CASE#: UR_2020-0007
DATE FILED: 7/17/2020
OWNER/APPLICANT: JOHN J SCHNAUBELT
REQUEST: Renewal of Coastal Development Use Permit CDU_2017-0019, which authorized repurposing of the Ice House located in Noyo Harbor. Land uses approved by CDU_2017-0019 included: Coastal Dependent Industrial (producing Salmon-infused vodka, brine-aged whisky, and smoked fish), Coastal Related Industrial (warehousing fish emulsion and fertilizer), Food and Beverage Retail Sales, and Coastal Related Support Services (boat charter office and ticket window).
LOCATION: In Coastal Zone, in Noyo Harbor, 0.5± mile south of the intersection of Hwy. 1 (SH 1) and North Harbor Dr. (CR 415A), located at 32425 N Harbor Dr., Fort Bragg (APN: 018-140-48).
ENVIRONMENTAL DETERMINATION: Categorically Exempt
SUPERVISORIAL DISTRICT: 4
STAFF PLANNER: JULIANA CHERRY
RESPONSE DUE DATE: October 19, 2020

PROJECT INFORMATION CAN BE FOUND AT:
https://www.mendocinocounty.org/government/planning-building-services/public-agency-referrals

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):

☐ No comment at this time.
☐ Recommend conditional approval (attached).
☐ Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
☐ Recommend denial (Attach reasons for recommending denial).
☐ Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
☐ Other comments (attach as necessary).

Reviewed by:

Signature ____________________  Department ____________________  Date __________
Case: Coastal Development Use Permit Renewal CDUR 2020-0007 (REF CDU 2017-0019)

Owner: John Schnaubelt

Applicant: John Schnaubelt

Agent: Wynn Coastal Planning & Biology

Request: Renewal of Coastal Development Use Permit CDU_2017-0019, which authorized repurposing of the Ice House located in Noyo Harbor. Land uses approved by CDU_2017-0019 included: Coastal Dependent Industrial (producing Salmon-infused vodka, brine-aged whisky, and smoked fish), Coastal Related Industrial (warehousing fish emulsion and fertilizer), Food and Beverage Retail Sales, and Coastal Related Support Services (boat charter office and ticket window).

Location: In Coastal Zone, in Noyo Harbor, 0.5± mile south of the intersection of Hwy. 1 (SH 1) and North Harbor Dr. (CR 415A), located at 32425 N Harbor Dr., Fort Bragg (APN: 018-140-48).

APN/S: 018-140-48-00

Parcel Size: 0.25 acres

General Plan: Coastal Element Chapter 4.4, Fishing Village (FV:U)

Zoning: Mendocino Coastal Zoning Code, Fishing Village (FV:40K)

Existing Uses: Unoccupied building

District: 4

Related Cases: CDU 2017-0019 Schnaubelt

Adjacent General Plan:
- North: Fishing Village
- East: Fishing Village
- South: Fishing Village
- West: Fishing Fillage

Adjacent Zoning:
- North: FV
- East: FV
- South: FV
- West: FV

Adjacent Lot Sizes:
- North: 0.36 acres
- East: 0.5 acres
- South: 0.12 acres
- West: 0.2 acres

Adjacent Uses:
- Coastal-Related Industrial
- Coastal-Dependent Industrial
- Coastal-Dependent Support Services

Referral Agencies:
- Local:
  - Planning (Ukiah)
  - Department of Transportation
  - Environmental Health (FB)
  - County Addresser
  - Building Inspection (FB)
  - Assessor
  - Fort Bragg City Planning
  - Noyo Harbor District
- State:
  - State Clearinghouse
  - CalFire Prevention
  - Coastal Commission
- Federal:
  - Army Corps of Engineers
- Tribal:
  - Cloverdale Rancheria
  - Redwood Valley Rancheria
  - Sherwood Valley Rancheria

Additional Information: No ground disturbance is proposed. No referral to Sonoma State or Archaeological Commission.

