



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

**APRIL 13, 2017
U_2016-0008**

SUMMARY

OWNER/APPLICANT: SOLLER, TODD WILLIAM & JENNFIER
6100 CAMERON RD
ELK, CA 95432

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

REQUEST: Use Permit to establish a distillery in an existing 1,392± square foot accessory structure. Phase 1) Storage of purchased spirits in barrels; Phase 2) Installation of equipment to produce distilled spirits.

DATE DEEMED COMPLETE: AUGUST 16, 2016

LOCATION: 3± mi. northeast of the community of Elk, lying on the south side of Cameron Road (CR 516), ½ mi.± west of its intersection with Philo-Greenwood Road (CR132) located at 6100 Cameron Road, Elk ;APN 129-040-03.

TOTAL ACREAGE: 28.91± Acres

GENERAL PLAN: Forestland (FL160)

ZONING: Forestland (FL160)

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: CATEGORICALLY EXEMPT CLASS III

RECOMMENDATION: APPROVE W/ CONDITIONS

STAFF PLANNER: Sam 'VANDY' Vandewater

BACKGROUND

PROJECT DESCRIPTION: The applicants are requesting a use permit to establish a distillery in an existing 1,392± square foot accessory structure on the subject property. The project entails 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 is proposed. If at a future date the applicant proposes to establish a tasting room, a modification to this use permit would be required. The project would involve two (2) phases: ♦ **Phase 1)** Storage of purchased spirits in barrels; ♦ **Phase 2)** Installation of equipment to produce distilled spirits.

The existing structure that will be converted into the distillery will be 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.

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 (CR516), the subject parcel is accessed by a private paved driveway and is approximately ½ mile from the intersection of Cameron Road and Greenwood Road (CR132). 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 proposed distillery activities. The closest neighboring house is roughly 1000ft away from the proposed site.

TABLE 1 – SURROUNDING LAND USE AND ZONING

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	FL160 (Forest Land)	TP (Timber Production)	51± ac.	Residential
EAST	FL160 (Forest Land)	TP (Timber Production)	26± & 35± ac.	Unimproved/Woodlands
SOUTH	FL160 (Forest Land)	RL (Rangeland)	41± ac.	Residential
WEST	FL160 (Forest Land)	TP (Timber Production)	57± ac.	Unimproved/Woodlands

RELATED APPLICATIONS:

On-Site

- **Rezone #1978-0036**, 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 #1978-0035** 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 #1978-0001**. The amendment was denied due to scale of the proposal, subsequently resulting in the denial of R #1978-0036 MS #1978-0035.
- **Building Permit BF#2016-0440**, 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 Fire District
Water District: NONE
Sewer District: NONE
School District: Mendocino School District

AGENCY COMMENTS: On July 25, 2016, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below.

TABLE 2 – SUMMARY OF AGENCY REFERRALS			
REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Planning – FB PBS		No comment	August 23, 2016
Department of Transportation	Encroachment Permit	NO RESPONSE	
Environmental Health – FB		No comment	August 31, 2016
Building Inspection – FB PBS		No comment	September 2, 2016
Environmental Health – Hazmat		NO RESPONSE	
Assessor		NO RESPONSE	
Air Quality Management District		Comment	August 18, 2016
<ul style="list-style-type: none"> Renovation or demolition of existing structure may require survey for asbestos containing material in areas that are being disturbed. 			
County Water Agency		NO RESPONSE	
Alcoholic Beverage Control (ABC)		NO RESPONSE	
CalFire		Comment	September 1, 2016
<ul style="list-style-type: none"> Adhere to CalFire firesafe standards 			
Dept. of Fish & Wildlife		NO RESPONSE	
Regional Water Quality Control	Conditional Waiver	Comment	August 24, 2016
<ul style="list-style-type: none"> Information on waste streams and design of the septic tank leach field system need to be submitted to the Regional Water Board to determine if waste discharge requirements are necessary. Possible eligibility for coverage under the Conditional Waiver of Waste Discharge Requirements for Discharges of Wine, Beverages, and Food Processor Waste to Land: Order No. R1-2016-0003 			
Redwood Valley Rancheria		No comment	August 26, 2016
Cloverdale Rancheria		NO RESPONSE	
Sherwood Valley Band Rancheria		NO RESPONSE	
Elk Fire District		NO RESPONSE	
Elk Community Services District		Comment	August 29, 2016
<ul style="list-style-type: none"> Update the road access to an appropriate size that allows for customers/visitors to a tasting room <ul style="list-style-type: none"> Tasting room was subsequently removed at request of the applicant. Inclusion of a storage site for flammable liquids, fire suppression systems, or a sprinkler system. Incorporation of an electrical system, and its components, that are designed for environments with high potential to fire and other hazards. Include provisions for spill containment practices. Separate heat source from flammable liquid storage areas with ventilation and flame retardant barriers. 			

KEY ISSUES

1. General Plan and Zoning Consistency:

The subject parcel has a General Plan Land Use Designation of Forest Lands (FL160) 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 approval of a 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 General Use could include a small distillery.

With regards to zoning districts, the subject parcel is located within the Forest Land District (MCC 20.064). The Mendocino County Code identifies the intent of the Forest Land District “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.**”

The Mendocino County Code Chapter 20, Sec. 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 Chapter 20, Sec. 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 Mendocino County Code Chapter 20, Sec. 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 demand little disturbance of timber resources, and thus conform to the bolded sections of the Forest Land intent definitions identified in both the General Plan and Mendocino County Code phrasing above.

2. California Environmental Quality Act:

The project is Categorically Exempt from the provisions of CEQA, pursuant to Class 3 of Article 19 of the California Environmental Quality Act Guidelines. The Class 3 exemption finds that “the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure”, meeting the criteria of Section 15303, 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 conversion of a small structure from storage use to a small distillery where only lighting modifications are made to the exterior of 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 is only granted after four (4) key findings have been made as required by Sec. 20.196.020 of the Mendocino County Code. 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;

As noted in the Section 1 of the Key Issues, 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;

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;

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.

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 Section 1 of the Key Issues.

RECOMMENDATION

By resolution, accept the Categorical Exemption and grant Use Permit U_2016-0008 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

