



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

**AUGUST 9, 2018
U_2017-0030**

SUMMARY

OWNER/APPLICANT: NATHANIEL BUTTRICK
2255 CHALLENGER WAY SUITE 106
SANTA ROSA, CA 95407

AGENT: PETER HUSON
705 U.S. HIGHWAY 101
GARBERVILLE, CA 95542

REQUEST: A Minor Use Permit for an indoor cannabis cultivation (Type C-A (2500 ft²); AG_2017-0251) site of no more than 2,500 sq. ft. of canopy, as well as a medium mixed light cultivation (Type 1B (5,000 ft²); AG_2017-0249) site of no more than 5,000 sq. ft. 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 5,000 ft².

LOCATION: 5.1± miles west of Mendocino town center, on the north side of Comptche Ukiah Rd. (CR 233), 4± miles west of its intersection with Hwy. 1 (CA-1 S), located at 40500 Comptche Ukiah Rd., Mendocino (APN: 121-210-31).

TOTAL ACREAGE: 9.7± acres

GENERAL PLAN: Rural Residential, 10 acre minimum parcel size (RR10)

ZONING: Rural Residential, 10 acre minimum parcel size (RR10)

SUPERVISORIAL DISTRICT: 5

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 Type C-A Cottage-Size Indoor Cultivation Permit (AG_2017-0251) for cannabis cultivation of no more than 2,500 square feet of canopy within one structure and a Type 1B Medium Mixed Light Cultivation Permit (AG_2017-0249) for cannabis cultivation of no more than 5000 square feet. The Applicant intends to construct and utilize a new 3,600 square foot steel building and install a 600 amp electrical service, well, and septic system at the site.

SITE CHARACTERISTICS: The approximately 9.7± acre subject parcel is located 5.1± miles west of Mendocino town center, lying on the north side of Comptche Ukiah Road (CR 233), 4 ± miles west of its intersection with Highway 1 (SH-1). The subject property is addressed at 40500 Comptche Ukiah Road, Mendocino, CA; (APN: 121-210-31). The project site is predominately flat and forested, although it recently underwent a Less Than Three Acre Conversion. The subject property contains a pond in the southwest portion of the site. The parcel is partially developed with an existing 200 square foot wood cabin and a 100 square foot pump house. Due to the lack of septic, this wood cabin does not constitute a

“Dwelling Unit”, which is defined as a legal residential structure providing complete, independent living facilities for 1 or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. The site plan also indicates existing 2,500 square feet greenhouses, which are not presently permitted. Additionally, three existing outdoor cultivation areas are located on the site; however, they are currently not in use and will be remediated. As shown on the site plan, the following improvements are proposed for the subject property:

- 1) Proposed 2,500 Gallon Emergency Water Tank
- 2) Proposed Single Family Dwelling (2,000 ft²)
- 3) Proposed Indoor cultivation (Within 3,600 ft² Building)

The parcel does not currently contain a septic system and is not currently served by electrical or gas service; generators are indicated as the current power source on-site. However, under the project, a well and septic system are proposed for installation, in addition to 600 amp electrical service. Access to the site is via a private driveway with a gate off of Comptche Ukiah Road in the southern portion of the site. There is a small cabin identified on the site plan, but it does not provide permanent provisions for living, sleeping, eating, cooking, and sanitation, and therefore does not meet the definition of a ‘Dwelling Unit’.

Elevations at the site range from 470± feet above sea level (amsl) in the northwest corner of the site and 520± feet amsl along the site’s eastern boundary, increasing to 560± feet amsl in the site’s southeastern corner. The indoor cultivation area is proposed in a relatively flat portion of the site. The area of proposed cultivation is designated as “Grazing Land”, while the northern and southern portions of the site are designated as “Non-Agricultural & Natural Vegetation” and “Rural Residential & Rural Commercial,” respectively.¹ The majority of the site is within a mapped “High Fire Hazard” area, while the southern portion of the site is within a designated “Moderate Fire Hazard” area.² A natural drainage area is located in the northeastern portion of the site and travels between the existing outdoor cultivation areas where a shallow well is presently indicated.

Aerial images from the site show that removal of a large amount of vegetation occurred in the proposed cultivation area after June 11, 2016. Imagery from that date shows the identified cultivation site as a forested area, with later imagery showing that clearing had occurred. This work was done in conformance with a Less Than Three Acre Conversion that was submitted on August 11, 2016. Calfire’s Final Completion Inspection indicates that no violations were observed in the area, and that all documentation was finalized on August 10, 2017, which is the standard one year allocation for timber related activities. The Less Than Three Acre Conversion Exemption Completion Report was received on August 24, 2017 and filed. For applications where trees were removed prior to May 4, 2017, applicants shall provide evidence to the Department of Agriculture that no trees were unlawfully removed to develop a cultivation site; such evidence may include, but is not limited to, a less than three acre conversion exemption or timberland conversion permit issued by the California Department of Forestry and Fire Protection (“CalFire”) and trees were removed prior to May 4, 2017.

