



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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

BRENT SCHULTZ, DIRECTOR
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January 6, 2020

PUBLIC NOTICE OF PENDING ACTION
STANDARD COASTAL DEVELOPMENT USE PERMIT

The Mendocino County Coastal Permit Administrator, at a regular meeting to be held on Thursday, January 23, 2020, in the Fort Bragg Public Library, 499 East Laurel Street, Fort Bragg, California, at 10:00 a.m. or as soon thereafter as the item may be heard, will hear the below described project that is located in the Coastal Zone.

CASE#: U_2019-0022

DATE FILED: 9/24/2019

OWNER/APPLICANT: MATTHEW MEYER

AGENT: REBECCA GOLDIE

REQUEST: Coastal Development Use Permit to allow for a wine and port tasting room in an existing wine and port retail sales shop.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Coastal Zone, in the Town of Mendocino, on Main Street (CR 407E), 280± feet west of its intersection with Kasten Street (CR 407L); located at 45156 Main St., Mendocino (APN 119-237-13).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: SAM VANDEWATER

The staff report and notice will be available for public review 10 days prior to the hearing at 860 North Bush Street, Ukiah, California or 120 Fir Street, Fort Bragg, California and on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>

As you are an adjacent property owner and/or interested party, you are invited to appear at the hearing, or to direct written comments to Planning and Building, Services 860 N Bush Street, Ukiah, CA 95482, attention Commission Staff. If you would like to be notified of the Coastal Permit Administrator's action, please submit a written request to this office. All correspondence should contain reference to the above noted case number.

The decision of the Coastal Permit Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within 10 calendar days thereafter. If appealed, the decision of the Board of Supervisors to approve the project shall be final unless appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project.

If you challenge the above case in court, you may be limited to raising only those issues described in this notice or that you or someone else raised at the public hearing, or in written correspondence delivered to the Coastal Permit Administrator at or prior to, the public hearing.

Additional information regarding the above noted case may be obtained by calling the Planning and Building Services Department at 234-6650, Monday through Friday.

BRENT SCHULTZ, Director of Planning and Building Services



**COASTAL PERMIT ADMINISTRATOR
STAFF REPORT – USE PERMIT**

**JANUARY 23, 2020
U_2019-0022**

SUMMARY

OWNER/APPLICANT: MATTHEW R MEYER
776 JOSEPHINE LN
HEALDSBURG, CA 95448

AGENT: REBECCA GOLDIE
PO BOX 242
BOONVILLE, CA 95415

REQUEST: Coastal Development Use Permit to allow for a wine and port tasting room in an existing wine and port retail sales shop.

LOCATION: In the Coastal Zone, in the Town of Mendocino, on Main Street (CR 407E), 280± feet west of its intersection with Kasten Street (CR 407L); located at 45156 Main St., Mendocino (APN 119-237-13).

TOTAL ACREAGE: 0.2± Acres

GENERAL PLAN: Commercial (C)

ZONING: Mendocino Commercial (MC:12K)

SUPERVISORIAL DISTRICT: 5 (Supervisor Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt; Section 15301, Class 1

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: SAM VANDY VANDEWATER

BACKGROUND

PROJECT DESCRIPTION: The proposed Coastal Development Use Permit is to allow for a wine and port tasting room in an existing wine and port retail sales shop.

SITE CHARACTERISTICS: The subject parcel is located in the Coastal Zone, in the historic Town of Mendocino along Main Street. The parcel is served by the Mendocino City Community Services District for wastewater utilities and the Mendocino Fire Protection District, in addition to a well for water supply. A large portion of the parcel is occupied by the existing structure with minimal vegetation and the subject business already operates as a wine and port sales operation.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES (ACRES)	USES
NORTH	Commercial (C)	Mendocino Commercial (MC)	0.07±	Commercial
EAST	Commercial (C)	Mendocino Commercial (MC)	0.07±	Commercial
SOUTH	Commercial (C)	Mendocino Commercial (MC)	11.5±	Recreational
WEST	Commercial (C)	Mendocino Commercial (MC)	0.25±	Commercial

PUBLIC SERVICES:

Access: Main Street; Lansing Street; Albion Street
 Fire District: Mendocino Fire Protection District
 Water District: Mendocino City Community Services District
 Sewer District: Mendocino City Community Services District
 School District: Mendocino Unified School District

AGENCY COMMENTS: On October 11, 2019, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Planning (Fort Bragg)	Comment
Environmental Health (Fort Bragg) – Land Use	Comment
Building Inspection (Fort Bragg)	Comment
Department of Transportation	Comment
Coastal Commission	No Response
Mendocino Historical Review Board	No Response
Department of Fish and Wildlife	No Comment
Mendocino Fire Protection District	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Rancheria	No Response
State Water Resources Control Board	Comment

KEY ISSUES

1. General Plan and Zoning Consistency: The proposed project is subject to the Mendocino Town Plan section of the Coastal Element of the General Plan. The project is consistent with the Commercial Land Use Classification as described in Section 5 of the Mendocino Town Plan, which is intended for,

“to provide an area within the Town suitable for commercial development that is compatible with existing commercial uses and the scale of the Town.”