Please comment whether any of the adopted conditions require updating or amending (see attached Application pp 7-10):  
- City of Fort Bragg (See conditions #17, #18, #19, and #21)
- Mendocino County Department of Transportation (See conditions #15 and #16)
- Mendocino County Division of Environmental Health (See conditions #12 and #21)
- Mendocino County Building Division (See condition #13)
- Mendocino County Planning Division (See conditions #12, #13, #14, #20, and #21)

Fail to send comments to cherryj@mendocinocounty.org

Staff Planner: J Cherry (707-234-2888)

Date: 9/1/2020
### ENVIRONMENTAL DATA

<table>
<thead>
<tr>
<th>1. MAC:</th>
<th>GIS</th>
<th>NO</th>
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<tbody>
<tr>
<td>2. FIRE HAZARD SEVERITY ZONE:</td>
<td>CALFIRE FRAP maps/GIS</td>
<td>YES</td>
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<tr>
<td>3. FIRE RESPONSIBILITY AREA:</td>
<td>CALFIRE FRAP maps/GIS</td>
<td>Fort Bragg Fire District</td>
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<td>4. FARMLAND CLASSIFICATION:</td>
<td>GIS</td>
<td>NO</td>
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<td>5. FLOOD ZONE CLASSIFICATION:</td>
<td>NO</td>
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<td>6. COASTAL GROUNDWATER RESOURCE AREA:</td>
<td>GIS</td>
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<td>7. SOIL CLASSIFICATION:</td>
<td>Mendocino County Soils Study Eastern/Western Part</td>
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<td>8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:</td>
<td>LCP maps, Pygmy Soil Maps; GIS</td>
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<td>9. WILLIAMSON ACT CONTRACT:</td>
<td>GIS/Mendocino County Assessor’s Office</td>
<td>NO</td>
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<tr>
<td>10. TIMBER PRODUCTION ZONE:</td>
<td>GIS</td>
<td>NO</td>
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<tr>
<td>11. WETLANDS CLASSIFICATION:</td>
<td>GIS</td>
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<tr>
<td>12. EARTHQUAKE FAULT ZONE:</td>
<td>GIS</td>
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<tr>
<td>13. AIRPORT LAND USE PLANNING AREA:</td>
<td>Airport Land Use Plan; GIS</td>
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<td>14. SUPERFUND/BROWNFIELD/HAZMAT SITE:</td>
<td>GIS</td>
<td>NO</td>
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<tr>
<td>15. NATURAL DIVERSITY DATABASE:</td>
<td>CA Dept. of Fish &amp; Wildlife Rarefind Database/GIS</td>
<td>YES</td>
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<tr>
<td>16. STATE FOREST/PARK/RECREATION AREA ADJACENT:</td>
<td>GIS; General Plan 3-10</td>
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<tr>
<td>17. LANDSLIDE HAZARD:</td>
<td>Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44</td>
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<tr>
<td>18. WATER EFFICIENT LANDSCAPE REQUIRED:</td>
<td>Policy RM-7; General Plan 4-34</td>
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<tr>
<td>19. WILD AND SCENIC RIVER:</td>
<td><a href="http://www.rivers.gov">www.rivers.gov</a> (Eel Only); GIS</td>
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<td>20. SPECIFIC PLAN/SPECIAL PLAN AREA:</td>
<td>Various Adopted Specific Plan Areas; GIS</td>
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<tr>
<td>21. STATE CLEARINGHOUSE REQUIRED:</td>
<td>California Coastal Commission</td>
<td></td>
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<tr>
<td>22. OAK WOODLAND AREA:</td>
<td>USDA</td>
<td>No</td>
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<tr>
<td>23. HARBOR DISTRICT:</td>
<td>Sec. 20.512</td>
<td>Noyo Harbor</td>
</tr>
<tr>
<td>24. LCP LAND USE CLASSIFICATION:</td>
<td>LCP Land Use maps/GIS</td>
<td>Fishing Village</td>
</tr>
<tr>
<td>25. LCP LAND CAPABILITIES &amp; NATURAL HAZARDS:</td>
<td>LCP Land Capabilities Map/GIS; 20.150</td>
<td>Flooding, Tsunami</td>
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<tr>
<td>26. LCP HABITATS &amp; RESOURCES:</td>
<td>LCP Habitat maps/GIS; 20.400</td>
<td>Adjacent to Noyo River</td>
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<tr>
<td>27. COASTAL COMMISSION APPEALABLE AREA:</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>28. CDP EXCLUSION ZONE:</td>
<td>CDP Exclusion Zone maps/GIS</td>
<td>NO</td>
</tr>
<tr>
<td>29. HIGHLY SCENIC AREA:</td>
<td>Highly Scenic &amp; Tree Removal Area Maps/GIS; Secs. 20.504.015, 20.504.020</td>
<td>NO</td>
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<tr>
<td>30. BIOLOGICAL RESOURCES &amp; NATURAL AREAS:</td>
<td>Biological Resources &amp; Natural Areas, General Plan 6-6</td>
<td>Adjacent to Noyo River</td>
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<tr>
<td>31. BLUFFTOP GEOLOGY:</td>
<td>Blufftop Geo Database/LCP/Coastal Commission Map/GIS; 20.500.020</td>
<td>No</td>
</tr>
</tbody>
</table>