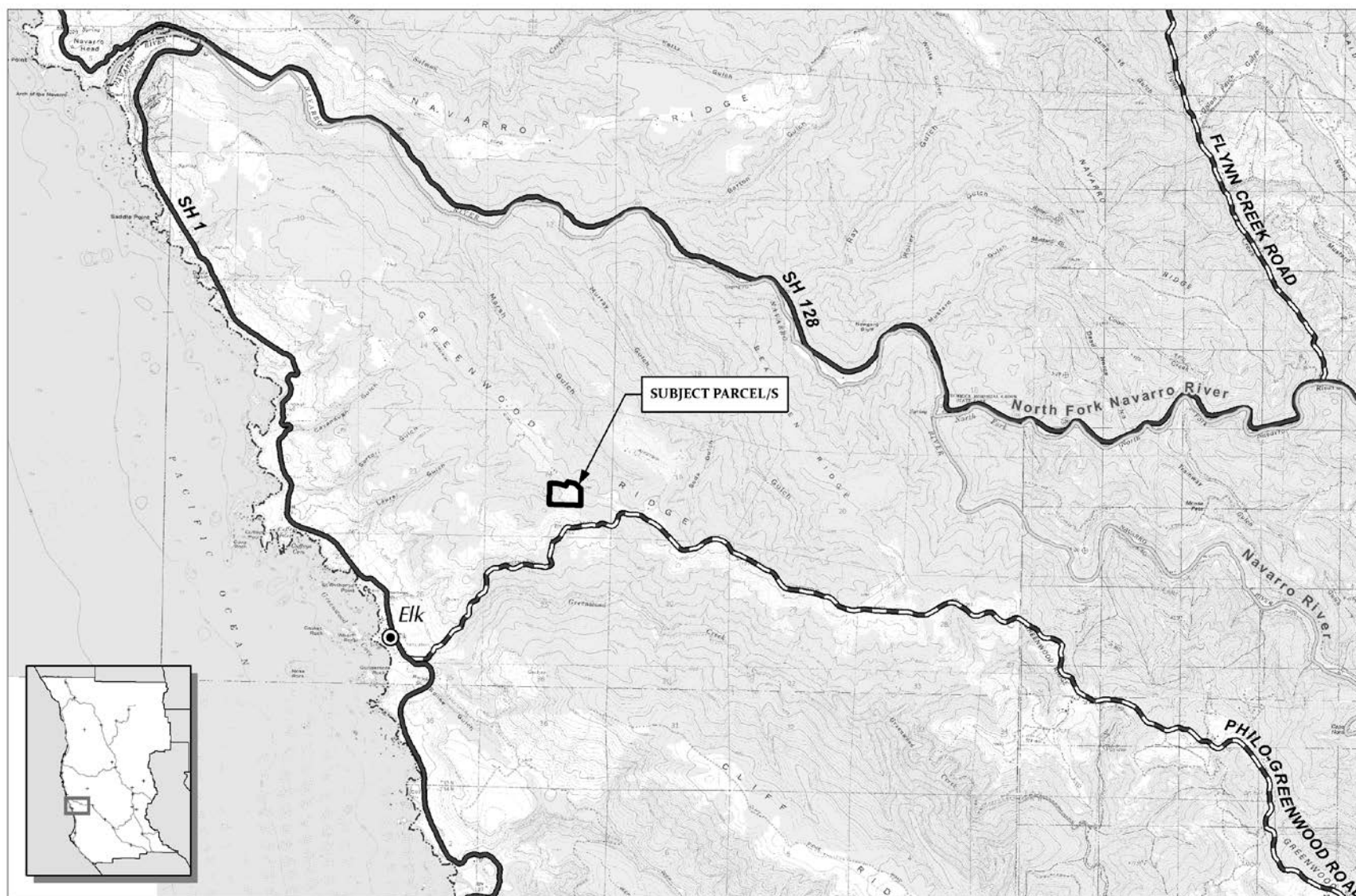
DATE

SAM 'VANDY' VANDEWATER

Appeal Period: 10 Days
Appeal Fee: \$910.00

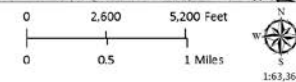
ATTACHMENTS:

- A. Location Map
- B. Topographical Map
- C. Aerial Map
- D. Site Map
- E. Elevations
- F. Elevations
- G. Floor Plan
- H. Zoning Map
- I. General Plan Map
- J. Adjacent Owner Map
- K. Fire Hazards Map
- L. Williamson Act Map
- M. Timber Production Map



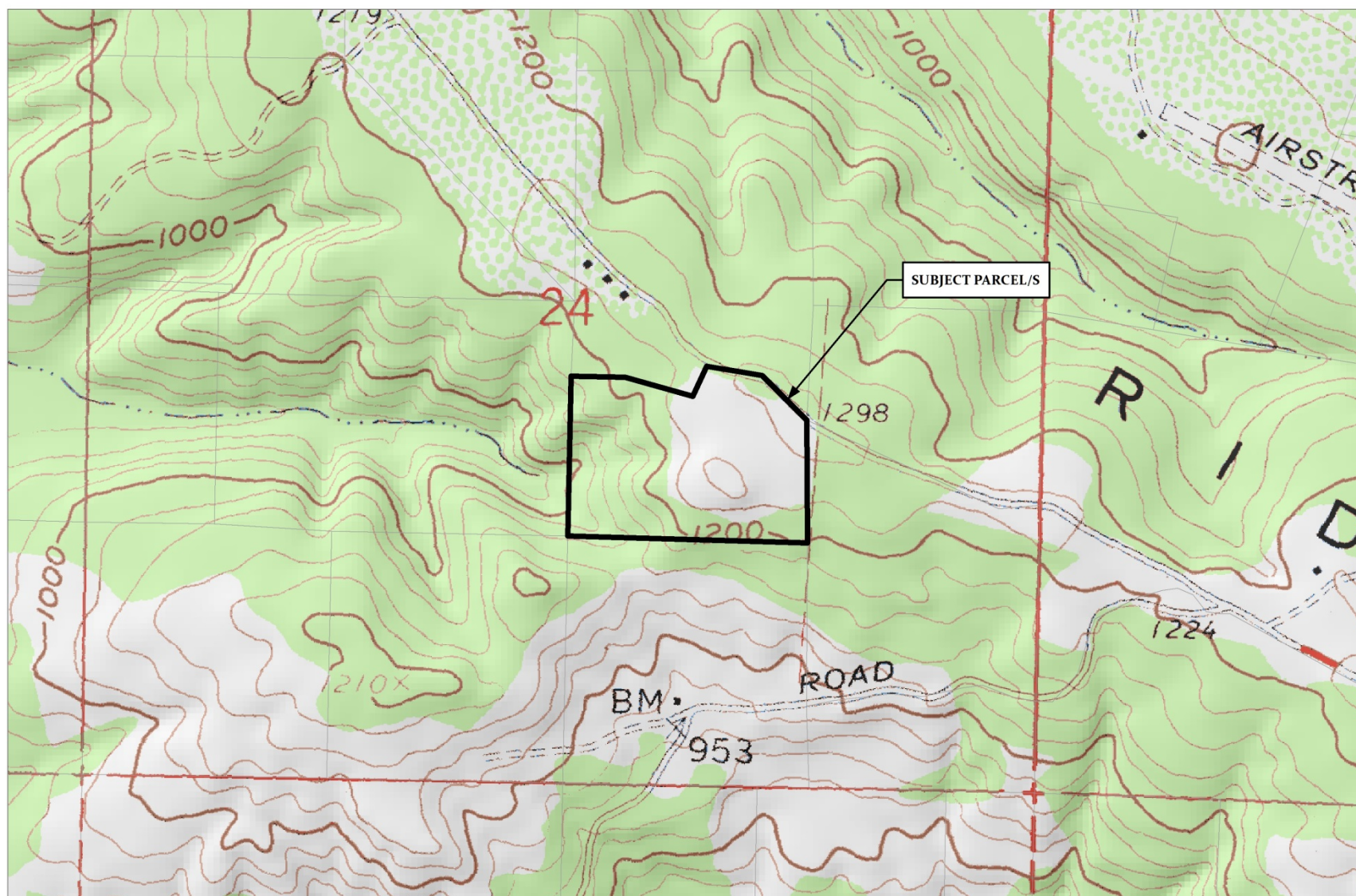
CASE: U 2016-0008
 OWNER: SOLLER, Todd & Jennifer
 APN: 129-040-03
 AP/CT: Todd Soller
 AGENT: Kelly Grimes
 ADDRESS: 6100 Cameron Road, Elk

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

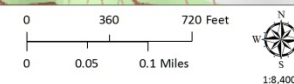


LOCATION MAP

Map produced by the Mendocino County Planning & Building Services, July 2016.
 All spatial data is approximate. Map provided without warranty of any kind.