While the existing use is commercial, the expansion of the wine and port tasting room to this location helps to promote a more diverse commercial center and local economy. Additionally, the proposed project helps to promote a number of policies identified in Section 4 of the Town Plan (Town Plan Policies) including Town Growth Management Policies #2, #6, #17, and #25, most of which entail retaining community character while promoting compatible development. Thus the project is consistent with the Mendocino Town Plan.

The proposed project is also consistent with the Mendocino Commercial (MC) zoning district, as defined by the MCC. Chapter 20.664.005 of the MCC defines General Commercial as a district,

“intended to provide an area within the Town suitable for commercial development compatible with existing commercial uses”

Similar to the Land Use consistency, the proposed project adheres to the intentions of the Mendocino Commercial zoning district by expanding on an existing commercial use. This allows for commercial development within the Town of Mendocino without expanding structural and utility footprints and thus retaining the community character of the town.

The project is also subject to MCC Section 20.760 which regulates the historical preservation of the Town of Mendocino through the Mendocino Historical Review Board (MHRB). The applicant has adhered to these regulations as a project related to the proposed tasting room was heard at the November 4, 2019, Mendocino Historical Review Board, which was approved. The project (MHRB_2019-0008) was for a sign that will advertise for the proposed tasting room. Thus, with regards to the use permit, the project remains consistent with the Mendocino County Code, and Section 20.760 specifically.

2. Local Coastal Program Consistency Recommendation: The proposed project is consistent with applicable goals and policies of the Local Coastal Program which includes the Mendocino Town Plan, Mendocino Town Plan Map, Mendocino Town Zoning Code, and the Mendocino Town Zoning Map. Consistency with the Mendocino Zoning Code is discussed in the aforementioned; consistency with other Local Coastal Program components is discussed below.

Design Guidelines: The Mendocino Town Plan supports and continues the requirements of the Historical Preservation District Zoning Ordinance and the design review criteria used to maintain the historic appearance and character of the Town. As the project is located in Historic Zone A of the Mendocino Historic Preservation District, MHRB approval is required for any exterior alternatives to the building. A case (MHRB_2019-0008) regarding a new sign for the proposed business was approved at the November 4, 2019, Mendocino Historical Review Board meeting.

Natural Resources: The change in use will not have any effect on natural resources. The wine tasting and retail sales would take place in an existing structure and no exterior changes to the building or grounds are proposed other than signage.

Hazards: There are no known geologic or other hazards on or in the vicinity of the project site. The closest fault is the San Andreas Fault located approximately 20 miles to the south, just south of the Irish Beach subdivision. Additionally, the project is not located near any bluffs, nor any bodies of water that would inundate the subject parcel or structure.

Visual Resources: The change in use will not have any effect on visual resources other than exterior signage. No exterior alterations are proposed, other than signage that has already been approved (MHRB_2019-0008).

Public Access: The project site is located west of State Route 1, but is not a bluff top parcel and is not designated as a potential public access trail location.

Archaeological/Cultural Resources: No ground disturbing development is proposed, thus it is unlikely that any archaeological/cultural resources would be affected by the project.

Groundwater Resources: The Town of Mendocino has a centralized sanitary sewer system, but does not have a centralized water system. Businesses and residents, including those on the subject parcel, rely on individual wells for most water. Wells are regulated by the Mendocino County Department of Environmental Health, which reviews alterations to existing wells.

3. Environmental Protection: The project is Categorically Exempt from the provisions of CEQA, pursuant to Section 15301, Class 1 of Article 19 of the California Environmental Quality Act Guidelines. The Class 1 exemption applies to “the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.” The proposed project meets the criteria of Section 15301 and has been determined to not have a significant effect on the environment and, therefore, is exempt from the provisions of CEQA.