**FOR PROJECTS WITHIN THE COASTAL ZONE ONLY**

| 24. LCP LAND USE CLASSIFICATION: | Fishing Village |
| 25. LCP LAND CAPABILITIES & NATURAL HAZARDS: | Flooding, Tsunami |
| 26. LCP HABITATS & RESOURCES: | Adjacent to Noyo River |
| 27. COASTAL COMMISSION APPEALABLE AREA: | Within Noyo Harbor |
APPLICATION FORM

APPLICANT
Name: John Schnaubelt
Phone: (707)489-4806 or (707)489-4815

Mailing Address: 576 South Franklin Street
City: Fort Bragg State/Zip: CA. 95437 email: seapalliquidfish@yahoo.com

PROPERTY OWNER
Name: Same as above
Phone:

Mailing Address:
City: State/Zip: email:

AGENT
Name: Wynn Coastal Planning; Tara Jackson
Phone: (707)964-2537

Mailing Address: 703 North Main Street
City: CA. 95437 State/Zip: CA. 95437 email: tara@wcplan.com

Parcel Size: 25+/- acre (Sq. feet/Acres) Address of Property: 32425 North Harbor Drive, Fort Bragg, CA 95437

Assessor Parcel Number(s): 018-140-48

TYPE OF APPLICATION:
- Administrative Permit
- Agricultural Preserve
- Airport Land Use
- CDP- Admin
- CDP- Standard
- Certificate of Compliance
- Development Review
- Exception
- Flood Hazard
- General Plan Amendment
- Land Division-Minor
- Land Division-Major
- Land Division-Parcel
- Land Division-Resubdivision
- Modification of Conditions
- Reversion to Acreage
- Rezoning
- Use Permit-Cottage
- Use Permit-Minor
- Use Permit-Major
- Variance
- Other

I certify that the information submitted with this application is true and accurate.

Signature of Applicant/Agent Date 07/16/2020

Signature of Owner Date 07/16/2020
The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project please indicate "Not applicable" or "N/A".

**THE PROJECT**

1. Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc. Improve (repair and maintenance) building in existing footprint to house four business:
   1. Distillery dependent on aging near harbor to instill brine quality in whiskey (ala scotch whiskies)
   2. Empty bottle storage for Sea Pal Fertilizer company
   3. Fish smoking facility, using local fish from harbor
   4. Sport fishing/Whale watching charter boat office

   extend term for U 2017-0019.

<table>
<thead>
<tr>
<th>Structures/Lot Coverage</th>
<th>Number of Units</th>
<th>Square Footage</th>
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<tbody>
<tr>
<td></td>
<td>Existing</td>
<td>Proposed</td>
</tr>
<tr>
<td>Single Family</td>
<td></td>
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<tr>
<td>Mobile Home</td>
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<tr>
<td>Duplex</td>
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<tr>
<td>Multifamily</td>
<td></td>
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<tr>
<td>Other:</td>
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<tr>
<td>Other:</td>
<td></td>
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<tr>
<td>Total Structures Paved</td>
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<tr>
<td>Area Landscaped Area</td>
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<tr>
<td>Unimproved Area</td>
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</tbody>
</table>

**GRAND TOTAL (Equal to gross area of Parcel)**

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PBS Received 7-17-2020

APN 018-140-48
3. If the project is commercial, industrial or institutional, complete the following:

- Estimated employees per shift: 3
- Estimated shifts per day: 1-2
- Type of loading facilities proposed: N/A