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TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

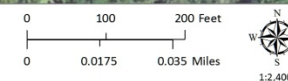
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

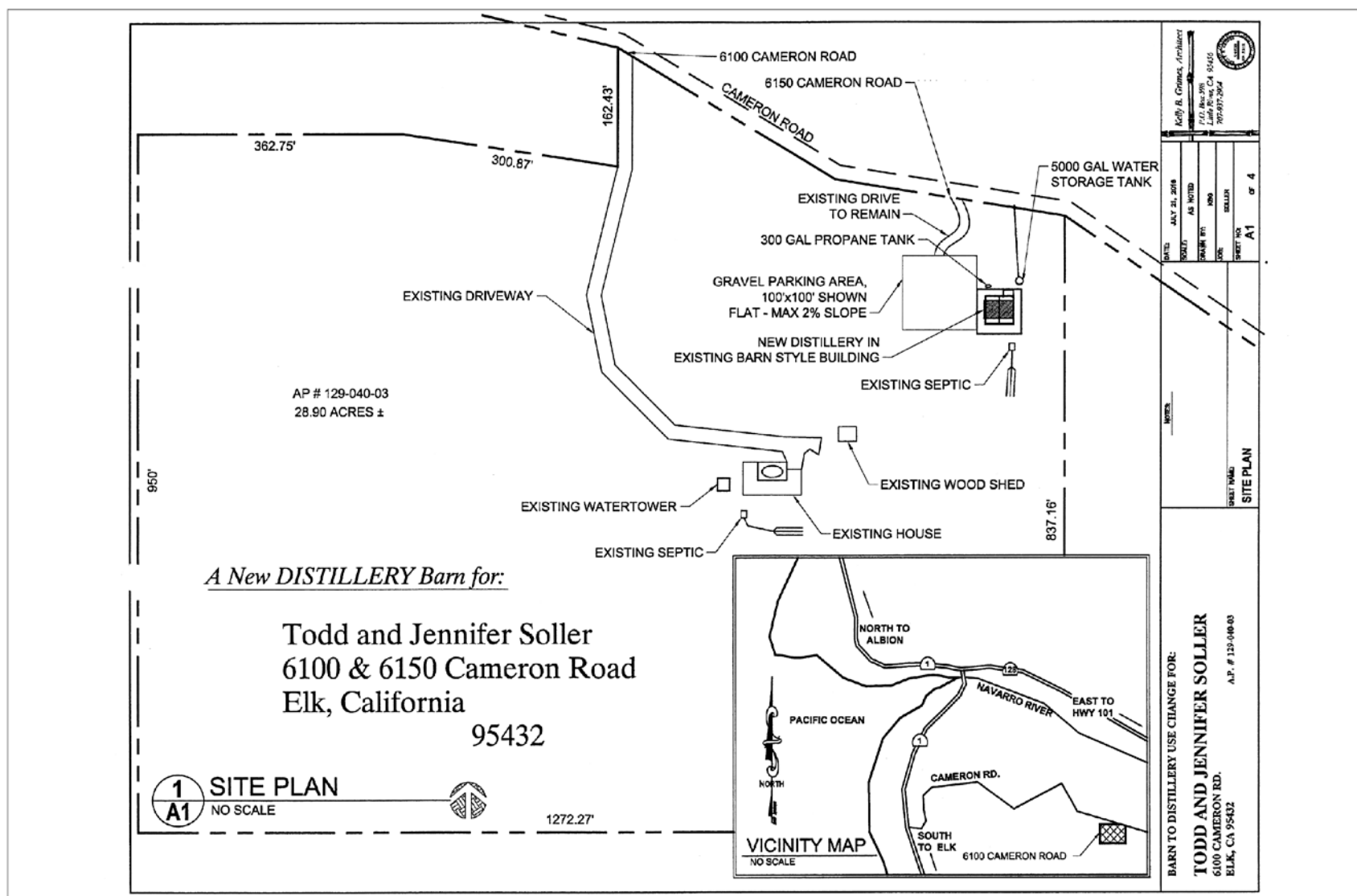
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Public Roads



ESRI IMAGERY

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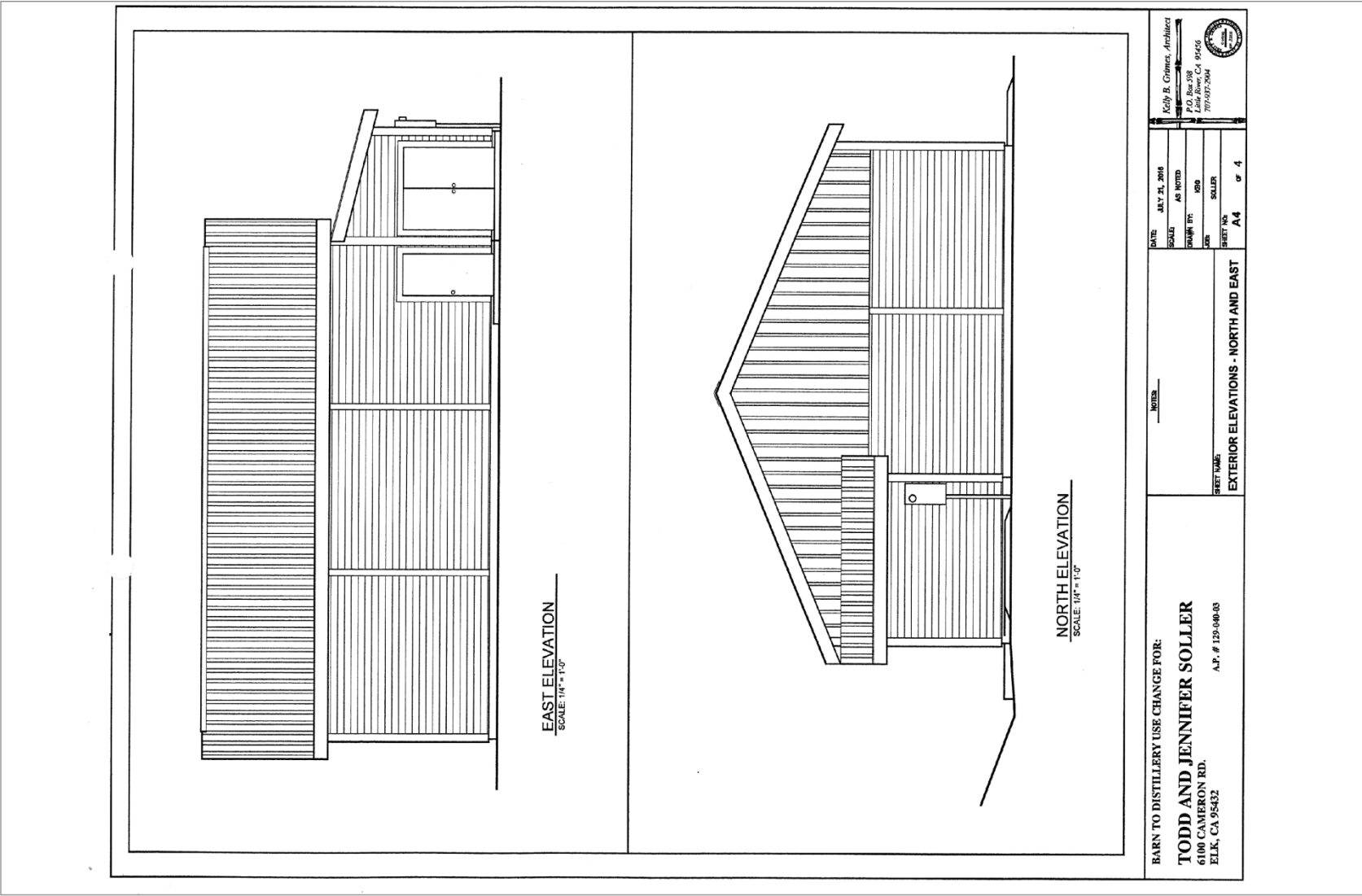


