



**ZONING ADMINISTRATOR
STAFF REPORT- USE PERMIT**

**JULY 12, 2018
U_2018-0009**

SUMMARY

OWNER: VINCENT & TARA SIMS
2119 POPPY LN.
WILLITS, CA 95490

APPLICANT: TARA SIMS
2119 POPPY LN
WILLITS, CA 95490

REQUEST: A Use Permit for an indoor cannabis cultivation (Type C-A (2,500 ft²); AG_2017-0265) site of no more than 2,500 square feet of canopy, as well as a large mixed light cultivation (Type 2B (10,000 ft²); AG_2017-0266) site of no more than 10,000 square feet of canopy per Mendocino County Code Section 20.242.040 (C)(1)(c). At all times, the subject property is limited to a total cultivation canopy of 10,000 ft².

LOCATION: 9± miles north of Redwood Valley town center, lying on the south side of Appaloosa Way (Private), .5± miles southeast of its intersection with Tomki Rd. (CR 237D), Located at 6425 Appaloosa Way, Redwood Valley (APN: 107-055-09).

TOTAL ACREAGE: 22.28± acres

GENERAL PLAN: Remote Residential, 20 acre minimum parcel size (RMR20)

ZONING: Upland Residential, 20 acre minimum parcel size (UR:20)

SUPERVISORIAL DISTRICT: 3

ENVIRONMENTAL DETERMINATION: Categorically Exempt, Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures)

RECOMMENDATION: Approve With Conditions

STAFF PLANNER: Jesse Davis

BACKGROUND

PROJECT DESCRIPTION: A Minor Use Permit request for a cottage-sized indoor cultivation (Type C-A (2500 ft²); AG_2017-0265) of no more than 2,500 square feet of canopy per Mendocino County Code Section 20.242.040 (C)(1)(c). for an indoor cannabis cultivation (Type C-A (2,500 ft²); AG_2017-0265) site of no more than 2,500 square feet of canopy, as well as a large mixed light cultivation (Type 2B (10,000 ft²); AG_2017-0266) site of no more than 10,000 square feet of canopy per Mendocino County Code Section 20.242.040 (C)(1)(c). At all times, the subject property is limited to a total cultivation canopy of 10,000 ft². According to the applicant, the indoor cultivation has been in place for a number of years, and no modifications are further anticipated at this time. Additionally, the applicant plans to utilize multiple greenhouses and an outdoor cultivation area to facilitate additional cannabis cultivation.

SITE CHARACTERISTICS: The approximately 22 acre project is located 9± miles north of Redwood Valley town center, lying on the south side of Appaloosa Way (Private), .5± miles southeast of its intersection with Tomki Rd. (CR 237D), and is located at 6425 Appaloosa Way, Redwood Valley (APN: 107-055-09). The applicant takes direct access off Appaloosa Way (Private) to their property behind a locked gate, which features predominantly grassland/native vegetation with small clusters of trees and denser vegetation.

The parcel is currently developed with an existing single-family residence (2,061 ft²); two greenhouses (1,000 ft² each), a garage with an accessible restroom and parking (390 ft²), as well as an Agriculture Storage/Shop (1,232 ft²) in which indoor cultivations are proposed to take place. The parcel is currently served by an existing well (No. 7047) and septic system. The associated leach-field is located north of the single family residence. The applicant indicates that electricity to the site is provided by Pacific Gas and Electric Company (PG&E), and gas service is provided by an existing utility.

Elevations at the cultivation site are approximately 2240± feet above sea level (amsl), substantially higher than the adjacent Tomki Road (CR 237D). Both the indoor and mixed light cultivation areas are located within in a relatively flat portion of the site. The area of proposed cultivation is designated as “Grazing Land”, as well as “Rural Residential & Rural Commercial,” respectively.¹ The entirety of the site is within a mapped “Very High Fire Hazard” area.² A review of the project site by the Redwood Valley Calpella Fire District, however, resulted in a recommended approval, and no watercourses or ponds appear to be present on the site.

Additionally, the cultivation site complies with the setback requirement for ‘Sensitive Receptors’ per Mendocino County Code Section 10A.17.040(6)(B).

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	RMR 20	UR 20	19.23± acres to 20.06±, acres	Residential
EAST	RMR 20	UR 20	2.07± acres	Residential
SOUTH	RL 160	RL 160	105± acres to 69.66± acres	Religious
WEST	PL	RL 160	0± acres	Institutional

PUBLIC SERVICES:

Access: Appaloosa Way (Private)
 Fire District: CALFIRE
 Water District: NONE
 Sewer District: NONE
 School District: NONE

ENVIRONMENTAL REVIEW: The project has been determined to be categorically exempt from CEQA per Section 15301, Class 1 (Existing Facilities); Section 15303, Class 3 (New Construction or Conversion of Small Structures)

AGENCY COMMENTS: On May 8, 2018 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. 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. Any comment that would trigger a project modification or denial is discussed in full as key issues in the following section:

¹ Mendocino County Department of Planning & Building Services. 1991. *Important Farmland* [map].

² Mendocino County Department of Planning & Building Services. 1991. *Fire Hazard Zones & Responsibility Area* [map].

REFERRAL AGENCIES	COMMENT
Department of Transportation	Response
Environmental Health	No Response
Air Quality Management District	Response
Building Inspection	No Response
CalFire	No Comment
Redwood Valley-Calpella Fire District	Response
Redwood Valley MAC	No Response
California Department of Fish and Wildlife	No Response
Potter Valley Tribe	No Response
Sonoma State University	Response
Sherwood Valley Rancheria	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response

KEY ISSUES:

1. **General Plan and Zoning Consistency:** The subject parcel is located within the Remote Residential, 20 acre minimum parcel size (RMR20) General Plan Land Use Classification. The RMR Land Use Classification *“The RMR classification is intended to be applied to lands having constraints for commercial agriculture, timber production or grazing, which are well suited for small scale farming and low density agricultural/residential uses.”*

While the proposed project does not entail the farming of food, the scale of the proposed indoor cannabis cultivation is small and thus conforms to the intent of the RMR Land Use Classification. Additionally, the proposed project is consistent with the intended uses of the RMR Land Use Classification, which allows for agricultural uses and cottage industries, such as what is proposed under the project.