4. Will the proposed project be phased? [ ] Yes  [ ] No  If yes, explain your plans for phasing:
   1. Distillery
   2. Storage for Sea Pal fertilizer’s empty bottles
   3. Smoked fish facility
   4. Sport fishing/Whale watching charter boat ticket office

5. Will vegetation be removed on areas other than the building sites and roads? [ ] Yes  [ ] No  Explain:

6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives? [ ] Yes  [ ] No  If yes, explain:

7. How much off-street parking will be provided?

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Size</th>
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<tbody>
<tr>
<td>Number of covered spaces</td>
<td>4</td>
<td>9x20</td>
</tr>
<tr>
<td>Number of uncovered spaces</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of standard spaces</td>
<td>5</td>
<td>9x20</td>
</tr>
<tr>
<td>Number of handicapped spaces</td>
<td>1</td>
<td>8x20</td>
</tr>
</tbody>
</table>

Existing Number of Spaces

Proposed Additional Spaces

Total

8. Is any road construction or grading planned? [ ] Yes  [ ] No  If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).

9. For grading or road construction, complete the following:

   A. Amount of cut: N/A  cubic yards
   B. Amount of fill: N/A  cubic yards
   C. Maximum height of fill slope: N/A  feet
   D. Maximum height of cut slope: N/A  feet
   E. Amount of import or export: N/A  cubic yards
   F. Location of borrow or disposal site: N/A
10. Does the project involve sand removal, mining or gravel extraction? □ Yes □ No
   If yes, detailed extraction, reclamation and monitoring plans may be required?

11. Will the proposed development convert land currently or previously used for agriculture to another use?
    □ Yes □ No
    If yes, how many acres will be converted? __________ acres. An agricultural economic feasibility study may be
    required.

12. Will the development provide public or private recreational opportunities? □ Yes □ No
    If yes, explain below:
    Sport fishing/ Whale watching charter boat ticket office

13. Is the proposed development visible from State Highway 1 or other scenic route?
    □ Yes □ No

14. Is the proposed development visible from a park, beach or other recreational area?
    □ Yes □ No

15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands,
estuaries or lakes?
    Diking: □ Yes □ No
    Filling: □ Yes □ No
    Dredging: □ Yes □ No
    Placement of structures in:
    □ open coastal waters
    □ wetlands
    □ estuaries
    □ lakes
    If so, amount of material to be dredged or filled? __________ cubic yards.
    Location of dredged material disposal site? N/A

16. Will there be any exterior lighting? □ Yes □ No
    If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans.
    Shielded down cast lighting

17. Utilities will be supplied to the site as follows:
   A. Electricity:
      □ Utility Company (service exists to the parcel)
      □ Utility Company (requires extension of service to site: ________ feet ________ miles)
      □ On Site Generation - Specify:

   B. Gas
      □ Utility Company/Tank
      □ On Site Generation - Specify:
      □ None

   C. Telephone: □ Yes □ No

18. What will be the method of sewage disposal?
    □ Community sewage system - Specify supplier
    □ Septic Tank
    □ Other - Specify:

19. What will be the domestic water source:
    □ Community water system - Specify supplier
    □ Well
    □ Spring
    □ Other - Specify:
20. Are there any associated projects and/or adjacent properties under your ownership?
   - [ ] Yes
   - [ ] No
   If yes, explain (e.g., Assessor's Parcel Number, address, etc.):

21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, state and federal agencies:
   Business License, ABC License

22. Describe the location of the site in terms of readily identifiable landmarks (e.g., mailboxes, mile posts, street intersections, etc.):
   Large grey building as you round the second sharp corner at the bottom of the hill on North Harbor Drive.

23. Are there existing structures on the property?   - [ ] Yes
   - [ ] No
   If yes, describe below, and identify the use of each structure on the plot plan or tentative map if the proposal is for a subdivision.
   There is an existing vacant building on the parcel that was last inhabited in the late 1970's

24. Will any existing structures be demolished or removed?   - [ ] Yes
   - [ ] No
   If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.


26. Gross floor area of existing structures 5843 square feet (including covered parking and accessory buildings). Gross floor area of proposed structures 5843 square feet (including covered parking and accessory buildings).