RELATED APPLICATIONS:

- AG_2017-0251 (Type C-A Small Indoor)
- AG_2017-0249 (Type 1B Medium Mixed Light)
- BF_2004-0780 (Power To Well-Expired By Date)

PUBLIC SERVICES:

ACCESS: COMPTCHE UKIAH ROAD (CR 223)
FIRE DISTRICT: CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION
(CALFIRE)
WATER DISTRICT: N/A
SEWER DISTRICT: N/A

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].

ENVIRONMENTAL REVIEW: 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).

KEY ISSUES:

1. **General Plan and Zoning Consistency:** The subject parcel is located within the Rural Residential [10 acre minimum] (RR10) General Plan Land Use Classification. The RR Land Use Classification is *“is intended to encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, micro-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area, and residences should be located as to create minimal impact on agricultural viability.”*

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 intended use of the RR Land Use Classification. Additionally, the proposed project is consistent with the intended uses of the RR 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 Rural Residential with a 10 acre minimum parcel size (RR10) under the Mendocino County Code. The proposed project is consistent with the intent of the RR zoning district, which is *“intended to create and enhance residential areas where agricultural use compatible with a permanent residential use is desired. Typically the “R-R” District would be applied to rural or semi-rural areas where urban levels of service are not available and where large lots are desired”*, as described in Chapter 20.048.005 of the Mendocino County Code.

The proposed project is consistent with the Mendocino County Code and conforms to the intended uses of the RR zoning district, which allows for cottage industries, subject to the issuance of a Minor Use Permit. The proposed project, however, is inconsistent with Section 10A.17.080(C) of the Mendocino County Code, which requires an occupied dwelling unit be located on the legal parcel with the cultivation site in the RR10 zoning district. With the inclusion of the condition that the applicant obtain a building permit for the proposed single-family dwelling unit, U_2017-0030 will be considered in compliance with Mendocino County Code.

The cultivation of cannabis in an accessory structure is not permitted prior to the construction of the legal dwelling unit on the parcel, if a legal dwelling unit is required by Chapter 10A.17. Due to the fact this parcel is legal non-conforming a Dwelling Unit is required per Chapter 10A.17.070 (E). The subject parcel is considered legal non-conforming because it presently recorded at 9.7 ± Acres. Only legal conforming parcels in Rural Residential, lot size acres (R-R:L-10), shall be exempt from the dwelling unit requirement.

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 or are being provided;*

As both discussed above and in the application materials, the subject parcel does not currently contain an existing well or septic system and is not currently served by electrical or gas service, although a generator is currently utilized on-site. Under the proposed project, a well and septic system are proposed for installation, in addition to 600 amp electrical service. Access to the site is via a private driveway with a gate off of Comptche Ukiah Road (CR 223) in the southern portion of the site. Additionally, in response to

comments from the Mendocino County Department of Transportation, the proposed project will require a permitted encroachment off of Comptche Ukiah Road (CR 223) to ensure adequate access.

- 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 for 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.*

Similarly 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 RR10 zoning district.

3. **Environmental Protection:** 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).
4. **Cultural Resources:** As provided in the Northwest Information Center's (NWIC) referral response, dated January 11, 2018, no previous cultural resource studies for the project area have been conducted. Based on the environmental setting and features associated with known sites, there is a moderate potential for unrecorded Native American resources in the proposed project area. On April 11th, 2018, the Mendocino County Archeological Commission reviewed U_2017-0030, and determined that an Archeological Survey was a required for this project. A survey was prepared for the subject property by Thad M. Van Bueren, M.A., RPA, which focused on providing intensive survey coverage throughout the property. The survey did review areas that were found to be covered by buildings, paving or fill such as gravel. The subject parcel was covered with pedestrian transects spaced no more than 10 meters apart. Shovel probes were placed at 10 meter intervals to expose and examine it for cultural remains.

On May 9th, 2018, the Mendocino County Archeological Commission reviewed and accepted the provided survey. Only a standard condition that advises the applicant of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of this project was recommended.

RECOMMENDATION

By resolution, the Zoning Administrator, grant the Minor Use Permit U_2017-0030 for the Project, as proposed by the Applicant, based on the facts and findings and subject to the Conditions of Approval.