The site of the proposed cannabis cultivation is zoned as Upland Residential with a 20 acre minimum parcel size (UR20) under the Mendocino County Code. The proposed project is consistent with the intent of the UR District, which is *“intended to create and enhance farming and low-density agricultural/ residential uses. Typically the U-R District would be applied to nonprime production lands which have constraints to commercial agriculture, timber production or grazing but which are absent of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource lands,”* as described in Chapter 20.056.005 of the Mendocino County Code. Additionally, given the subject parcel’s size it is not subject to the Sunset Provision for Residential Districts.

2. **Use Permit Findings:** The proposed use permit is required to meet the use permit findings set forth in the Mendocino County Code (MCC Section 20.196.020). Below is the discussion of each finding and how the use permit appropriately meets those requirements.

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

As shown in the previous section, the proposed project is in conformity with the General Plan.

- B. That adequate utilities, access roads, drainage and other necessary facilities have been and are being provided;

The proposed project has connections to existing water and septic systems that will be used for the operation. Conditions to the use permit require the applicant to work with the Mendocino County Department of Environmental Health to obtain any required permits or approvals. The site features a permitted well and septic, and has received requisite approvals from CALFIRE (141-18), and the Redwood Valley Calpella Fire Protection District. The cultivation site complies with the setback

requirement for 'Sensitive Receptors' per Mendocino County Code Section 10A.17.040(6)(B).

- C. 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 of the public health, safety or general welfare, the finding shall be to that effect;

The project has been determined to be categorically exempt from CEQA per Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures). As such, there are no aspects of the proposed project that would have a potentially significant impact on the environment.

- D. That such use preserves the integrity of the zoning district.

Similarity to the General Plan conformity compliance with the Mendocino County Code zoning district is discussed in the previous section, which determined the proposed project is in conformity with the UR zoning district.

3. **Environmental Protection:** The project has been determined to be categorically exempt from CEQA per Section 15301 (Existing Facilities); Section 15303, Class 3 (New Construction or Conversion of Small Structures).
4. **Cultural Resources:** The project was referred to the Northwest Information Center (NWIC) at Sonoma State University for review and comment and a response was provided on May 22, 2018. Based on NWIC's record, there has not been any previous cultural resource studies conducted within the proposed project area. The project was also referred to four local tribes for review and comment, including the Cloverdale Rancheria, Sherwood Valley Band of Pomo Indians, Redwood Valley Little River Band of Pomo Indians, and Potter Valley Tribe. As of May 25, 2018, no responses have been received from any of the four local tribes.

Given that limited development is proposed, and that cultivation will take place within existing structures, staff recommends only that a standard condition advises the applicant of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

RECOMMENDATION

By resolution, the Zoning Administrator adopt a Categorical Exemption, and grant the Use Permit U_2018-0009 for the Project, as proposed by the Applicant, based on the facts and findings and subject to the Conditions of Approval.

06-28-2018

DATE



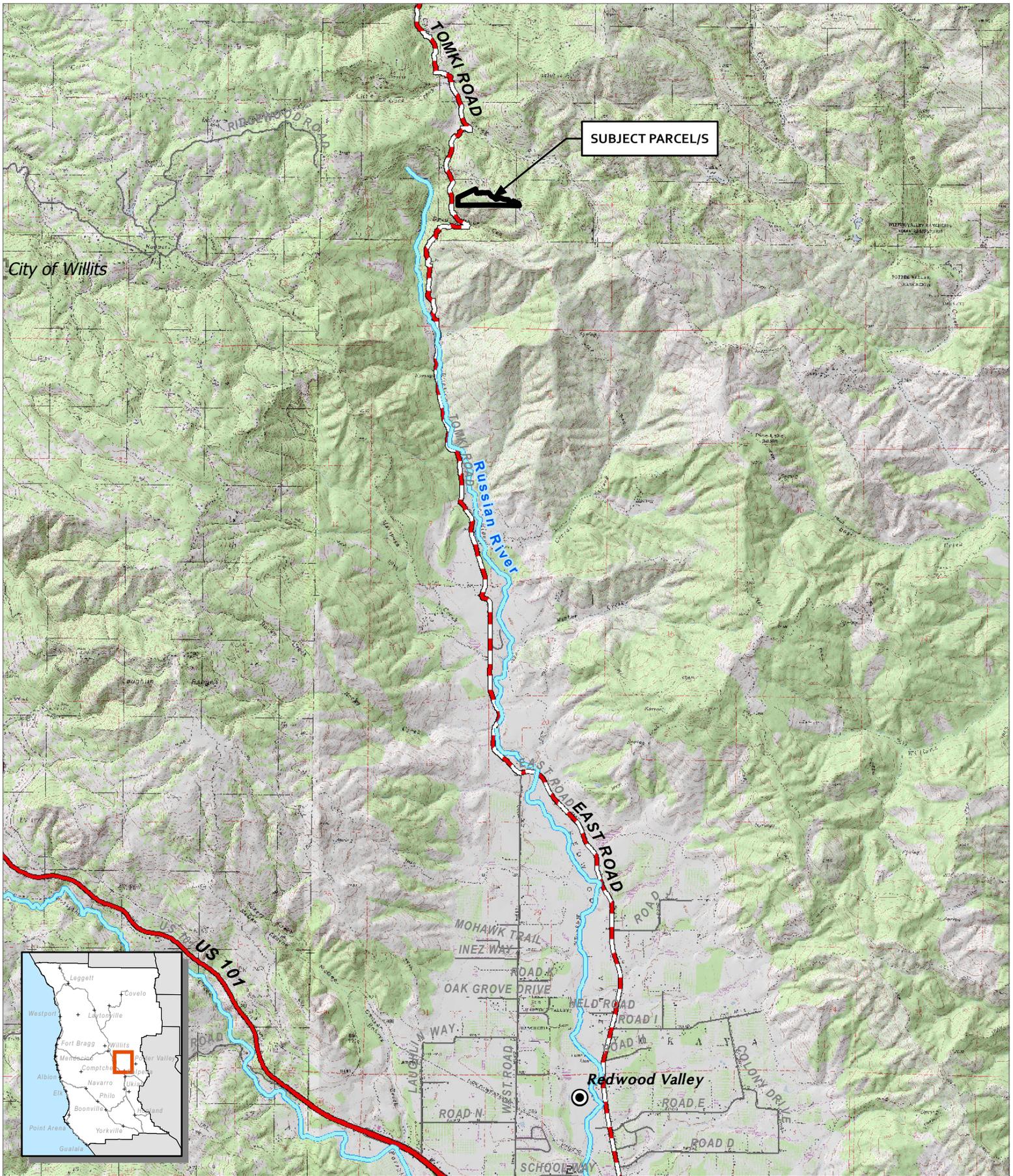
JESSE DAVIS
PLANNER III

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

ATTACHMENTS:

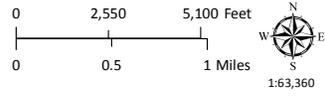
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|-----------------------|------------------------------------|
| A. Location Map | F. Zoning Display Map |
| B. Aerial Imagery Map | G. General Plan Classification Map |
| C. Topographic Map | H. Fire Hazard Zones Map |
| D. Site Plan | I. Important Farmland Map |
| E. Adjacent Map | J. Local Soils Map |

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):



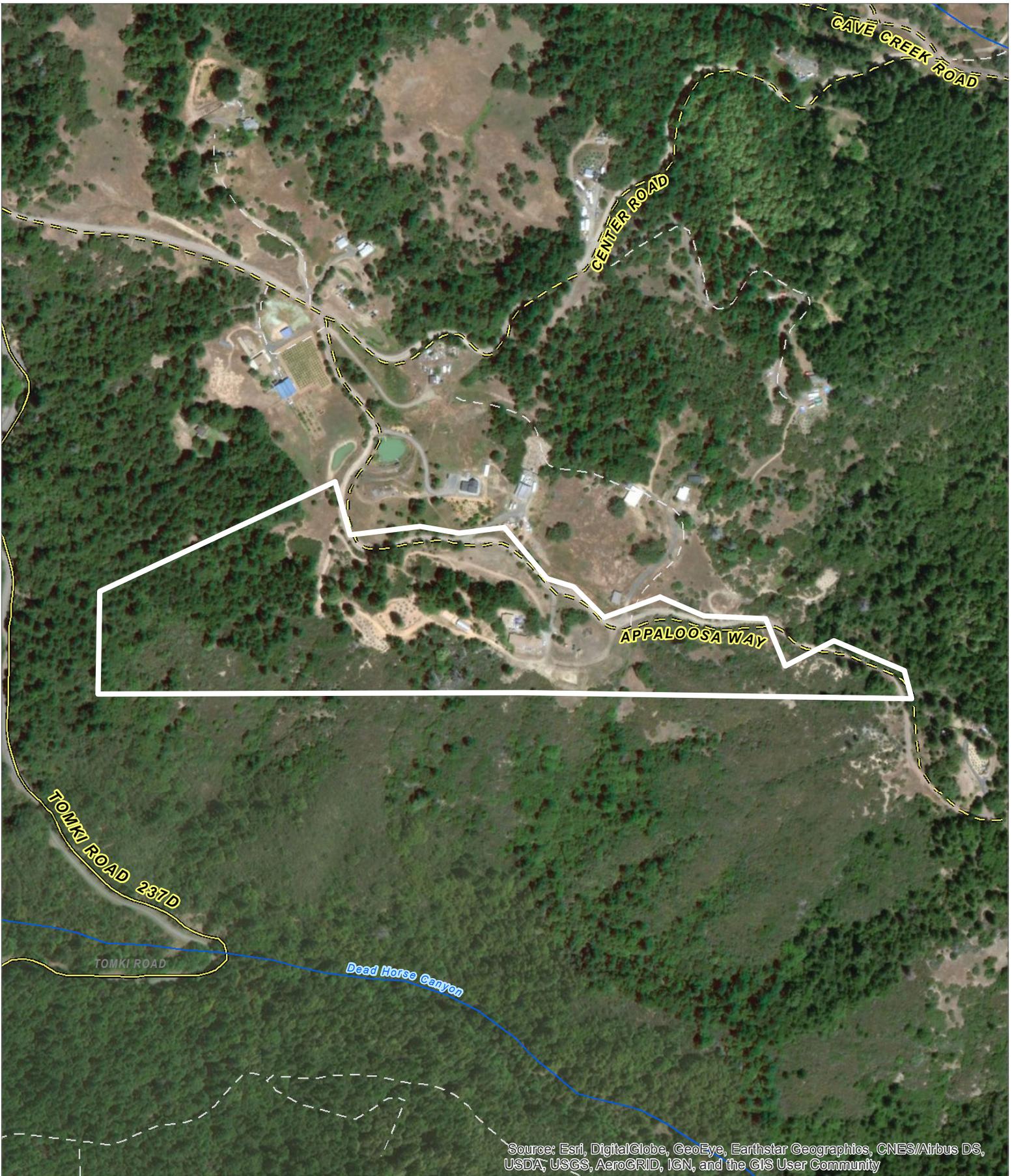
CASE: U 2018-0009
 OWNER: SIMS, Vincent & Tara
 APN: 107-055-09
 APLCT:
 AGENT:
 ADDRESS: 6425 Appaloosa Way, Redwood Valley

-  Major Towns & Places
  Highways
-  City Limits
  Major Roads
-  Major Rivers
  Public Roads



LOCATION MAP

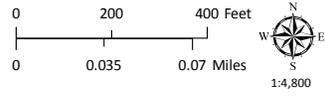
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