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NO SCALE

SITE PLAN

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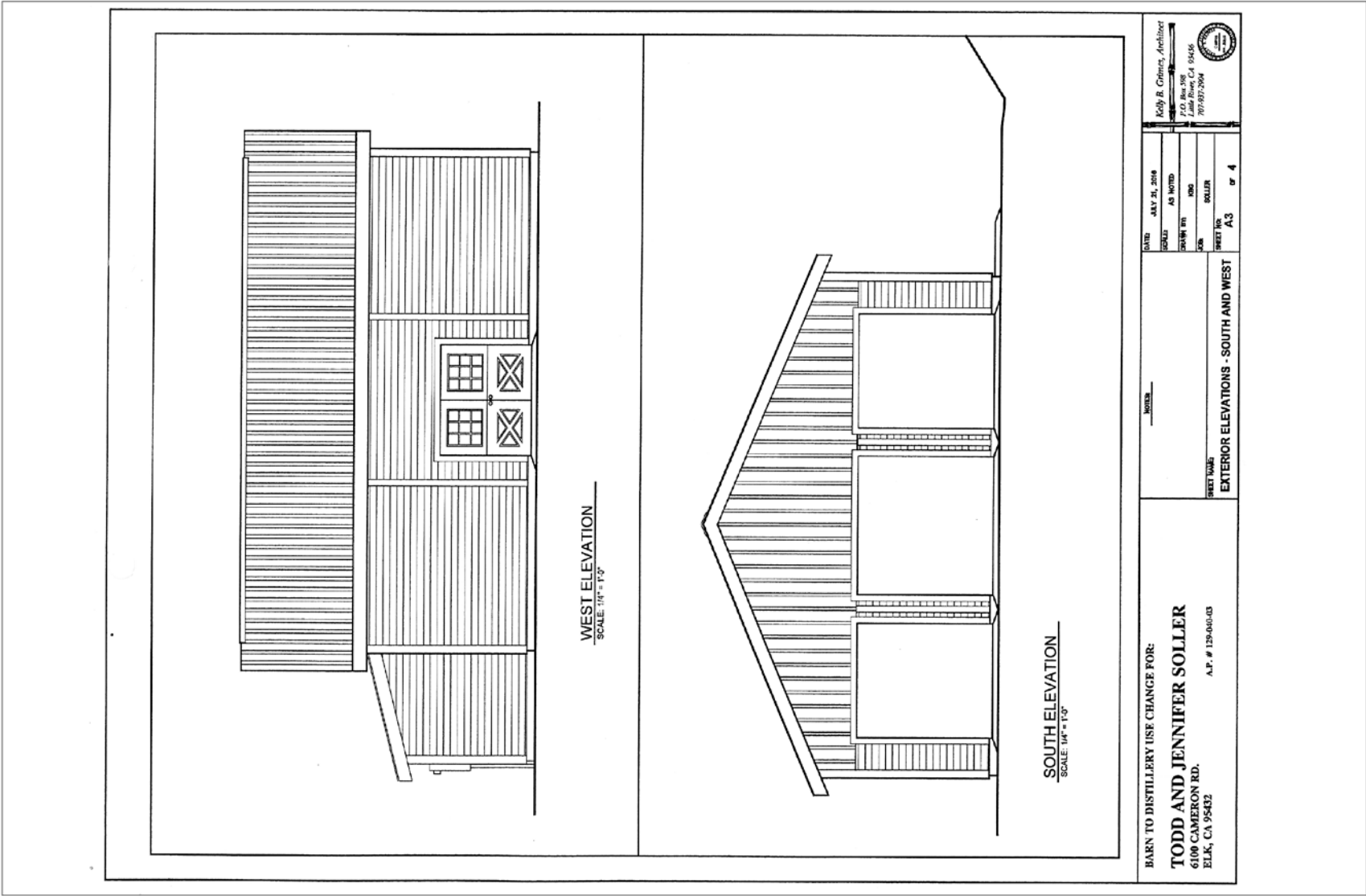