7/23/2018

DATE

Mary Lynn Hunt Joe

JESSE DAVIS
PLANNER III

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

ATTACHMENTS:

- A. Location Map
- B. Topographic Map
- C. Aerial Imagery Map
- D. Site Plan
- E. Zoning Display Map
- F. General Plan Classification Map
- G. Adjacent Parcels Map
- H. Fire Hazard Zones & Responsibility Areas Map
- I. Wildland-Urban Interface Zones Map
- J. Local Soils Map
- K. Important Farmland Map

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

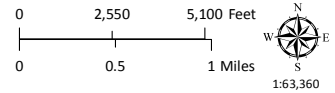


SUBJECT PARCEL/S



CASE: U 2017-0030
 OWNER: BUTTRICK, Nathaniel
 APN: 121-210-31
 APLCT: Nathaniel Buttrick
 AGENT: Peter Huson
 ADDRESS: 40500 Comptche Ukiah Road, Mendocino

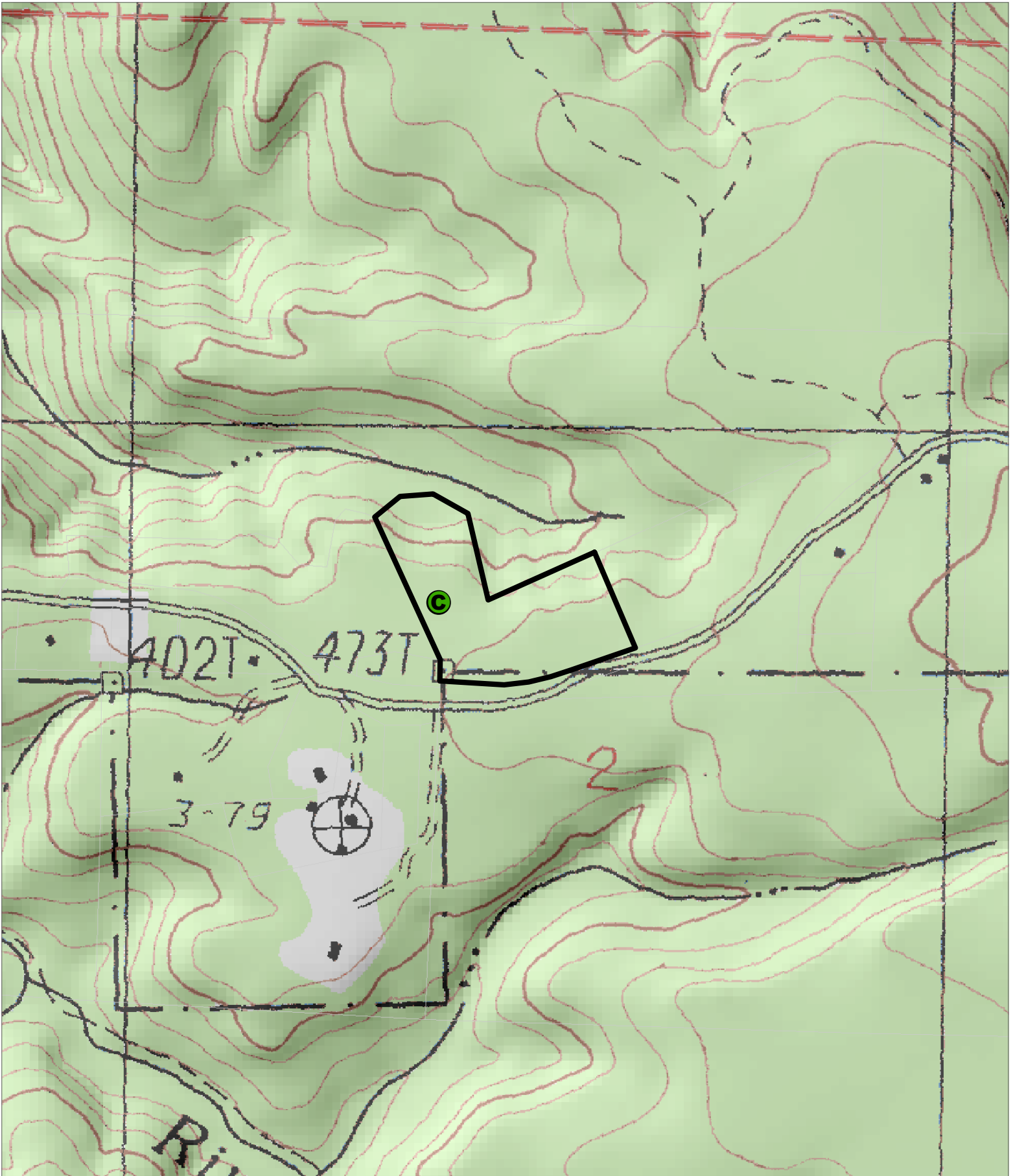
- Major Towns & Places
- Major Roads
- Major Rivers
- Highways