PROJECT FINDINGS AND CONDITIONS

RECOMMENDED ACTION: Pursuant to the provisions of Chapter 20.720 and Chapter 20.724 of the Mendocino County Code, the Coastal Permit Administrator approves Coastal Development Minor Use Permit U_2019-0022 and adopts the following findings and conditions.

FINDINGS:

1. As previously noted, the proposed project is consistent with the Mendocino Commercial (MC) zoning district. Section 20.664.015 of Division III of the Mendocino County Code allows for the proposed use with the approval of a Use Permit. The proposed project is in conformity with the certified Mendocino Town Local Coastal Plan; and
2. The subject parcel gains its access from Main Street in the Town of Mendocino and utilizes the Mendocino City Community Services District wastewater disposal, in addition to a well for water provision. The proposed project will be provided with adequate utilities, access roads, drainage and other necessary facilities; and
3. The proposed project is consistent with the purpose and intent of the applicable zoning district, as well as all other provisions of this Division, and preserves the integrity of the zoning district; and
4. The proposed project is exempt from CEQA under a Class I categorical exemption. The proposed project, in compliance with the conditions of approval, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
5. The proposed project entails the use of an existing structure and does not require any ground disturbing activities. The proposed project will not have any adverse impacts on any known archaeological or paleontological resource; and
6. Other services, including but not limited to, solid waste, public roadway capacity and proof of an adequate water supply pursuant to Chapter 20.744 have been considered and are adequate to serve the proposed project; and
7. The proposed project is in conformance with the design standards of Section 20.760.050; and
8. The proposed project ensures the protection of public health, safety and welfare, specifically the installation of a small planter at the corner of Lansing Street and Main Street will minimize the safety hazard associated with the existing trip/fall hazard or approved alternative.

STANDARD CONDITIONS:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.728.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.

To remain valid, progress towards completion of the project must be continuous. The applicant has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.

2. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.

3. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
4. 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, establishment of signs and compliance with handicapped accessibility for the facility if required.
5. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. 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, or the operation of one or more such conditions.
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. The applicant shall submit to the Department of Planning and Building Services documentation showing compliance with the Mendocino City Community Services District.
8. It is the applicant's responsibility to ensure that all necessary permits have been obtained for the purpose of completing the conditions of this use permit.
9. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
10. Permitting from Mendocino County Department of Environmental Health, Division of Consumer Protection, shall be required if the applicant sells any food or beverage (alcoholic or otherwise) that is not produced by the applicants.

12/30/19
DATE


SAM VANDEWATER
PLANNER II

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

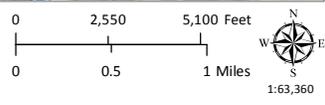
ATTACHMENTS:

- | | |
|----------------------|--------------------------------|
| A. Location Map | E. Street View Imagery |
| B. Aerial Map | F. Mendocino Town Zoning Map |
| C. Topographical Map | G. Mendocino Town Land Use Map |
| D. Site Map | H. Adjacent Owner Map |



CASE: U 2019-0022
 OWNER: MEYER, Matthew
 APN: 119-237-13
 APLCT: Matthew R. Meyer
 AGENT: Rebecca Goldie
 ADDRESS: 45156 Main Street, Mendocino

- Major Towns & Places
- Major Roads
- Major Roads
- Major Rivers
- Highways



LOCATION MAP
 ATTACHMENT A

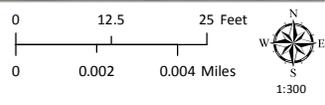
MENDOCINO COUNTY PLANNING DEPARTMENT - 9/27/2019