27. Lot area (within property lines): ___ square feet  ___ acres.

28. Briefly describe the project site as it exists before the project, including information on existing structures and their uses, slopes, soil stability, plants and animals, and any cultural, historical or scenic aspects. Attach any photographs of the site that you feel would be helpful.
   The present building known to locals as the "Ice House" in the fishing village of Noyo Harbor has been vacant since 1974.
   Prior to that it had a lengthy history providing ice for the once robust fishing industry in Fort Bragg.

29. Briefly describe the surrounding properties, including information on plants, animals and any cultural, historic or scenic aspects. Indicate the type of land use (use chart below) and its general intensity. Attach any photographs of the vicinity that you feel would be helpful.
   This parcel is situated in the commercial fishing village of Noyo Harbor. The property was for commercial purposes as it is be to be again.
   All businesses are fishing related.

30. Indicate the surrounding land uses:
<table>
<thead>
<tr>
<th>North</th>
<th>East</th>
<th>South</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant</td>
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<td></td>
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<tr>
<td>Residential Agricultural</td>
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<td></td>
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</tr>
<tr>
<td>Commercial Industrial</td>
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<td></td>
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</tr>
<tr>
<td>Institutional Timberland</td>
<td></td>
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<tr>
<td>Other: Commercial Fishing Village</td>
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<td>X</td>
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</tr>
</tbody>
</table>

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PBS Received 7-17-2020  APN 018-140-48
COASTAL DEVELOPMENT STANDARD USE PERMIT

CASE#: U 2017-0019
OWNER: JOHN SCHNAUBELT
AGENT: WYNN COASTAL PLANNING, BLAIR FOSTER
REQUEST: A Coastal Development Use Permit request to repurpose the Ice House located in Noyo Harbor. Proposed land uses are Coastal Dependent Industrial (producing Salmon-infused vodka, brine-aged whisky, and smoked fish); Coastal Related Industrial (warehousing fish emulsion and fertilizer); Food and Beverage Retail Sales; and Coastal Related Support Services (boat charter office and ticket window). A deck and painting off-street parking spaces are proposed.
LOCATION: In Coastal Zone, in Noyo Harbor, 0.5± mile south of the intersection of Hwy. 1 (SH 1) and North Harbor Dr. (CR 415A), located at 32425 N Harbor Dr., Fort Bragg (APN: 018-140-48).
ENVIRONMENTAL DETERMINATION: Categorically Exempt
STAFF PLANNER: Juliana Cherry
ACTION: Approved with Conditions.
EFFECTIVE DATE: September 14, 2018
EXPIRATION DATE: July 19, 2020
CONDITIONS OF APPROVAL: See final findings and conditions for conditions.

Department of Planning and Building Services Statement: I hereby certify that all conditions which must be met prior to use or occupancy of this permit have been met and that this permit is deemed by the Department of Planning and Building Services to be a valid permit subject to all conditions of approval.

[Signature]
COASTAL PERMIT ADMINISTRATOR

DATE

10-3-2018

Owner's Statement: I am the owner of the property subject to this permit (or his/her authorized agent) and I hereby certify that I have reviewed the conditions of approval and will establish and continue the use in compliance with the specified conditions and applicable sections of the Mendocino County Code. I further grant permission for County staff to enter upon the premises for which the permit is issued to verify compliance with the required conditions.

[Signature]
OWNER

DATE

11-1-2018

PBS Received 7-17-2020

APN 018-140-48
Resolution Number PC_2018-0027

County of Mendocino
Ukiah, California
July 19 2018

U_2017-0019 - JOHN SCHNAUBELT

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION AND GRANTING A COASTAL DEVELOPMENT USE PERMIT FOR A DISTILLERY, TASTING ROOM, OFFICE, BOAT CHARTER TICKET SALES, AND FISH FERTILIZER STORAGE.