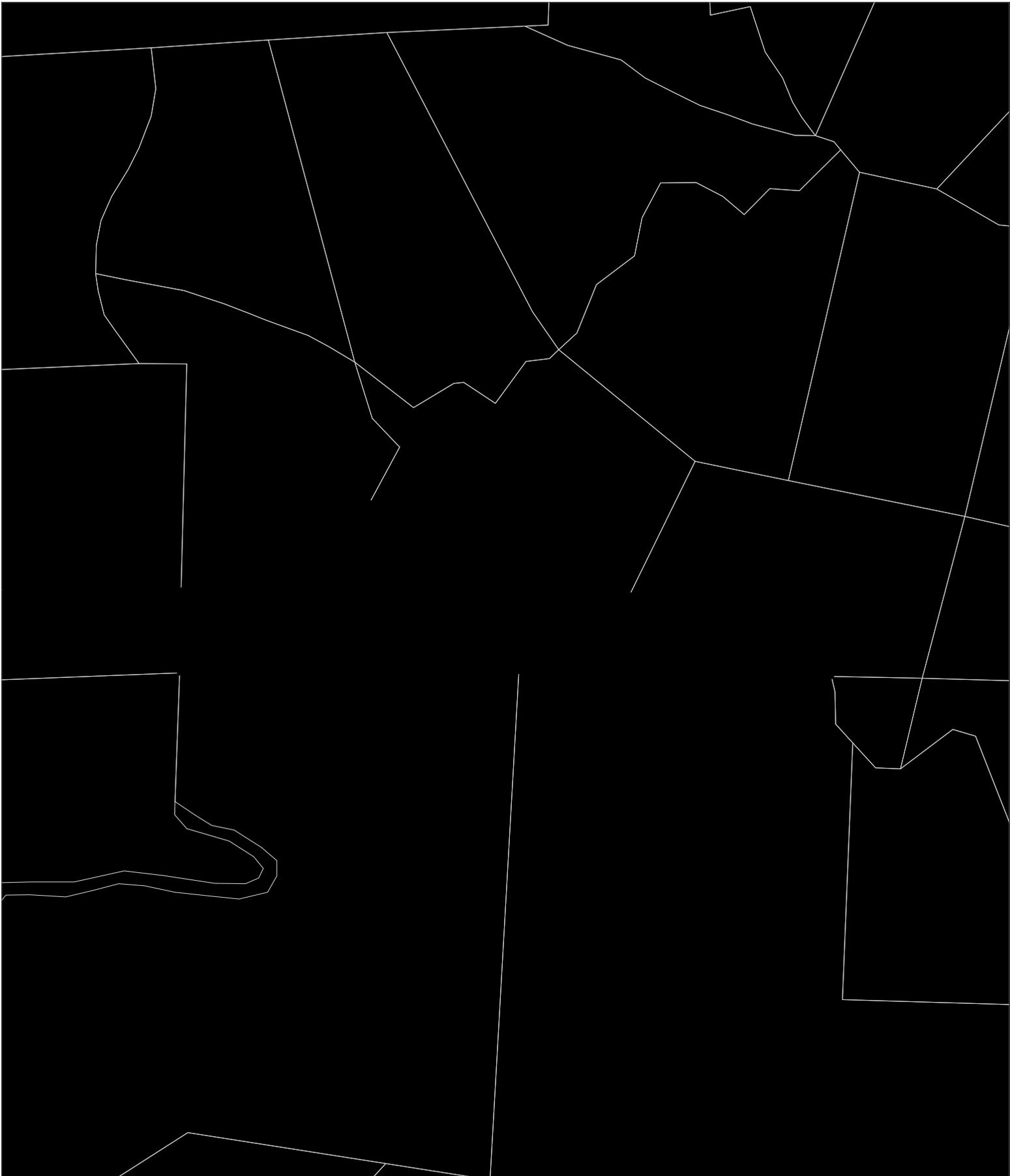
CASE: U 2018-0009
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 APLCT:
 AGENT:
 ADDRESS: 6425 Appaloosa Way, Redwood Valley

- Named Rivers
- Driveways/Unnamed Roads
- Public Roads
- Public Roads
- Private Roads

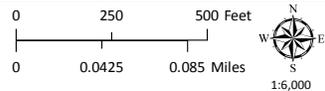


AERIAL IMAGERY

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CASE: U 2018-0009
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APLCT:
AGENT:
ADDRESS: 6425 Appaloosa Way, Redwood Valley

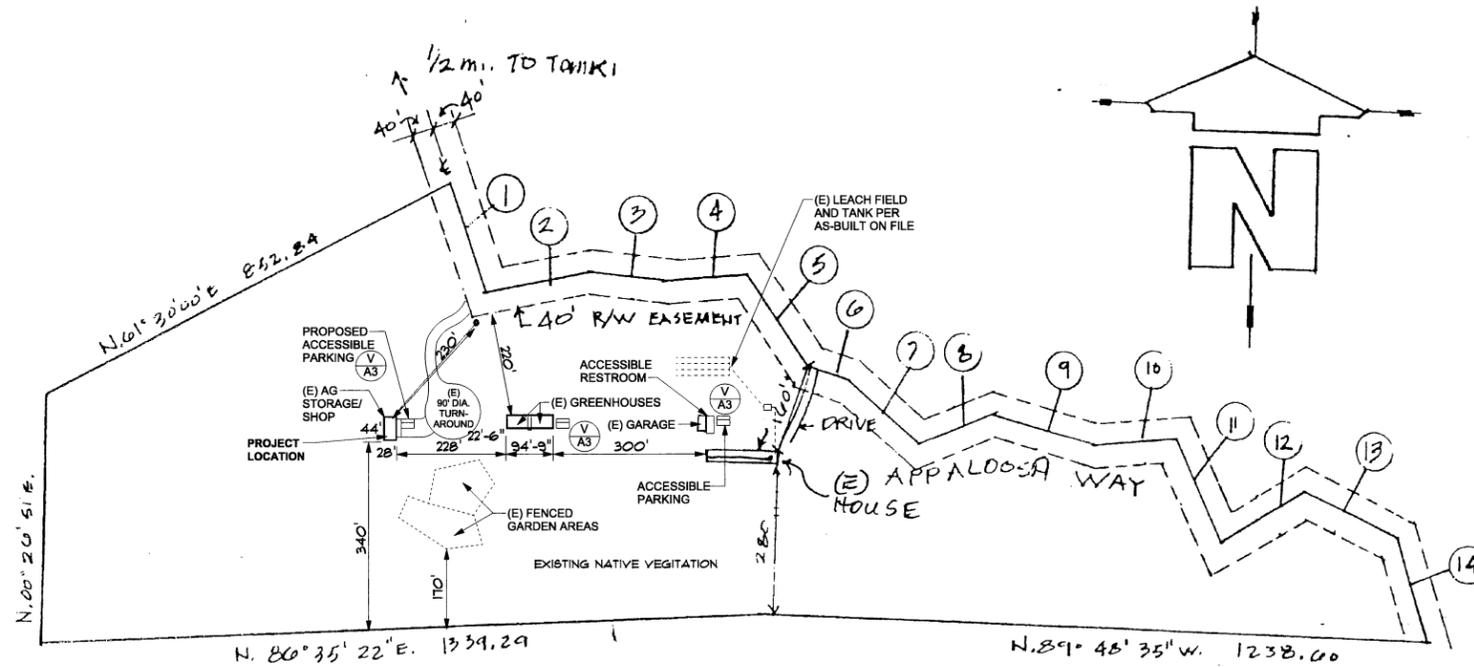


TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

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- ① S. 19° 41' 32" E. 203.97'
- ② N. 77° 30' 35" E. 208.07'
- ③ S. 86° 04' 55" E. 136.20'
- ④ N. 83° 16' 53" E. 150.23'
- ⑤ S. 36° 05' 50" E. 199.90'
- ⑥ S. 73° 31' 57" E. 82.90'
- ⑦ S. 49° 56' 21" E. 100.84'