MAIN STREET

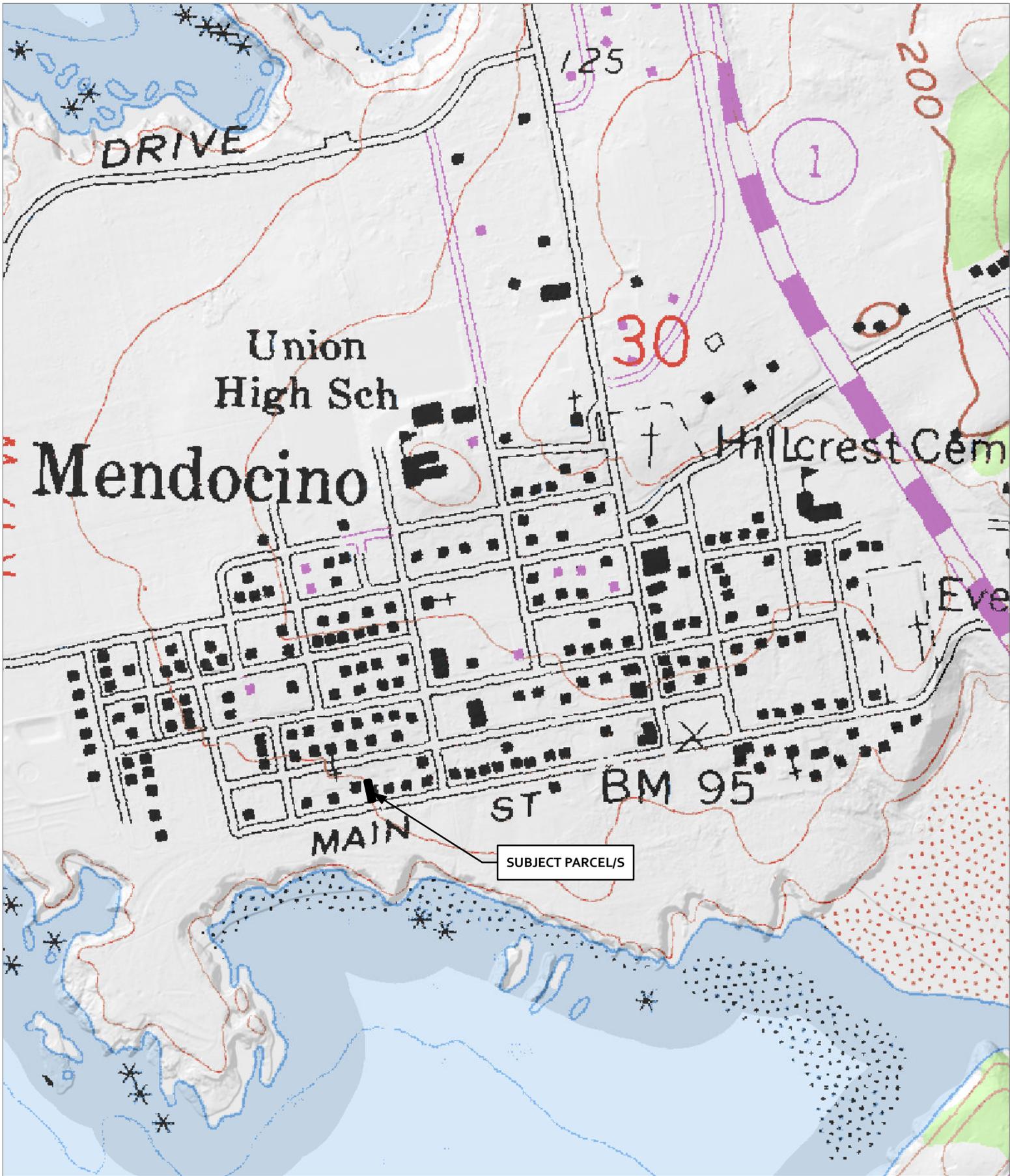
CASE: U 2019-0022
OWNER: MEYER, Matthew
APN: 119-237-13
APLCT: Matthew R. Meyer
AGENT: Rebecca Goldie
ADDRESS: 45156 Main Street, Mendocino