WHEREAS, the applicant, JOHN J SCHNAUBELT, filed an application for a COASTAL DEVELOPMENT USE PERMIT with the Mendocino County Department of Planning and Building Services to repurpose the Ice House and proposing Coastal-Dependent Industrial land use (producing Salmon-infused vodka, brine-aged whisky, and smoked fish); Coastal-Related Industrial land use (warehousing fish emulsion and fertilizer); Food and Beverage Retail Sales land use; and Coastal-Related Support Services land use (boat charter office and ticket window), and proposing construction of a deck on land located In Coastal Zone, in Noyo Harbor, 0.5a mile south of the intersection of Hwy. 1 (SH 1) and North Harbor Dr. (CR 415A), located at 32425 N Harbor Dr., Fort Bragg (APN: 018-140-48); General Plan FV.U.; Zoning FV:40K/FP.; Supervisorial District 4; (the “Project”); and

WHEREAS, a CATEGORICAL EXEMPTION was prepared for the Project and noticed and made available for agency and public review on June 7, 2018 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, July 19, 2018, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the CATEGORICAL EXEMPTION and the Project. All interested persons were given an opportunity to hear and be heard regarding the CATEGORICAL EXEMPTION and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the CATEGORICAL EXEMPTION and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings:

1. Pursuant with MCCZC Section 20.532.095(A)(1), the proposed development is in conformity with the certified Mendocino Local Coastal Plan, including the General Plan’s Coastal Element Chapter 2.2 and the intent of the Fishing Village Land Use Classification; and the General Plan’s Coastal Element Chapter 4.4 and its Policy 4.4.1, in that the proposed land uses are directly related to the coastal-dependent fishing industries in Noyo Harbor; and

2. Pursuant with MCCZC Section 20.532.095(A)(2), the proposed development and land uses, as conditioned, would be provided with adequate utilities, access roads, drainage and other necessary facilities as they are located where public services are available; and

3. Pursuant with MCCZC Section 20.532.095(A)(3), the proposed development and land uses are consistent with the purpose and intent of the Fishing Village District, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and
4. Pursuant with MCCZC Section 20.532.095(A)(4), the proposed development and land uses, if constructed and operated in compliance with the conditions of approval, would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act and would be categorically exempt; and

5. Pursuant with MCCZC Section 20.532.095(A)(5), the proposed development and land uses would not have any adverse impacts on any known archaeological or paleontological resource; and

6. Pursuant with MCCZC Section 20.532.095(A)(6), Other services, including but not limited to, solid waste, public roadway capacity and proof of an adequate water supply pursuant to Chapter 20.516 have been considered and are adequate to serve the proposed development and land uses; and

7. Pursuant with MCCZC Section 20.532.095(B)(1), the proposed development is located adjacent to the shoreline of Noyo Harbor and Noyo River and the proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan; and

8. As conditioned, the proposed development and land uses ensure that they would not 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 Noyo Harbor, or be detrimental or injurious to property and improvements in the Noyo Harbor or to the general welfare of the county.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Categorical Exemption. The Planning Commission certifies that the Categorical Exemption has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Categorical Exemption reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Coastal Development Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission 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 Planning Commission action shall be final on the 11th 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: VICTORIA DAVIS
Commission Services Supervisor

By: Victoria Davis

BY: IGNACIO GONZALEZ
Interim Director

MADELIN HOLTKAMP, Chair
Mendocino County Planning Commission
EXHIBIT A

CONDITIONS OF APPROVAL

COASTAL DEVELOPMENT USE PERMIT CDU_2017-0019
JULY 19, 2018

U_2017-0019 - JOHN SCHNAUBELT

A Coastal Development Use Permit allowing the Ice House located in Noyo Harbor to be repurposed with five land uses: Coastal-Dependent Industrial (producing Salmon-infused vodka, brine-aged whisky, and smoked fish); Coastal-Related Industrial (warehousing fish emulsion and fertilizer); Food and Beverage Retail Sales; and Coastal-Related Support Services (boat charter office and ticket window) and allowing the construction of a deck.

CONDITIONS OF APPROVAL: Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Coastal Zoning Code (MCCZC) and pursuant to the provisions of Chapter 20.196 of the Mendocino County Zoning Code - Division I (MCC), the Planning Commission approves the proposed project and adopts the following findings and conditions.