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NO SCALE

ELEVATIONS

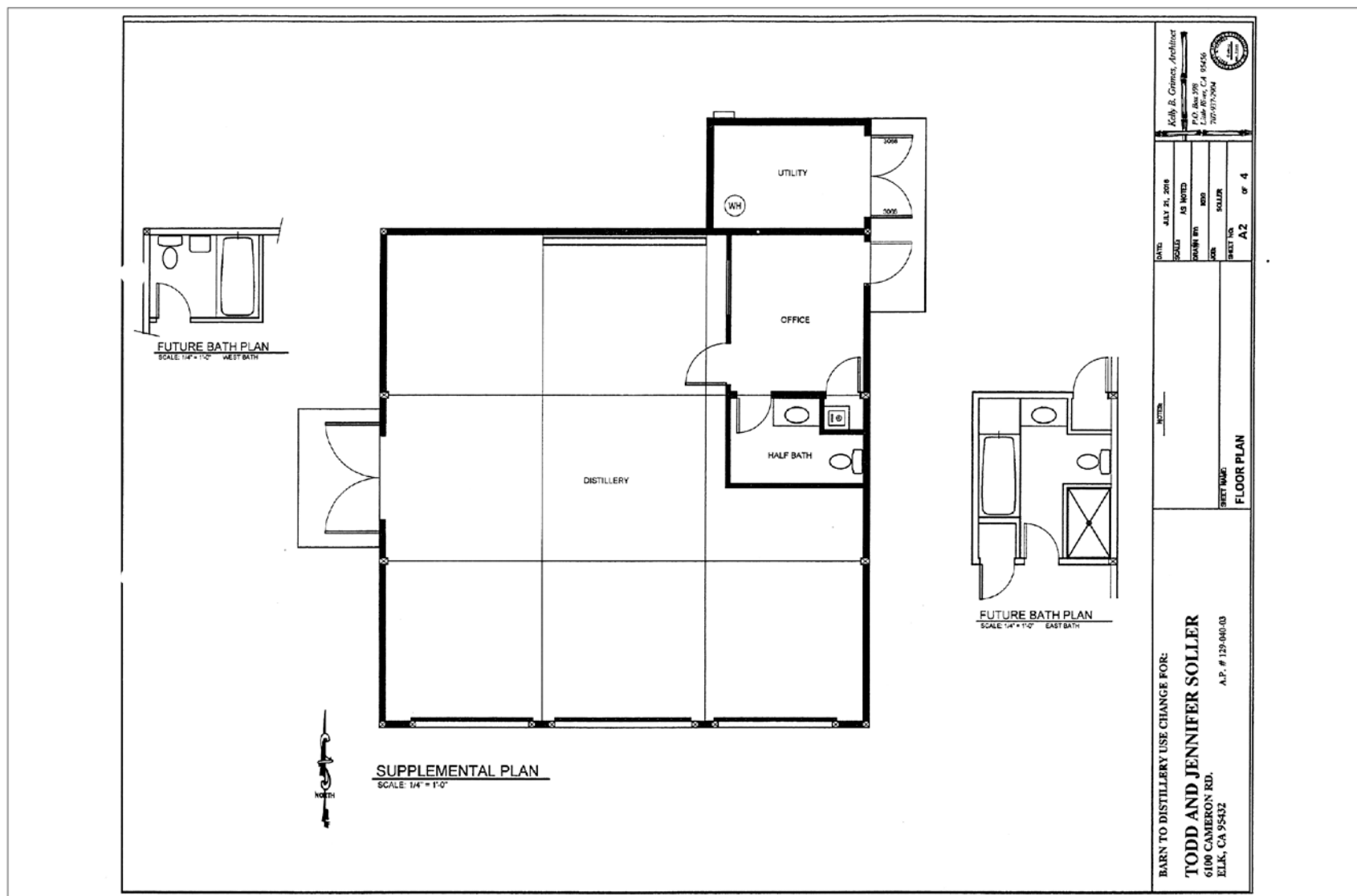


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NO SCALE

ELEVATIONS

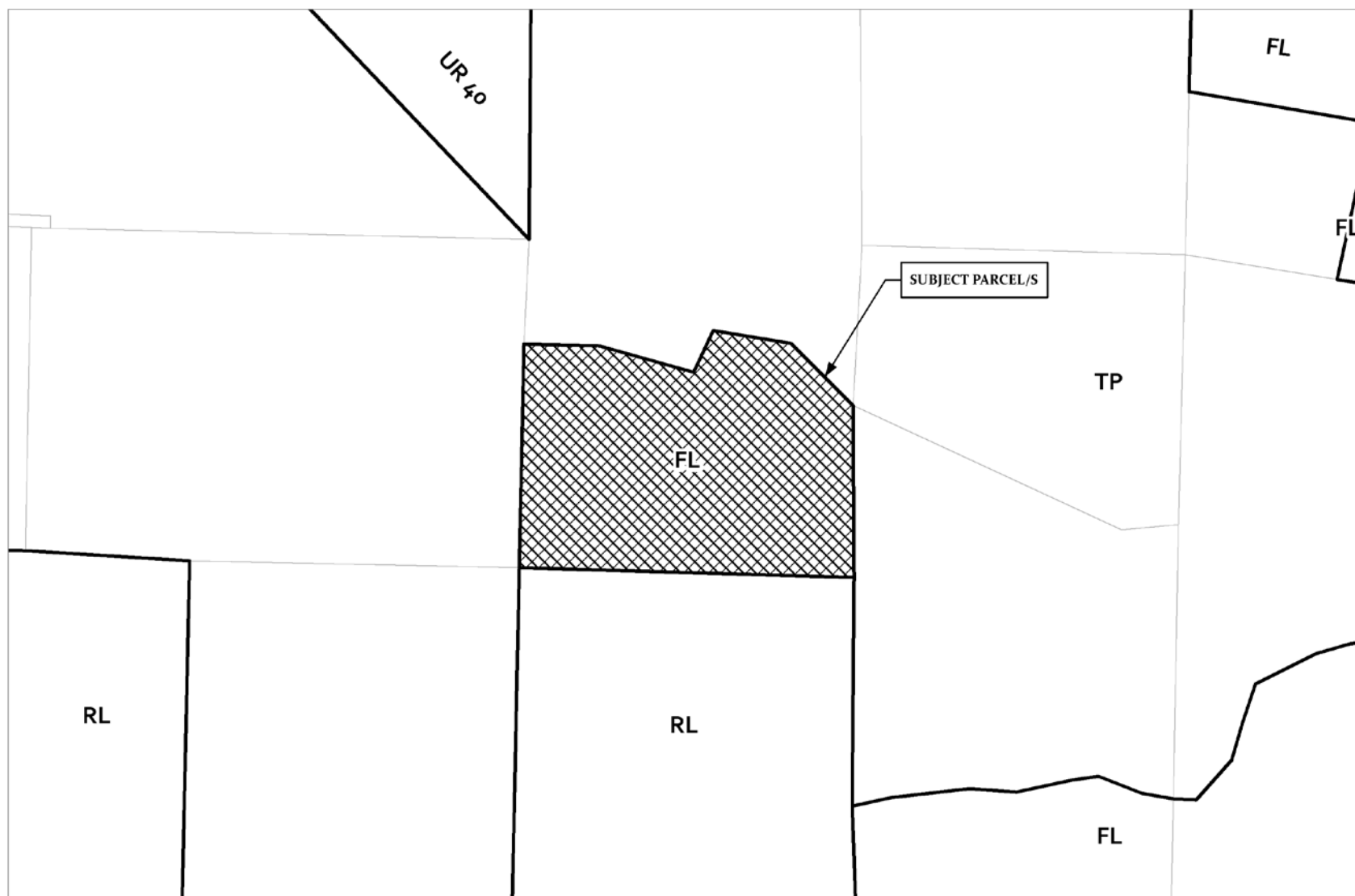
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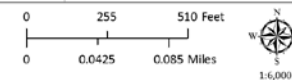
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FLOOR PLAN