Public Roads

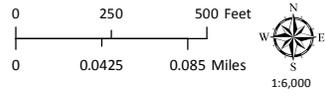


AERIAL IMAGERY
ATTACHMENT B

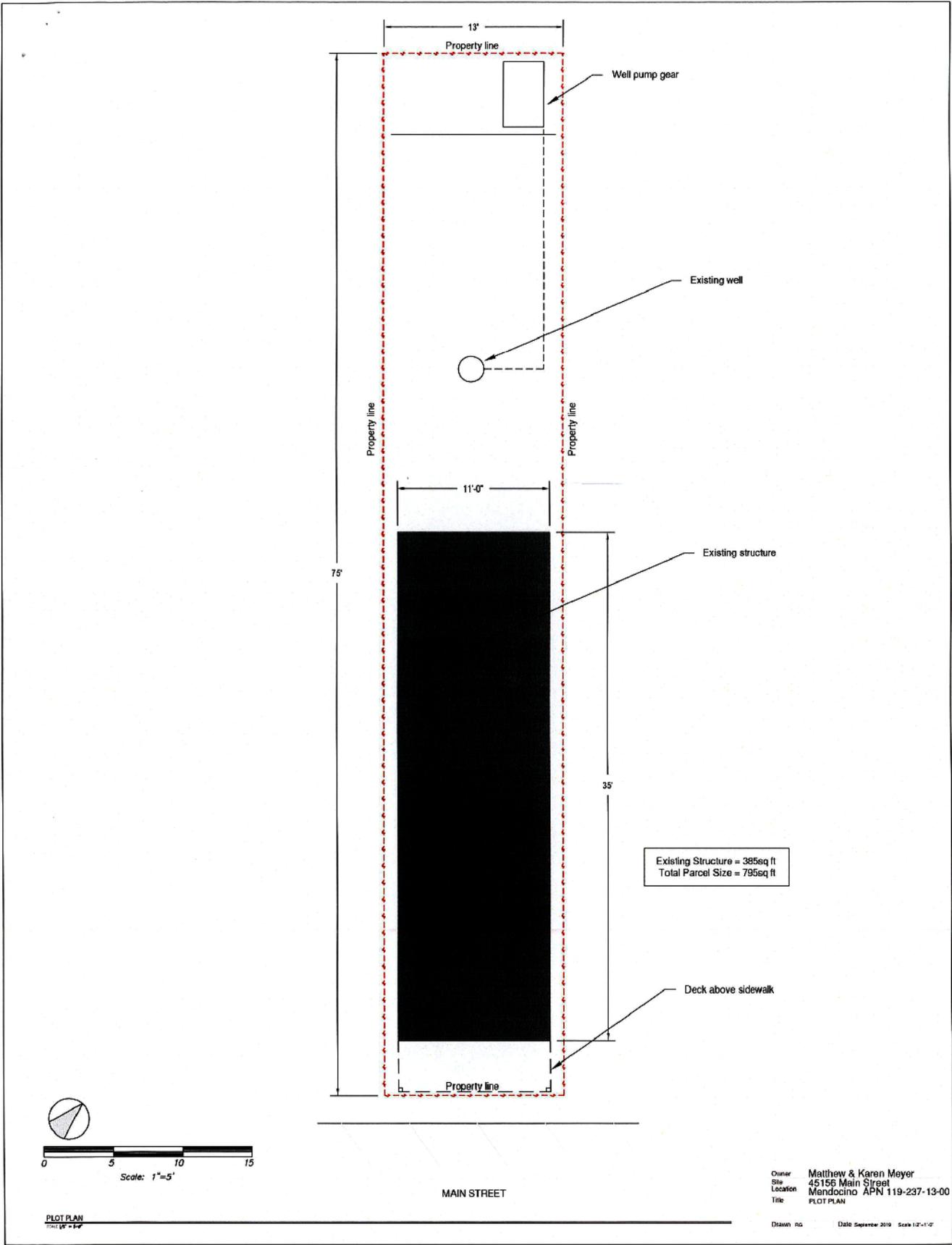
MENDOCINO COUNTY PLANNING DEPARTMENT - 9/27/2019



CASE: U 2019-0022
 OWNER: MEYER, Matthew
 APN: 119-237-13
 APLCT: Matthew R. Meyer
 AGENT: Rebecca Goldie
 ADDRESS: 45156 Main Street, Mendocino