- ⑧ N. 66° 59' 23" E. 161.37'
- ⑨ S. 75° 13' 07" E. 192.58'
- ⑩ N. 84° 08' 22" E. 161.53'
- ⑪ S. 24° 27' 56" E. 204.74'
- ⑫ N. 57° 04' 34" E. 181.49'
- ⑬ S. 65° 09' 56" E. 195.37'
- ⑭ S. 16° 11' 58" E. 196.36'



SITE PLAN

ASSESSOR PARCEL NO. 107-055-09

PROJECT DATA :

Owner: Vince & Tara Sims
6425 Appaloosa Way
Redwood Valley, CA.
(317) 800-0999

A.P.N. : 107-055-29

Project Owner
Contact:

Site Add: 6425 Appaloosa Way
Redwood Valley, CA. 95470

Designer: Interactive Design
Ray Van Pelt
1211 Maize Way
Willits, CA. 95490
(707) 485-4349

AREA SUMMARY:

(E) HOUSE (S.F.D.) 2,061 SQ. FT.
SUB-TOTAL
CONDITIONED AREAS: 2,061 SQ. FT.

(E) GARAGE 390 SQ. FT.
(E) AG STORAGE/SHOP 1,232 SQ. FT.
(E) GREENHOUSE #1 968 SQ. FT.
(E) GREENHOUSE #2 962 SQ. FT.

SUB-TOTAL
AREAS NOT CONDITIONED: 3,552 SQ. FT.

TOTAL AREA: 5,613 SQ. FT.

OCCUPANCY: S
TYPE OF CONSTRUCTION: V / N
RESIDENTIAL FIRE SPRINKLERS: NO
Parcel Number: 107-055-29
Setbacks:
Front Yard = 20'
Side Yard = 6'
Rear Yard = 20'

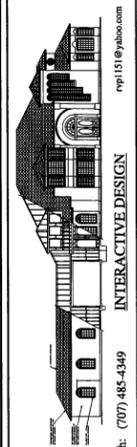
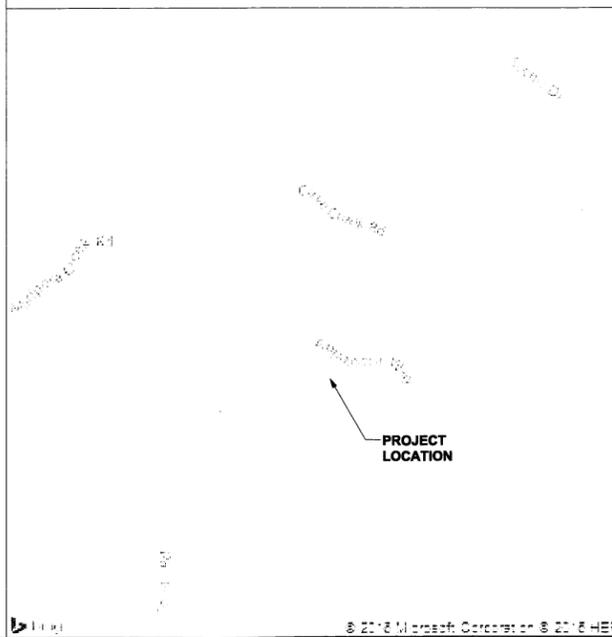
SCOPE OF WORK:

ADD ACCESSIBLE DOOR AND PARKING
TO (E) AG STORAGE/SHOP.

SHEET SCHEDULE:

- SP1 SITE PLAN
- A1 GENERAL NOTES, PROJECT INFO & VICINITY MAP
- A2 (E) AG STORAGE / SHOP PLANS
- A3 ACCESSIBLE DETAILS

VICINITY MAP:



SIMS RESIDENCE
Existing Shop Remodel
6425 APPALOOSA DRIVE
MENDOCINO COUNTY, CA.