FINDINGS:

1. Pursuant with MCCZC Section 20.532.095(A)(1), the proposed development is in conformity with the certified Mendocino Local Coastal Plan, including Coastal Element Chapter 2.2 and the intent of the Fishing Village Land Use Classification; and Coastal Element Chapter 4.4 and its Policy 4.4.1, in that the proposed land uses are directly related to the coastal-dependent fishing industries in Noyo Harbor; and

2. Pursuant with MCCZC Section 20.532.095(A)(2), the proposed development and land uses, as conditioned, would be provided with adequate utilities, access roads, drainage and other necessary facilities as they are located where public services are available; and

3. Pursuant with MCCZC Section 20.532.095(A)(3), the proposed development and land uses are consistent with the purpose and intent of the Fishing Village District, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and

4. Pursuant with MCCZC Section 20.532.095(A)(4), the proposed development and land uses, if constructed and operated in compliance with the Conditions of Approval, would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act and would be categorically exempt; and

5. Pursuant with MCCZC Section 20.532.095(A)(5), the proposed development and land uses would not have any adverse impacts on any known archaeological or paleontological resource; and

6. Pursuant with MCCZC Section 20.532.095(A)(6), Other services, including but not limited to, solid waste, public roadway capacity and proof of an adequate water supply pursuant to Chapter 20.516 have been considered and are adequate to serve the proposed development and land uses; and

7. Pursuant with MCCZC Section 20.532.095(B)(1), the proposed development is located adjacent to the shoreline of Noyo Harbor and Noyo River and the proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan; and
8. As conditioned, the proposed development and land uses ensure that they would not 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 Noyo Harbor, or be detrimental or injurious to property and improvements in the Noyo Harbor or to the general welfare of the county.

STANDARD CONDITIONS:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.536.010 of the Mendocino County Coastal Zoning 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 (June 21, 2020).

2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.

3. 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 Planning Commission.

4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.

5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.

6. 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 the enforcement or operation of one or more such conditions.

7. 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.

8. 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.

9. Term: Coastal Development Use Permit U_2017-0019 shall be granted for a term of ten years. On or before June 21, 2028, the person holding U_2017-0019 shall apply for a renewal of said permit if the
use is to be continued beyond June 21, 2028. Applications for renewal shall be submitted in compliance with MCCZC Section 20.532.025.

10. Amendment: Amendments to Coastal Development Use Permit U_2017-0019 shall be granted pursuant with MCCZC Section 20.536.020 Application for Permit Amendment.

11. Revoke or modify: Coastal Development Use Permit U_2017-0019 may be revoked or modified for cause as provided by the provisions of MCCZC Section 20.536.030. The modification of a permit may include the modification of the terms of U_2017-0019, alteration or imposition of new conditions pursuant with MCCZC Sections 20.532.030 and 20.536.010.

12. Food and Beverage Retail Sales: Food preparation shall be limited to processing coastal-dependent distillates and smoked fish; food tasting may include serving complementary food items; and retail sale of coastal-dependent food and beverage is intended for off-site consumption.
   a. Seating shall be limited to the Tasting Room area and seating capacity determined by the Fire Marshal and Chief Building Official.
   b. Tasting Room hours shall be limited to 9:00 AM - 8:00 PM, which is similar to other local Food and Beverage Retail Sales land uses.

13. Prior to final inspection by the Building Division, the property owner shall furnish a letter to the Department of Planning and Building Services from the Division of Environmental Health and the City of Fort Bragg Public Works that all the requirements and conditions have been met for the issuance of the permit to operate the tasting room.

14. Ten off-street parking spaces shall be provided on-site with minimum 9 feet by 20 feet dimensions.

15. Standard commercial road approaches shall be constructed at each proposed connection to North Harbor Drive (CR 415A) in accordance with Mendocino County Road and Development Standards No. A51B, or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.

16. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.

17. Wastewater Discharge Agreement Required: Title 14.16 of the City of Fort Bragg Municipal Code states no pollutants shall be introduced in the sanitary sewer works and establishes maximum allowable concentrations for potentially toxic materials. This code section details allowable thresholds for toxic materials, prohibits pollutants which may affect pH and establishes limitations to oxygen-demanding pollutants (BOD, etc.). The purpose of the discharge agreement will be to establish sampling requirements and monitor effluent wastewater to ensure it meets the district treatment standards. Applicant shall show processes achieve performance standards. Monitoring may be required for any discharge location connected to the City's wastewater treatment including:
   a. effluent from the distilling process;
   b. process area wash down;
   c. mop sinks; and
   d. any sloped floor areas for catch basin or floor drains (this includes the storage/warehousing where fish emulsion is stored if floor drains are connected to waste water system).