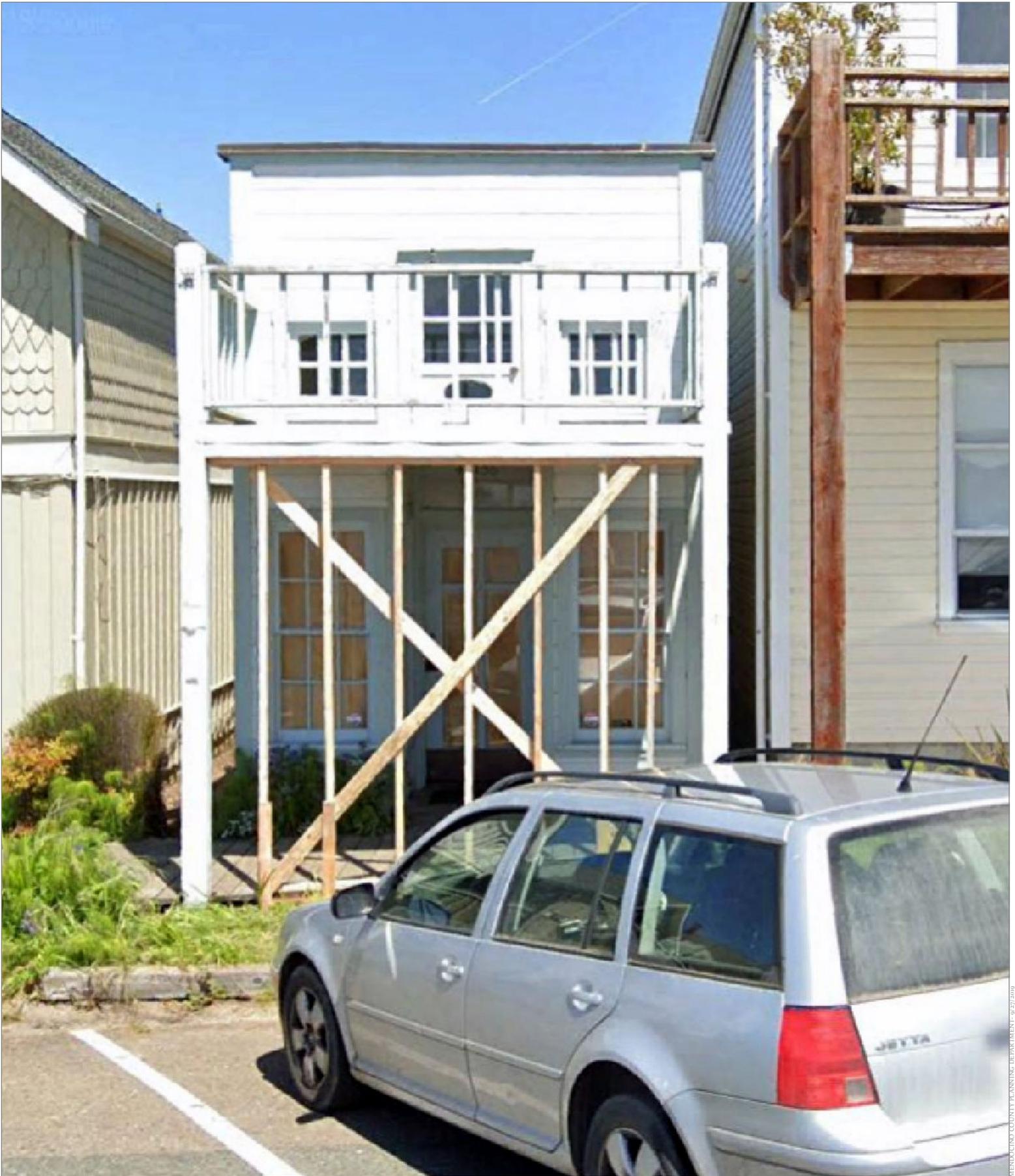
TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET
 ATTACHMENT C



MENDOCINO COUNTY PLANNING DEPARTMENT - 9/27/2019

CASE: U 2019-0022
 OWNER: MEYER, Matthew
 APN: 119-237-13
 APLCT: Matthew R. Meyer
 AGENT: Rebecca Goldie
 ADDRESS: 45156 Main Street, Mendocino

