatives in connection with such work during working hours.
- ~~28. All external lighting shall be shielded and downcast to prohibit light from being cast beyond the property boundaries. Outdoor lighting shall be turned off at 7:00 p.m. in the evenings and not be turned back on until the following day after 6:00 a.m. in the morning. (Twenty-four hour security lighting would be exempt from this time requirement, however any exterior security lighting installed on the property shall utilize motion-sensored activation) Any lighting along the property boundaries shall be setback a minimum of 20 feet from all property lines.~~