18. Backflow Required: A backflow device will be required on all water connections. A double check Detector Assembly will be required for any dedicated fire suppression line(s). A Reduced Pressure Zone backflow device will be required for primary service line for industrial process water. The location of the backflow device(s) shall be determined during the building permit application process. A backflow prevention packet will be provided to the applicant for installing appropriate devices.
19. *City of Fort Bragg Connection, Water Capacity, and Sewer Capacity Fees:* An estimate of the fees due will be prepared for the client, upon receipt of the building permit application. A copy of these fees will be made available to the County, as fees shall be paid prior to final building permit.

a. **Connection:** If a new lateral or upsized lateral is required to supply water services to the facility, a cost will be incurred based on the current connection fees described in the City’s fee schedule.

b. **Water Capacity Fees:** A water capacity fee will be applied to each of the proposed uses by area.

c. **Sewer Capacity Fees:** A sewer capacity fee will be applied to each of the proposed uses by area.

20. Pursuant with MCCZC Section 20.440.005(E), storage of goods and materials is restricted to the interior of the building. It is prohibited to store goods or materials outside of the building.

21. The property owner shall maintain a solid waste storage and distribution plan to the satisfaction of Environmental Health and the City of Fort Bragg.
CASE: UR 2020-0007
OWNER: SCHNAUBELT, John
APN: 018-140-48
AGENT:
ADDRESS: 32425 N. Harbor Drive, Fort Bragg

Named Rivers
Public Roads
Driveways/Unnamed Roads
CASE: UR 2020-0007
OWNER: SCHNAUBELT, John
APN: 018-140-48
APLCT: 
AGENT: 
ADDRESS: 32425 N. Harbor Drive, Fort Bragg

Public Roads
Assessors Parcels

LCP LAND CAPABILITIES & NATURAL HAZARDS
Post LCP Certification
Permit and Appeal Jurisdiction
County of Mendocino

Permit Jurisdiction
This map has been prepared to show where the California Coastal Commission's (Commission) Permit and Appeal Jurisdiction maps are currently in effect. Where the Commission's Permit and Appeal Jurisdiction is currently in effect, the parcel is shaded in the appropriate color. The shaded area indicates the Permit and Appeal Jurisdiction boundaries. The Commission reserves the right to change the Permit and Appeal Jurisdiction in the future and may extend or withdraw Permit and Appeal Jurisdiction at any time.

APPEALABLE AREAS

Public Roads
Assessors Parcels

CASE: UR 2020-0007
OWNER: SCHNaubelt, John
APN: 018-140-48
APLCT:
AGENT:
ADDRESS: 32425 N. Harbor Drive, Fort Bragg

MENDOCINO COUNTY PLANNING DEPARTMENT- 8/11/2020
Public Roads
Assessors Parcels

CASE: UR 2020-0007
OWNER: SCHNAUBELT, John
APN: 018-140-48
APLCT:
AGENT:
ADDRESS: 32425 N. Harbor Drive, Fort Bragg
ZONE AE
AREAS OF MINIMAL FLOOD HAZARD
ZONE X

BASE FLOOD ELEVATIONS

1% ANNUAL CHANCE FLOOD HAZARD

CASE: UR 2020-0007
OWNER: SCHNAUBELT, John
APN: 018-140-48
AGENT:
ADDRESS: 32425 N. Harbor Drive, Fort Bragg

MENDOCINO COUNTY PLANNING DEPARTMENT - 8/11/2020

SPECIAL FLOOD HAZARD AREAS

Tsunami Inundation Zones
Assessors Parcels

FLOOD HAZARD AREAS

- Base Flood Elevations
- 1% Annual Chance Flood Hazard
CASE: UR 2020-0007
OWNER: SCHNAUBET, John
APN: 018-140-48
ADDRESS: 32425 N. Harbor Drive, Fort Bragg

MENDOCINO COUNTY PLANNING DEPARTMENT - 8/11/2020

Sufficient Water Resources
Marginal Water Resources
Assessors Parcels

GROUND WATER RESOURCES
CASE: UR 2020-0007
OWNER: SCHNAU/BELT, John
APN: 018-140-48
APLCT: 
AGENT: 
ADDRESS: 32425 N. Harbor Drive, Fort Bragg

WESTERN SOIL CLASSIFICATIONS