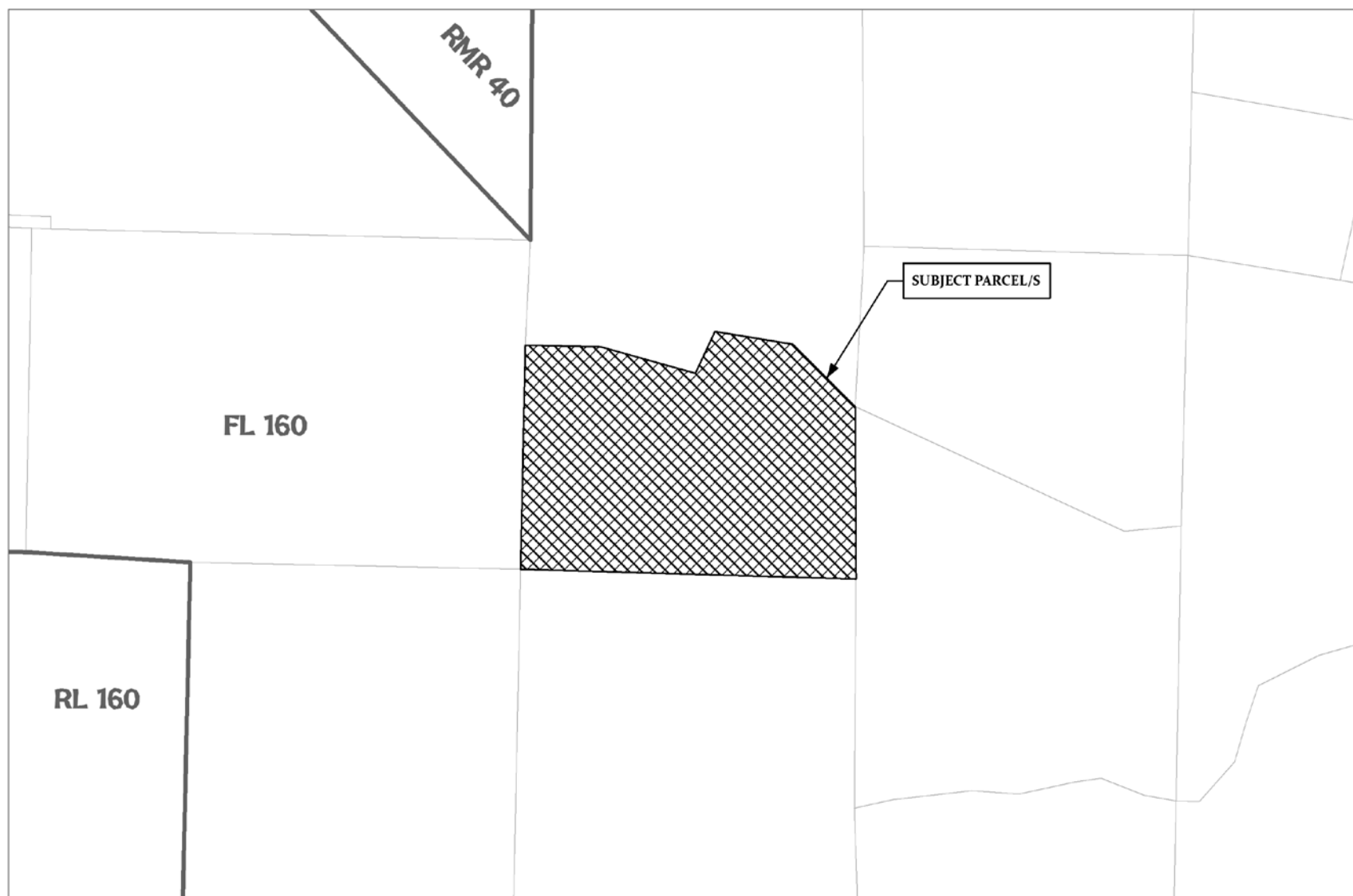
CASE: U 2016-0008
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 APPLIC: Todd Soller
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 ADDRESS: 6100 Cameron Road, Elk

 Zoning Districts



ZONING DISPLAY MAP

Map produced by the Mendocino County Planning & Building Services, July, 2016
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 General Plan Classes

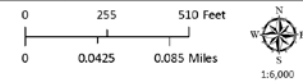
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GENERAL PLAN CLASSIFICATIONS

Map produced by the Mendocino County Planning & Building Services, July, 2016
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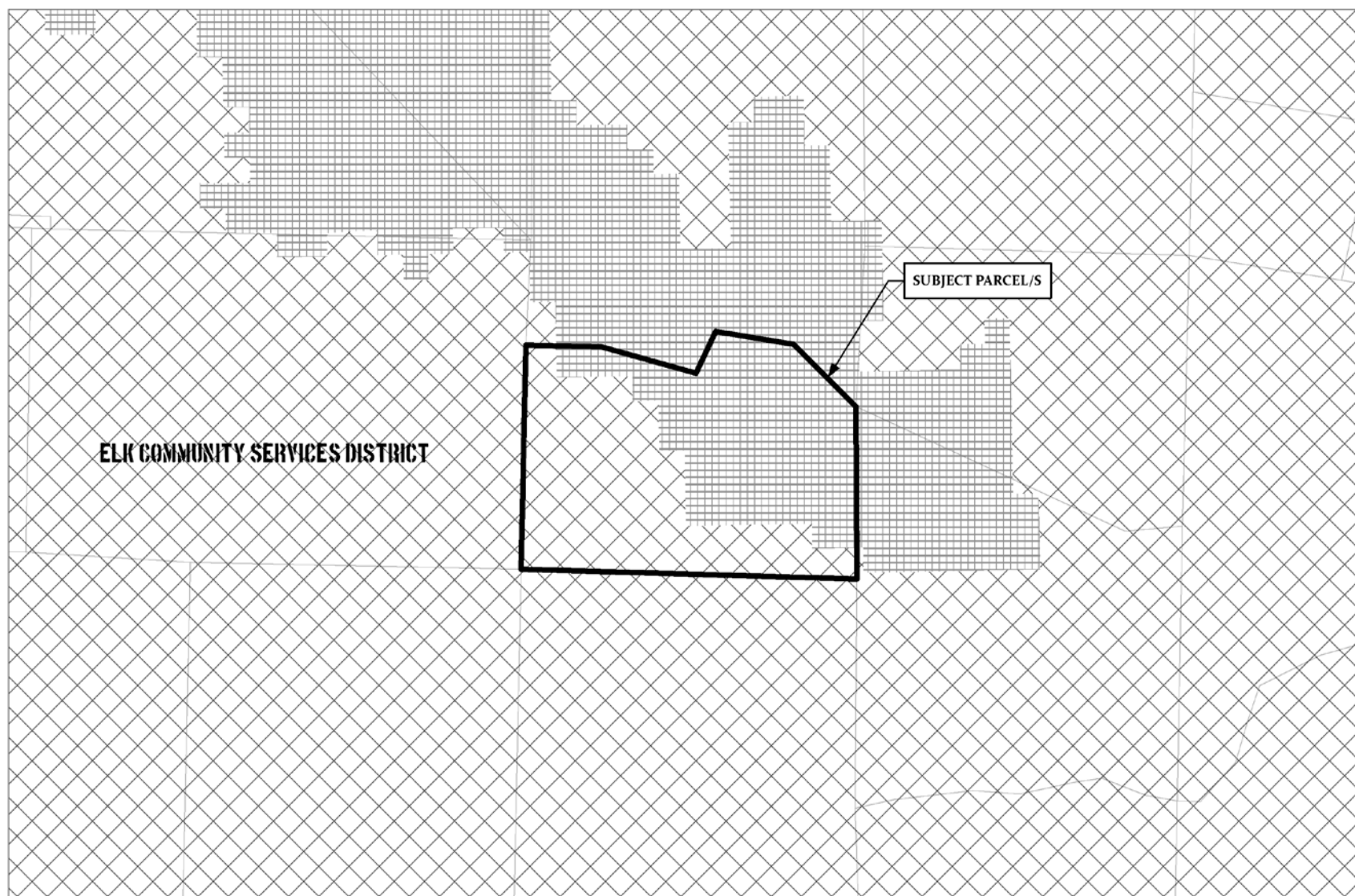


