



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**  
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**UPDATED**  
**MEMORANDUM**

**DATE:** September 7, 2023  
**TO:** Mendocino Historical Review Board  
**FROM:** Julia Krog, Director of Planning & Building Services  
**SUBJECT:** Updated Memo for MHRB\_2020-0012 Patterson's Pub Tent

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Since publication of the Mendocino Historical Review Board (MHRB) agenda for the September 11, 2023 meeting, the Department has received further guidance and clarification regarding the scope of MHRB review for MHRB\_2020-0012 from the Office of County Counsel. **This memorandum supersedes the prior memorandum dated August 31, 2023.**

Upon further review and consultation with the Office of County Counsel, PBS has determined that Mr. Graham's request for extension of the term of MHRB\_2020-0012 can be considered by the MHRB. The term that may be considered for extension is the possible allowance for the tent to remain after the expiration of a Public Health Order, as provided for in Condition 15 of the issued permit.

Should the MHRB wish to extend the term of MHRB\_2020-0012, any motion should specify the new term of the permit.

It is important to note that the MHRB cannot modify the conditions of approval adopted as part of MHRB\_2020-0012. Condition 15 limited the scope of review for a written request to extension of the term of the permit only. If the extension of MHRB\_2020-0012 is granted the property owner would need to operate the tent in conformance with all adopted Conditions of the MHRB permit.

A copy of the issued permit for MHRB\_2020-0012 is attached to this memorandum.

**Attachment:** MHRB\_2020-0012 Permit

# Mendocino Historical Review Board

c/o Planning & Building Services  
120 West Fir Street  
Fort Bragg, CA 95437  
964-5379



## MENDOCINO HISTORICAL REVIEW BOARD PERMIT

**APPLICANT/AGENT:** ANTHONY GRAHAM

**DATE:** OCTOBER 16, 2020  
**PERMIT:** MHRB # 2020-0012

On October 5, 2020, the Mendocino Historical Review Board granted PATTERSONS PUB MENDOCINO LLC, SPRING POND PROPERTIES, LLC, and ANTHONY GRAHAM this permit to temporarily assemble two tents for outdoor dining during a Public Health Order that restricts or limits indoor dining at Patterson's Pub, located at 10485 and 10501 Lansing Street, Mendocino (APNs 119-150-06 and -44).

**FINDINGS:** (a) The exterior appearance of two tents is in harmony with the exterior appearance and design of adjacent structures, which are from the late nineteenth century development within the Town of Mendocino. (b) The appearance of two tents would not detract from the appearance of other property within the District, which are noted as significant historic resources, such as the Stauer Building, the Old Bakery Building, Masonic Hall, Mendosa's Store, and Walsh-Doolittle House. (c) The proposed work does not consist of alterations or demolition of any existing structure, but the proposed location of the tent on APN 119-150-06 would encroach upon off-street parking spaces.

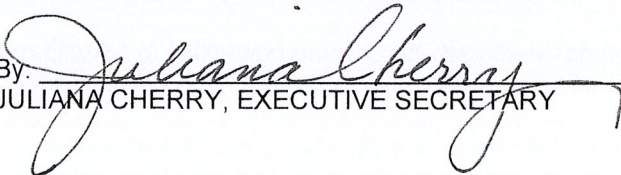
### **CONDITIONS:**

1. This action shall become final and effective on the 11th day following the decision unless an appeal is filed pursuant to Section 20.760.072 of the Mendocino County Code.
2. Permit Expiration Date: (a) The permit shall expire and become null and void at the expiration of two years after the effective date except where construction, and or use of the property in reliance on such permit, has been completed prior to its expiration; and (b) This permit shall expire when a Public Health Order removes restrictions on indoor dining capacities (See Condition 14p in addition to this condition, regarding expiration of this permit).
3. The application along with supplemental exhibits and related material shall be considered elements of this permit, and compliance therewith is mandatory.
4. This permit shall be subject to revocation or modification upon a finding of any one (1) or more of the following:
  - 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. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
5. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division.
6. Prior to serving alcoholic beverages outside, the property owner(s) are required to secure from California Department of Alcoholic Beverage Control (ABC) any necessary permits or licenses.



7. Signs shall comply with Mendocino Town Zoning Codes, including MCC Chapters 20.712 and 20.760.
8. Exterior lighting, including string lights, shall be shielded, reflected downward, and positioned in a manner that does not allow light-glare to extend beyond property boundaries.
9. Temporary uses shall not create noise impacts to surrounding uses that exceed noise standards set out in the County's General Plan Development Element, Table 3-J, Exterior Noise Level Standards (Levels not to be Exceeded More than thirty (30) Minutes in an Hour) and Table 3-L, Maximum Acceptable Interior Noise Levels Created by Exterior Noise Sources.
  - a. Sounds from outside activities shall not exceed exterior noise limit standards, this includes noise from a generator, music, or others. Between 10 PM and 7 AM the exterior noise level shall not exceed 55 dBA.
  - b. The current day time (e.g. 7 AM and 10 PM) or night time (e.g. 10 PM and 7 AM) ambient levels shall not be exceeded.
  - b. At the request of Planning and Building Services, the property owner(s) shall establish that exterior noise is within limit standards. When requested, the property owner(s) will reduce noise levels.
10. Prior to assembling a tent in an off-street parking area, the property owner shall either amend U 1993-24 or seek the Director's approval to assemble a tent within a required off-street parking area. In compliance with MCC Chapter 20.708, tents may occupy required off-street parking areas only after the Director of Planning and Building Services establishes standards and conditions for temporary uses and temporary outdoor gatherings.
11. A maximum of two tents may be built up, after temporary use of off-street parking areas is authorized.
12. The tent(s) shall be pulled down no later than the expiration date of this permit and within one-month of a Public Health Order allowing unrestricted indoor dining.
13. Outdoor activities, including dining and serving beverages, shall be conducted in compliance with any public health order.
14. This MHRB Permit shall be effective only during a Public Health Order.
15. Upon written request, the Review Board may consider extending the term of this MHRB Permit.
16. Tents are allowed during the rainy season, including the dates between November 1 and May 31. Tents are prohibited during the dry summer months, e.g. between June 1 and October 31 (or the first rain event in 2021).

Issued on behalf of the Mendocino Historical Review Board.

BY:   
JULIANA CHERRY, EXECUTIVE SECRETARY

OCTOBER 16, 2020  
DATE