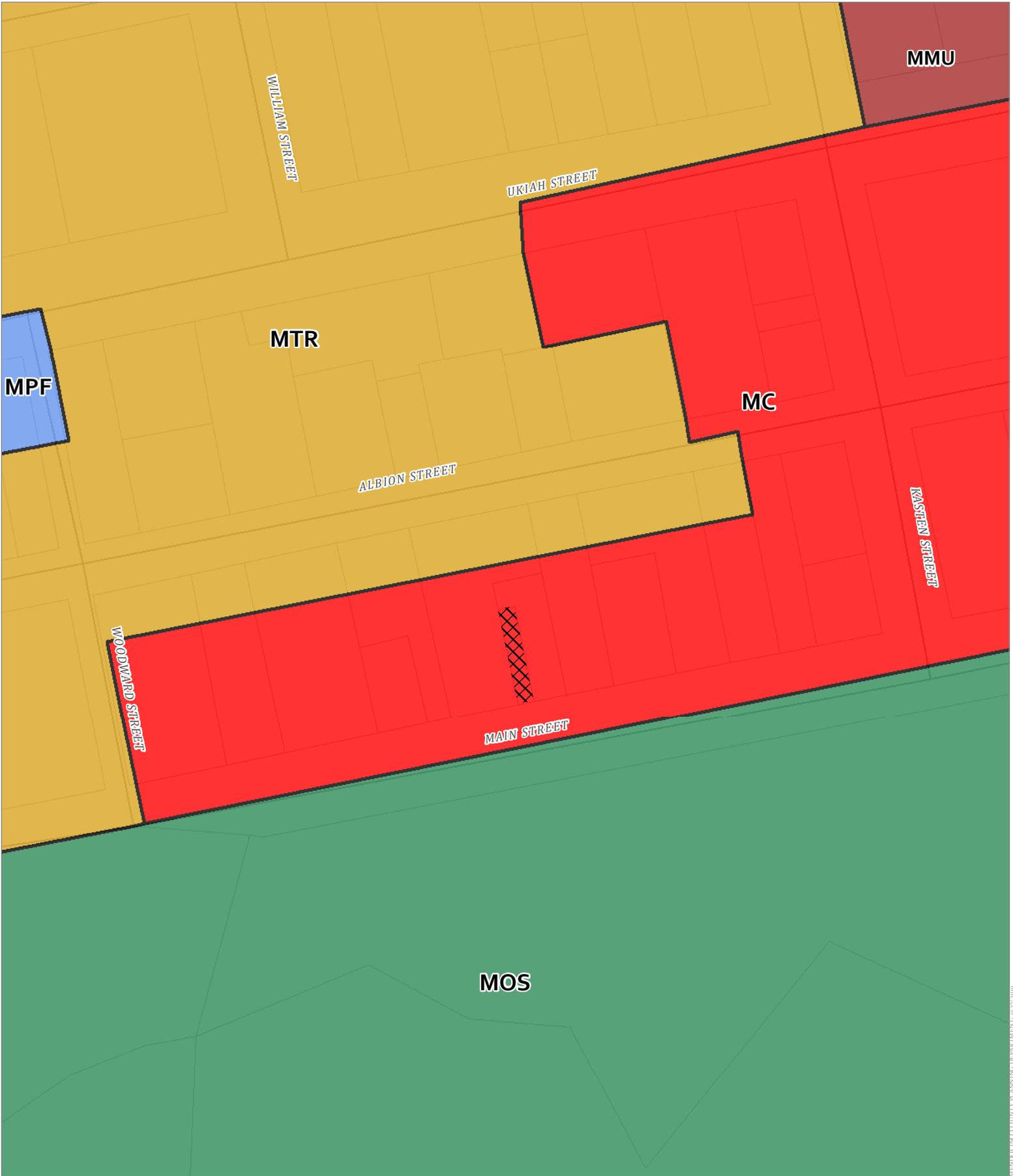
NO SCALE



CASE: U 2019-0022
OWNER: MEYER, Matthew
APN: 119-237-13
APLCT: Matthew R. Meyer
AGENT: Rebecca Goldie
ADDRESS: 45156 Main Street, Mendocino

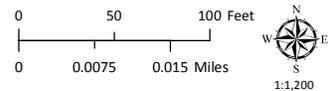
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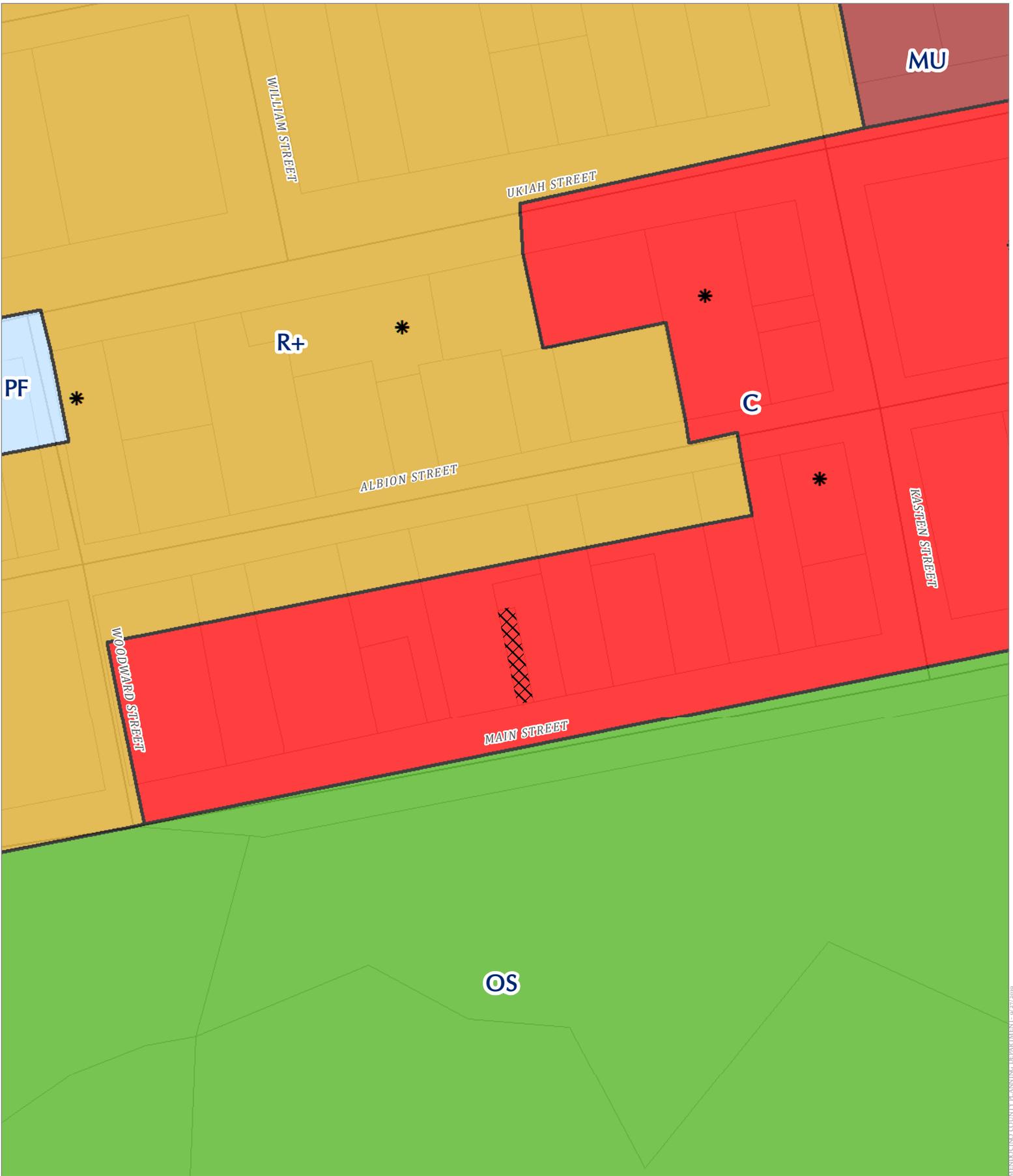
STREET VIEW IMAGERY
ATTACHMENT E