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ADJACENT PARCELS

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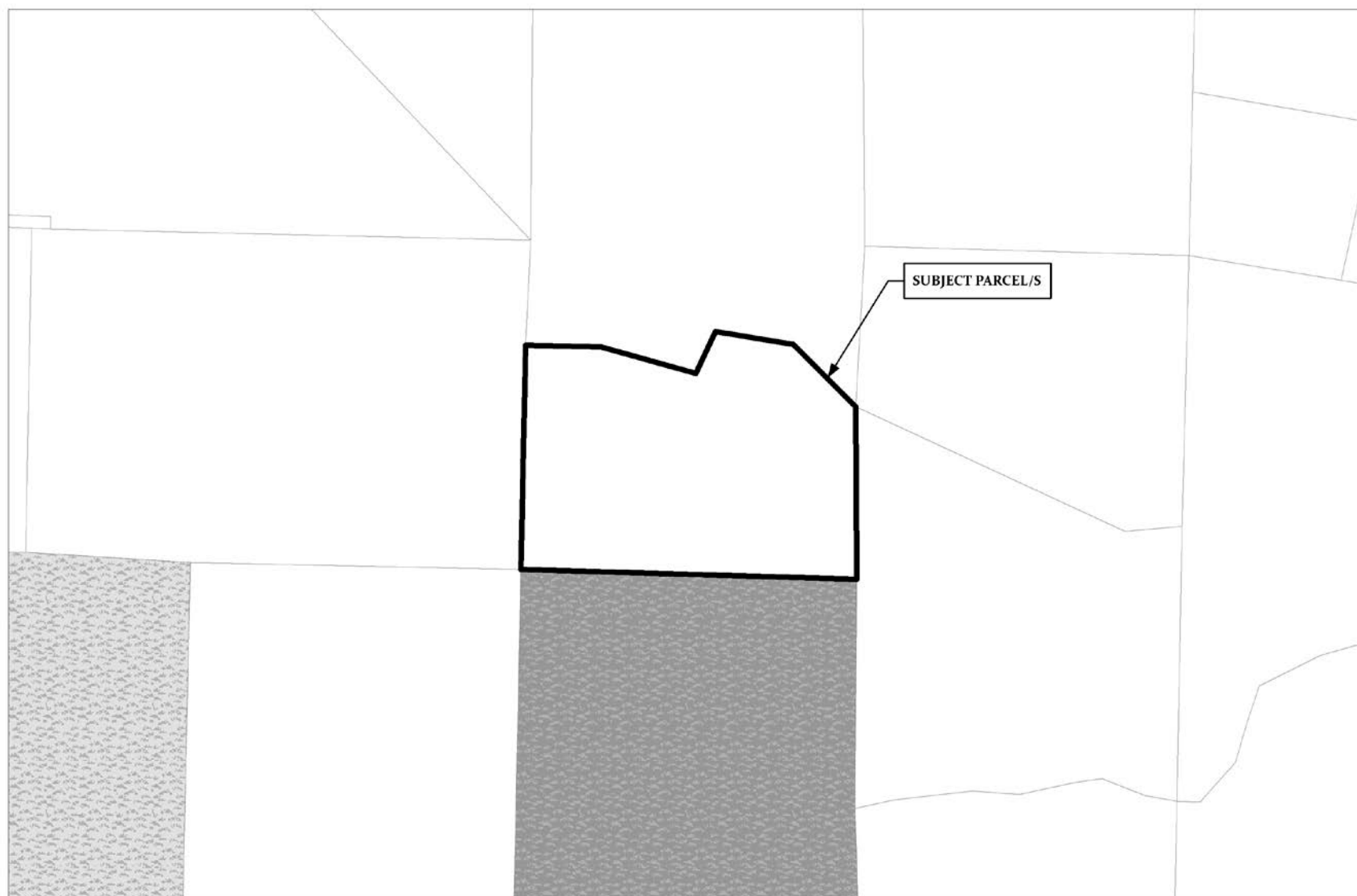
CASE: U 2016-0008
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APLC: Todd Soller
AGENT: Kelly Grimes
ADDRESS: 6100 Cameron Road, Elk

 County Fire Districts
 High Fire Hazard
 Moderate Fire Hazard

0 255 510 Feet
0 0.0425 0.085 Miles
N
W E
S
1:6,000

FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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Williamson Act 2015
 Prime Ag 2015
 Non-Prime Ag 2015

0 255 510 Feet
 0 0.0425 0.085 Miles
 1:6,000

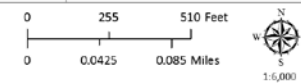
LANDS IN WILLIAMSON ACT CONTRACTS

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TPZ 2015



TIMBER PRODUCTION ZONES

Map produced by the Mendocino County Planning & Building Services, July, 2015
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INITIAL STUDY

Section I Description Of Project.

DATE: 2-27-17

CASE#: U_2016-0008

DATE FILED: 7/25/2016

OWNER/APPLICANT: SOLLER TODD WILLIAM & JENNFIER

AGENT: GRIMES KELLY

REQUEST: Minor Use Permit to establish a distillery in an existing 1,392± square foot accessory structure. Phase 1) Storage of purchased spirits in barrels; Phase 2) Installation of equipment to produce distilled spirits.

ENVIRONMENTAL DETERMINATION: Negative Declaration

STAFF PLANNER: SAM VANDEWATER

LOCATION: 3± mi. northeast of the community of Elk, lying on the south side of Cameron Road (CR 516), approximately ½± mi. west of its intersection with Greenwood Road located at 6100 Cameron Road; APN 129-040-03.

Section II Environmental Checklist.

"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).

Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site; cumulative as well as project-level; indirect as well as direct; and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

<u>I. AESTHETICS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-c) No Impact

The proposed project has little impact on the aesthetics of the area as the distillery would be located within an existing structure. A few trees may need to be removed around the driveway that has access from Cameron Road (CR516) to allow for proper encroachment, but this does not have a substantial or adverse effect on aesthetics.

d) Less than Significant Impact

The proposed project would see the creation of new light sources in the form of security lighting; however, **Condition #18** helps mitigate any issues that additional lighting might cause.

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) No Impact

The subject parcel of the proposed project does not have any effects on existing agriculture or forestland resources. The parcel to the south is classified as non-prime Williamson Act, but the activities of the proposed project occur mostly in the northeast corner of the subject parcel. The applicant is advised that the subject property is located within 300 feet of agricultural land and visitors to the property may be subject to inconvenience or discomfort arising from use of agricultural chemicals, and from the pursuit of agricultural operations including, but not limited to, cultivation, plowing, spraying, pruning, harvesting, crop protection, which occasionally generate dust, smoke, noise, and odor, and protecting animal husbandry from depredation, and should be prepared to accept such inconvenience or discomfort as normal and necessary to farm operation.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, e) No Impact

The proposed project does not conflict with or obstruct the implementation of any air quality plan; nor does the proposed project create any objectionable odors affecting a substantial number of people.

b-d) Less than Significant Impact

The proposed project will involve some construction during Phase 2, which involves converting the existing storage barn into the distillery facility. During this phase (Phase 2), the construction could violate some air quality standards and release some pollutants in the vicinity, but these issues are temporary and would have no long-term effects on the subject or adjacent parcels.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-f) No Impact

The proposed project involves the interior conversion of an existing structure from a storage use to a distilled spirits production use. Thus, the proposed project does not disturb any undeveloped lands on the subject parcel and does not present any adverse effects on the surrounding candidate, sensitive, or special status species, riparian habitats, federally protected wetlands, or movement of migratory fish or wildlife species.

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-d) No Impact

The proposed project will be maintained to an existing structure, thus, there will be no adverse change on historical, archaeological, or paleontological resources. Additionally, there should be no disturbances to any human remains or other cultural resources.

<u>VI. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) No Impact

The proposed project involves the interior conversion of an existing structure and will have little-to-no impact on the exterior environment. There are no issues with seismology or soils on the subject parcel. The subject parcel has an existing septic system which reflects the parcel's adequate quality soil.

<u>VII. GREENHOUSE GAS EMISSIONS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Less Than Significant Impact

The proposed project will involve some construction. This can generate greenhouse gas emissions depending on the tools and equipment that are utilized. However, due to the temporary nature of construction, the emissions should have no significant impact on the subject or adjacent parcels.

b) No Impact

The proposed project does not conflict with any plan, policy, or regulation that aims at reducing greenhouse gas emissions.