**SITE PLAN
PROJECT INFORMATION
VICINITY MAP**

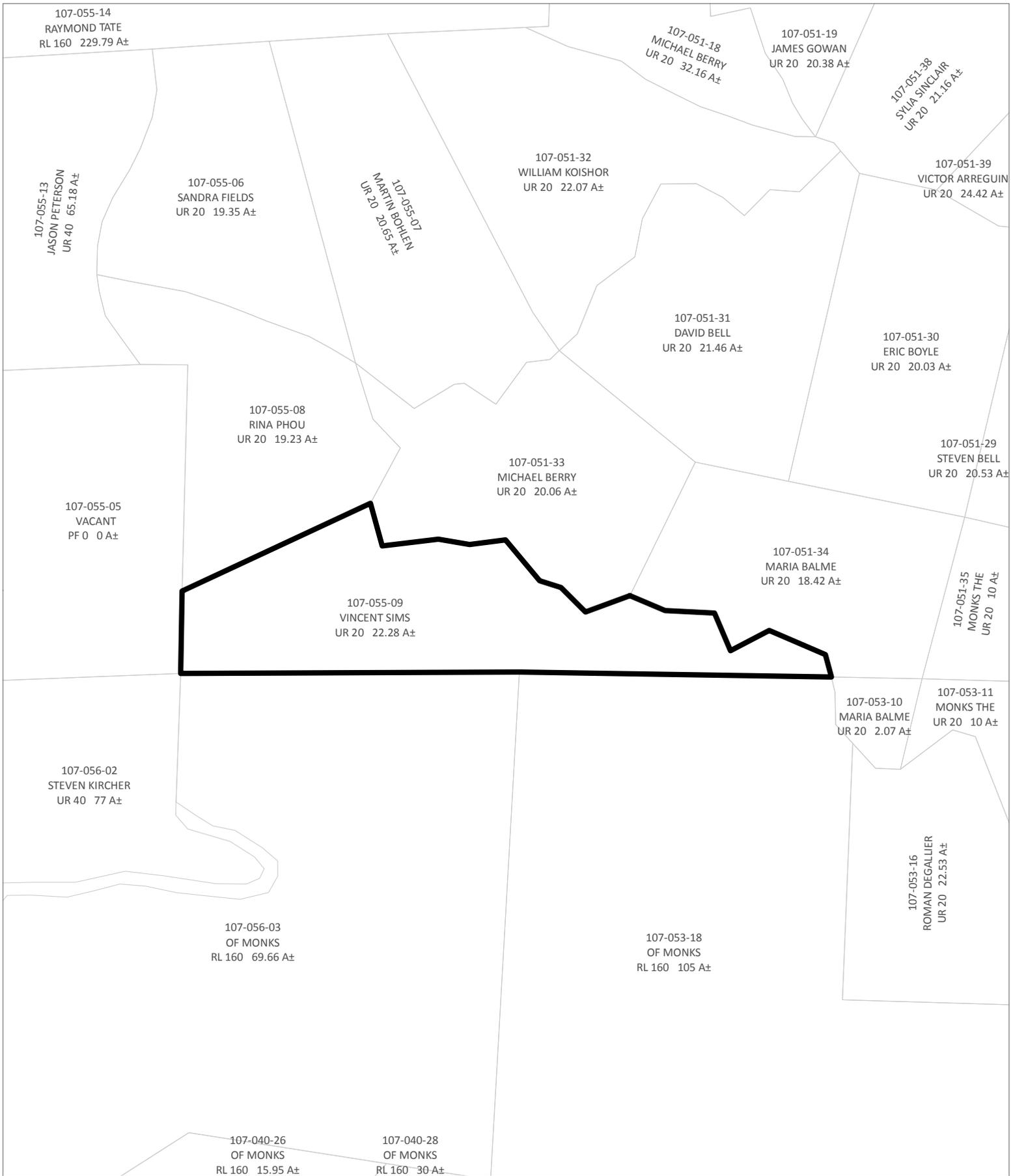
REV: 3

DATE: 11/24/17

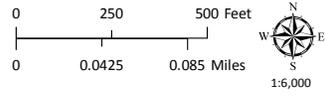
DRW: [Signature]

SHEET NO:

SP1



CASE: U 2018-0009
 OWNER: SIMS, Vincent & Tara
 APN: 107-055-09
 APLCT:
 AGENT:
 ADDRESS: 6425 Appaloosa Way, Redwood Valley



ADJACENT PARCELS

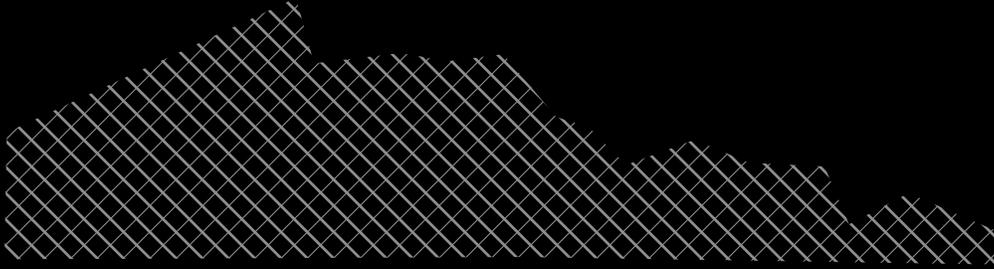
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RL

UR40

UR20

PF

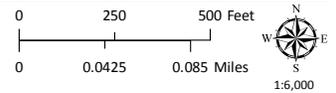


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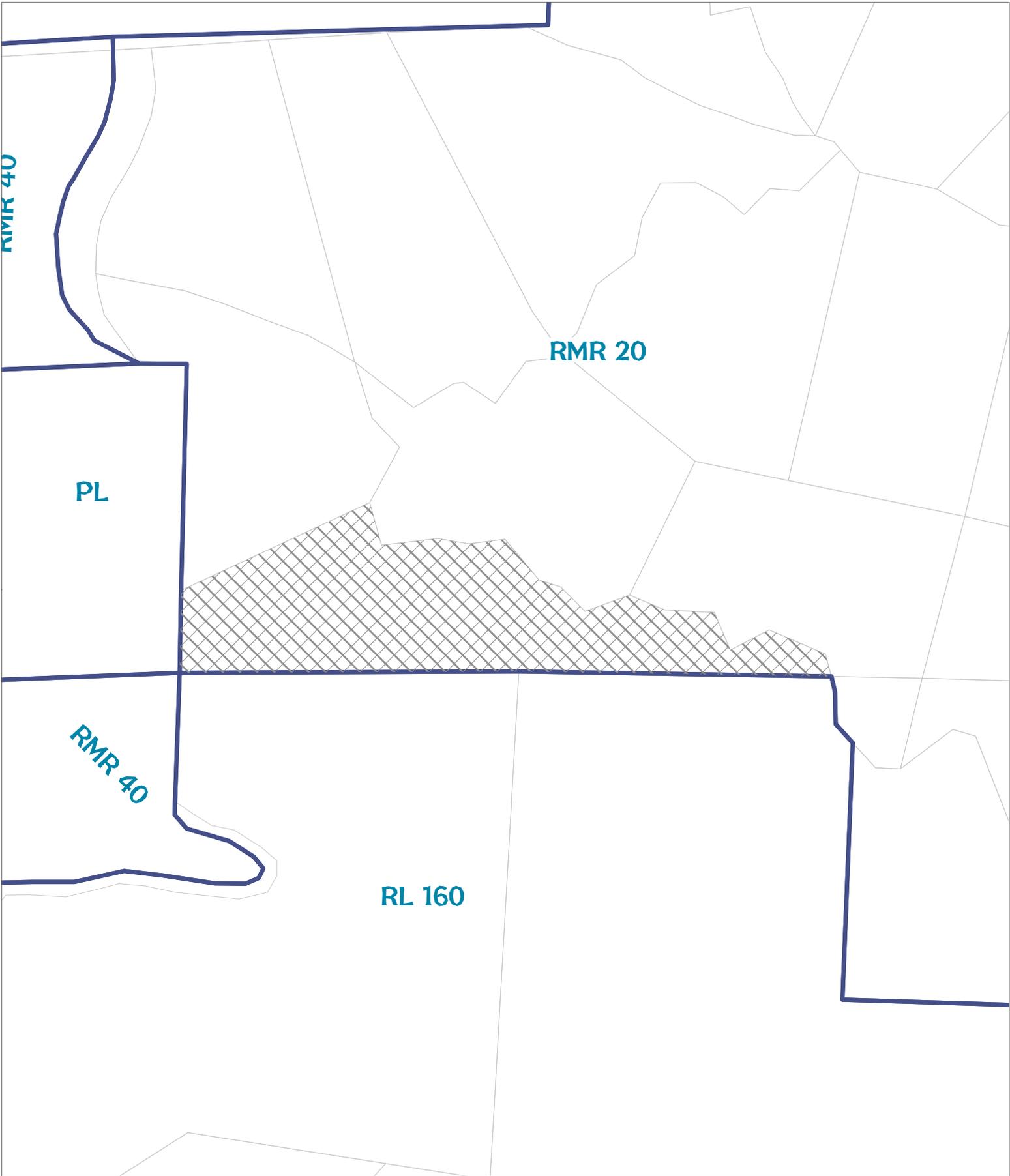
CASE: U 2018-0009
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APLCT:
AGENT:
ADDRESS: 6425 Appaloosa Way, Redwood Valley