CASE: U 2019-0022
 OWNER: MEYER, Matthew
 APN: 119-237-13
 APLCT: Matthew R. Meyer
 AGENT: Rebecca Goldie
 ADDRESS: 45156 Main Street, Mendocino

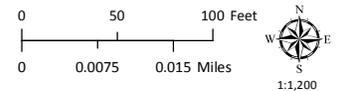
Public Roads





CASE: U 2019-0022
 OWNER: MEYER, Matthew
 APN: 119-237-13
 APLCT: Matthew R. Meyer
 AGENT: Rebecca Goldie
 ADDRESS: 45156 Main Street, Mendocino

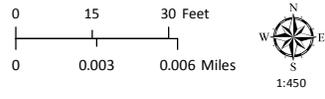
- * Visitor Serving Facilities
- Public Roads



MENDOCINO COUNTY PLANNING DEPARTMENT - 9/27/2019



CASE: U 2019-0022
 OWNER: MEYER, Matthew
 APN: 119-237-13
 APLCT: Matthew R. Meyer
 AGENT: Rebecca Goldie
 ADDRESS: 45156 Main Street, Mendocino



MENDOCINO COUNTY PLANNING DEPARTMENT

Notice of Exemption

To:

Office of Planning and Research
U.S. Mail: *Street Address:*
PO Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95812

County Clerk:
County of Mendocino
501 Low Gap Road
Ukiah, CA 95482

From:

Mendocino County Planning & Building
860 North Bush Street
Ukiah, CA 95482
Contact: SAM VANDY VANDEWATER
Phone: 707-234-6650

Project Title: U_2019-0022

Project Applicant: MATTHEW MEYER

Project Location - Specific: In the Coastal Zone, in the Town of Mendocino, on Main Street (CR 407E), 280± feet west of its intersection with Kasten Street (CR 407L); located at 45156 Main St., Mendocino (APN 119-237-13).

Project Location - City: MENDOCINO AREA Project Location - County: MENDOCINO

Description of Nature, Purpose and Beneficiaries of Project:

Use Permit to allow for a wine and port tasting room in an existing wine and port retail sales shop.

Name of Public Agency Approving the Project: COUNTY OF MENDOCINO

Name of Person or Agency Carrying out Project: SAM VANDY VANDEWATER

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
 Declared Emergency (Sec. 21070(b)(3); 15269(a));
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 Categorical Exemption. State type and section number: Class 1, Section 15301
 Statutory Exemption. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: SAM VANDY VANDEWATER Area Code/Telephone/Extension: 707-234-6650

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____