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) Less Than Significant Impact

The proposed project will involve the transportation and production of alcoholic spirits, which are a flammable liquid. Should an accident occur, there is potential for the alcohol to spread/spill and create a hazardous situation that would adversely affect people and the environment. The applicants have noted measures to help mitigate these potentialities through spill containment construction.

c-h) No Impact

The proposed project does not emit hazardous material nor will the project have hazardous materials within a quarter mile of a school. The subject parcel is not located on "hazardous material site" pursuant to Government Code Section 65962.5; nor is the proposed project within the vicinity of an airport.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Less than Significant

The proposed project has the potential to violate waste water requirements. **Condition #17** helps to mitigate this issues as the North Coast Regional Water Quality Control Board submitted feedback indicating the applicants might be eligible for a waiver in regards to their waste water discharge.

b-m) No Impact

The proposed project will be using an existing water supply and discharge system, thus, will not substantially deplete groundwater supplies, nor will the proposed project substantially alter any existing drainage. The proposed project will not create runoff that exceeds the existing capacity for stormwater drainage, nor will the proposed project substantially degrade water quality. The subject parcel is not located within any flood zone, nor is it located near any large body of water that could expose people or structures to a significant risk. The proposed project will not have an impact on groundwater quality, nor will the proposed project have any impact on aquatic, wetland, or riparian habitats.

<u>X. LAND USE AND PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c) No Impact

The proposed project will be maintained to an existing structure, thus, will have no impact on the surrounding community or any land use plan, policy, or regulation of an agency or community. The proposed project will not conflict with any habitat or natural community conservation plans.

<u>XI. MINERAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) No Impact

The proposed project utilizes an existing building on the subject parcel, thus there will be no potential loss of mineral resources.

<u>XII. NOISE.</u> Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, d) No Impact

The proposed project will involve some interior construction for the structure that will be used for the distillery. The construction has the potential to expose persons to excess levels of noise. However, due to the temporary nature of the construction, there should be no issues related to noise in the long-term.

B, c, e, f) No Impact

<u>XIII. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c) No Impact

The proposed project will be maintained to an existing structure, thus, will not induce a substantial growth in population directly or indirectly. Additionally, the proposed project will not reduce the housing supply, nor will the project displace any number of people.

<u>XIV. PUBLIC SERVICES.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) No Impact

The proposed project will have no adverse impacts on the provision of government facilities, nor will the project have any effects on the delivery of public services such as fire, police, or medical coverage.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) No Impact

The proposed project will not increase the use of any nearby parks or recreational facilities, nor will the proposed project expand any park or recreational facility.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate substantial additional vehicular movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Effect existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially impact existing transportation systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Alter present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Increase traffic hazards to motor vehicles, bicyclists or pedestrians.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a, c, f) Less than Significant Impact

The proposed project does have the potential to increase vehicular movement to and from the parcel for the delivery and distribution of distilled spirits. Phase 1 of the project involves the delivery of spirits to, as well as storage and distribution of spirits by, the applicants. Phase 2 of the proposed project will involve further distribution of spirits, which have been distilled on-site. This has the potential to increase traffic hazards to other motor vehicles, bicyclists, or pedestrians.

b, d, e) No Impact

The proposed project will not affect any existing parking facilities, nor will it create demand for new parking. The proposed project will not alter the current patterns of circulation or movement of people and/or goods. Additionally, the project will not result in inadequate emergency access.

<u>XVII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-g) No Impact

The proposed project has existing utilities and service systems. Water and sewage are provided through an on-site well and septic system, respectively, and are able to provide sufficient services. Electricity and gas are provided by utility companies. The proposed project will not exceed wastewater treatment requirements, nor will the project result in creation or expansion of water and wastewater facilities. The proposed project will be sufficiently served by a landfill, and it will comply with federal, state, and local regulations related to solid waste.

<u>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-b) No Impact

The proposed project involves the renovation of an existing structure, with little alterations being made the exterior of the structure. Thus, there is little-to-no potential of the project degrading the environment or impacting the habitat of any fish or wildlife species. Individual impacts have been considered and any long-term effect has been mitigated by measures in the Conditions of Approval. Cumulatively, the impacts still will have little-to-no impact on people or the surrounding environment.

c) Less than Significant Impact

The proposed project does have some short-term impacts that will effect people and the surrounding environment, however, the proposed project will not cause substantial adverse effects on people either directly or indirectly.

DETERMINATION:

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

DATE

SAM VANDEWATER

Resolution Number _____

County of Mendocino
Ukiah, California
APRIL 13, 2017

U_2016-0008 SOLLER TODD WILLIAM & JENNFIER

RESOLUTION OF THE ZONING ADMINISTRATOR, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A NEGATIVE
DECLARATION AND GRANTING MINOR USE PERMIT #2016-0008
FOR A SMALL DISTILLERY.

WHEREAS, the applicant, SOLLER TODD WILLIAM & JENNFIER, filed an application for MINOR USE PERMIT with the Mendocino County Department of Planning and Building Services to, 3± mi. northeast of the community of Elk, lying on the south side of Cameron Road (CR 516), approximately ½ mi. west of its intersection with Philo-Greenwood Road (CR132) at 6100 Cameron Road (APN: 129-040-03), Elk

WHEREAS, a NEGATIVE DECLARATION was prepared for the Project and noticed and made available for agency and public review on March 23, 2017, 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 Zoning Administrator held a public hearing on April 13, 2017, at which time the Zoning Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the NEGATIVE DECLARATION and the Project. All interested persons were given an opportunity to hear and be heard regarding the NEGATIVE DECLARATION and the Project; and

WHEREAS, the ZONING ADMINISTRATOR has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Zoning Administrator regarding the NEGATIVE DECLARATION and the Project.

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

1. 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. The proposed project will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
3. The proposed project satisfies the use permit required findings of MCC Section 20.196.020.

BE IT FURTHER RESOLVED that the Zoning Administrator hereby adopts the Negative Declaration. The Zoning Administrator certifies that the Negative Declaration 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 Negative Declaration reflects the independent judgment and analysis of the Zoning Administrator.

BE IT FURTHER RESOLVED that the Zoning Administrator hereby grants the requested MINOR USE PERMIT, 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 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:_____

BY: STEVE DUNNICLIFF
Director/Zoning Administrator

EXHIBIT A

CONDITIONS OF APPROVAL U_2016-0008 – SOLLER DISTILLERY APRIL 13, 2017

Minor Use Permit to establish a distillery in an existing 1,392± square foot accessory structure. Phase 1) Storage of purchased spirits in barrels; Phase 2) Installation of equipment to produce distilled spirits

APPROVED PROJECT DESCRIPTION: Minor Use Permit to establish a distillery in an existing 1,392± square foot accessory structure. Phase 1) Storage of purchased spirits in barrels; Phase 2) Installation of equipment to produce distilled spirits.

CONDITIONS OF APPROVAL AND MITIGATION MEASURES (as indicated by “*)”:**

General Conditions

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 (one/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 2 years. This permit shall expire on April 13, 2019.** 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:
 - a. California (North Coast) Regional Water Quality Control Board (NCRWQCB), August
 - 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.

Special Conditions of Approval:

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 Fire 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. 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. 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. 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.