 Zoning Districts



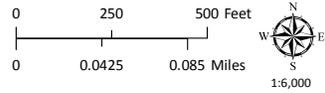
ZONING DISPLAY MAP

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CASE: U 2018-0009
 OWNER: SIMS, Vincent & Tara
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 General Plan Classes



GENERAL PLAN CLASSIFICATIONS

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CASE: U 2018-0009
OWNER: SIMS, Vincent & Tara
APN: 107-055-09
APLCT:
AGENT:
ADDRESS: 6425 Appaloosa Way, Redwood Valley



County Fire Districts



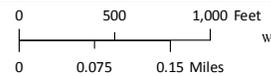
Moderate Fire Hazard



Very High Fire Hazard



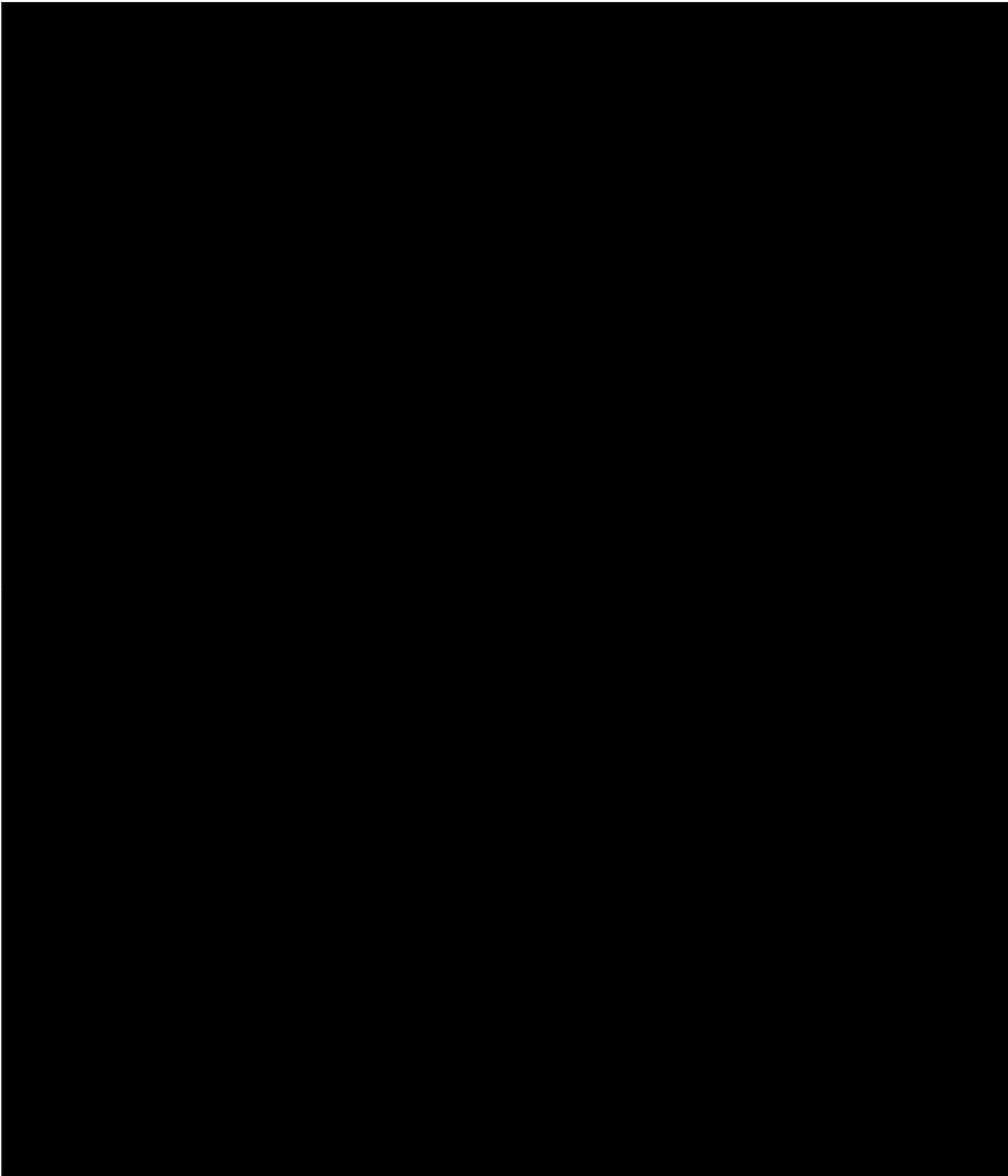
High Fire Hazard



1:12,000

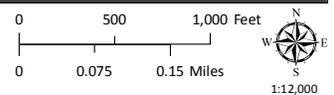
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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AGENT:
ADDRESS: 6425 Appaloosa Way, Redwood Valley

 Grazing Land (G)
 Rural Residential & Rural Commercial (R)



IMPORTANT FARMLAND

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235

200

228

212

154

162

111

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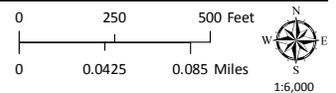
CASE: U 2018-0009
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 APLCT:
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 ADDRESS: 6425 Appaloosa Way, Redwood Valley



Naturally Occurring Asbestos



Eastern Serpentine Inclusions



LOCAL SOILS

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Resolution Number _____

County of Mendocino
Ukiah, California
July 12, 2018

U_2018-0009 – TARA SIMS

RESOLUTION OF THE ZONING ADMINISTRATOR, COUNTY OF MENDOCINO,
STATE OF CALIFORNIA GRANTING A MINOR USE PERMIT U_2018-0009 FOR
CANNABIS CULTIVATION.

WHEREAS, the Applicant, TARA SIMS, filed an application for a USE PERMIT with the Mendocino County Department of Planning and Building Services to establish a Type C-A Cottage-Size Indoor Cultivation Permit (AG_2017-0265) for cannabis cultivation of no more than 2,500 square feet of canopy within one structure and a Type 2B Medium Mixed Light Cultivation Permit (AG_2017-0266) of no more than 10,000 square feet of canopy, 9± miles north of Redwood Valley town center, lying on the south side of Appaloosa Way (Private), .5± miles southeast of its intersection with Tomki Rd. (CR 237D). Located at 6425 Appaloosa Way, Redwood Valley, CA (APN: 107-055-09); General Plan RMR20; Zoning UR:20; Supervisorial District 3; (the “Project”); and

WHEREAS, the Secretary for Resources has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents, and the Project was determined to meet the criteria for a CATEGORICAL EXEMPTION from the California Environmental Quality Act (CEQA) under Class 1 and Class 3; and

WHEREAS, in accordance with applicable provisions of law, the Zoning Administrator held a public hearing on July 12, 2018, at which time the Zoning Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator, based upon the evidence in the record, makes the following findings;

1. **General Plan and Zoning Findings:** The subject parcel is classified Rural Residential with a 20 acre minimum parcel size (RMR20) under the Mendocino County General Plan and the Project is consistent with the intent of the designation. Although the Project does not entail the farming of food, the sale of the proposed cannabis cultivation is small and thus conforms to the intent of the RMR20 land use designation. Additionally, the subject parcel is zoned Upland Residential with a 20 acre minimum parcel size (UR20) and the Project is consistent with the intent of the zoning district and the uses subject to a use permit per Section 20.242.040(B) of the Mendocino County Code; and
2. **Use Permit Findings:** The Project satisfies the Use Permit required findings per Section 20.196.020 of the Mendocino County Code; and
3. **Environmental Protection:** The Project has been determined to be Categorically Exempt from the provisions of CEQA under a Class 1 and Class 3 exemption.

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 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: IGNACIO GONZALEZ
Zoning Administrator

EXHIBIT A

**CONDITIONS OF APPROVAL
JULY 12, 2018**

U_2018-0009 - TARA SIMS

APPROVED PROJECT DESCRIPTION: A Use Permit for a Type C-A Cottage-Size Indoor Cultivation Permit (AG_2017-0265) for cannabis cultivation of no more than 2,500 square feet of canopy within one structure and a Type 2B Medium Mixed Light Cultivation Permit (AG_2017-0266) of no more than 10,000 square feet of canopy.

CONDITIONS OF APPROVAL:

General:

1. If Mendocino County Code should be amended to allow for continued use as requested, the use permit shall continue if in compliance with the required conditions. In the event that the use as defined within this use permit should cease operation for a period exceeding one year or more, the use shall be deemed invalid and a new use permit will be required if applicable. **The applicant has sole responsibility for renewing this permit before the expiration date of this permit.** Per, MCC Section 20.242.070 (D)(5), the Use Permit granted for the cannabis cultivation site shall be limited to a period not to exceed 10 year. Therefore, this Use Permit will expire on **July 12, 2028. The County will not provide a notice prior to expiration date.**
2. The use 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.
3. 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.
4. This permit shall be subject to revocation or modification by the Zoning Administrator upon a finding of any 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.

5. 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.
6. 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.

7. 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.
8. Prior to any construction, the Applicant shall adhere to the previously submitted and approved Cal Fire 4290 – Fire Safe Regulations provided to the Mendocino County Department of Planning and Building Services with an approved State Fire Safe Regulation Application Form. The applicant shall comply with those recommendations of the California Department of Forestry (Cal Fire) or other alternatives as acceptable to Cal Fire. A Final Clearance letter from Cal Fire shall be submitted to the Department of Planning and Building Services stating that compliance with their requirements have been met to their satisfaction.

Aesthetics:

9. 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.
10. The Applicant shall provide a lighting plan demonstrating that that proposed cultivation area would not deliver or have the potential to deliver light pollution, during the hours of sunset to sunrise, which may affect fish and/or wildlife directly, or from a distance.
11. No signage shall be allowed for the operation.

Air Quality:

12. Any buildings, including greenhouses, used for the cultivation of cannabis shall be equipped with filtered ventilation systems, permitted by the Mendocino County Air Quality Management District (MCAQMD).
13. 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.
14. Secure any required permits from the Mendocino County Air Quality Management District.

Biological Resources:

15. Removal of any commercial tree species, as defined by California Code of Regulations section 895.1 (Commercial Species for the Coast Forest District and Northern Forest District), and the removal of any true oak species (*Quercus* sp.) or Tan Oak (*Notholithocarpus* sp.) for the purpose of developing the cannabis cultivation site shall be prohibited. This prohibition shall not include the pruning of any such trees for maintenance, or the removal of such trees if necessary to safety or disease concerns.

Cultural Resources:

16. 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 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.

Hydrology:

17. A completed Lake or Streambed Alteration Agreement (LSAA) will be required from the California Department of Fish and Wildlife (CDFW) for the project, including, but not limited to: diversion and use of water from a river, and potentially water use from springs. The pond may also be utilized as a source of water in case of emergency. Surface water sources (streams, springs, and hydrologically connected wells and ponds) are generally jurisdictional for CDFW, and their use, for domestic purposes or otherwise, generally requires notification pursuant to Fish and Game Code 1602. Please note that existing jurisdictional projects or infrastructure that does not have a valid or current LSAA will likely require notification (e.g. existing stream crossings on roads). Please contact the local regional CDFW office to determine if a LSAA is necessary for the proposed project.

Noise:

18. Construction shall be limited to the hours of 8:00 a.m. to 6:00 p.m.
19. The Applicant shall provide a noise pollution plan demonstrating that the generator currently utilized at the site would not deliver noise pollution, which may affect fish and/or wildlife directly, or from a distance.