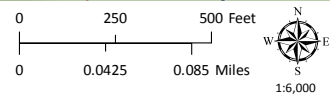
LOCATION MAP

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Attachment A



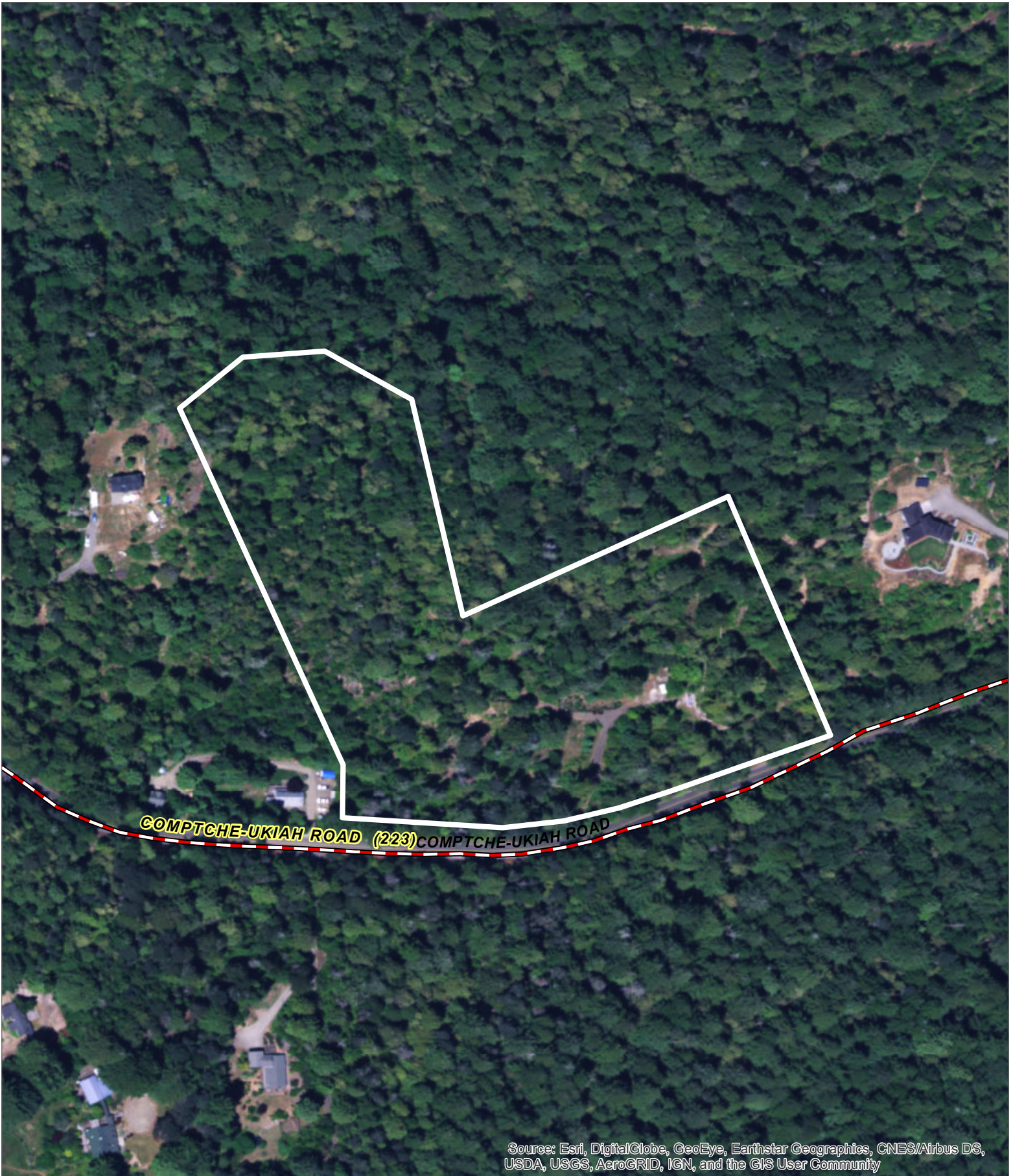
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OWNER: BUTTRICK, Nathaniel
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AGENT: Peter Huson
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TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET



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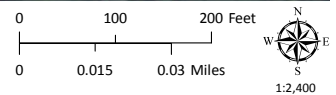
Attachment B



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

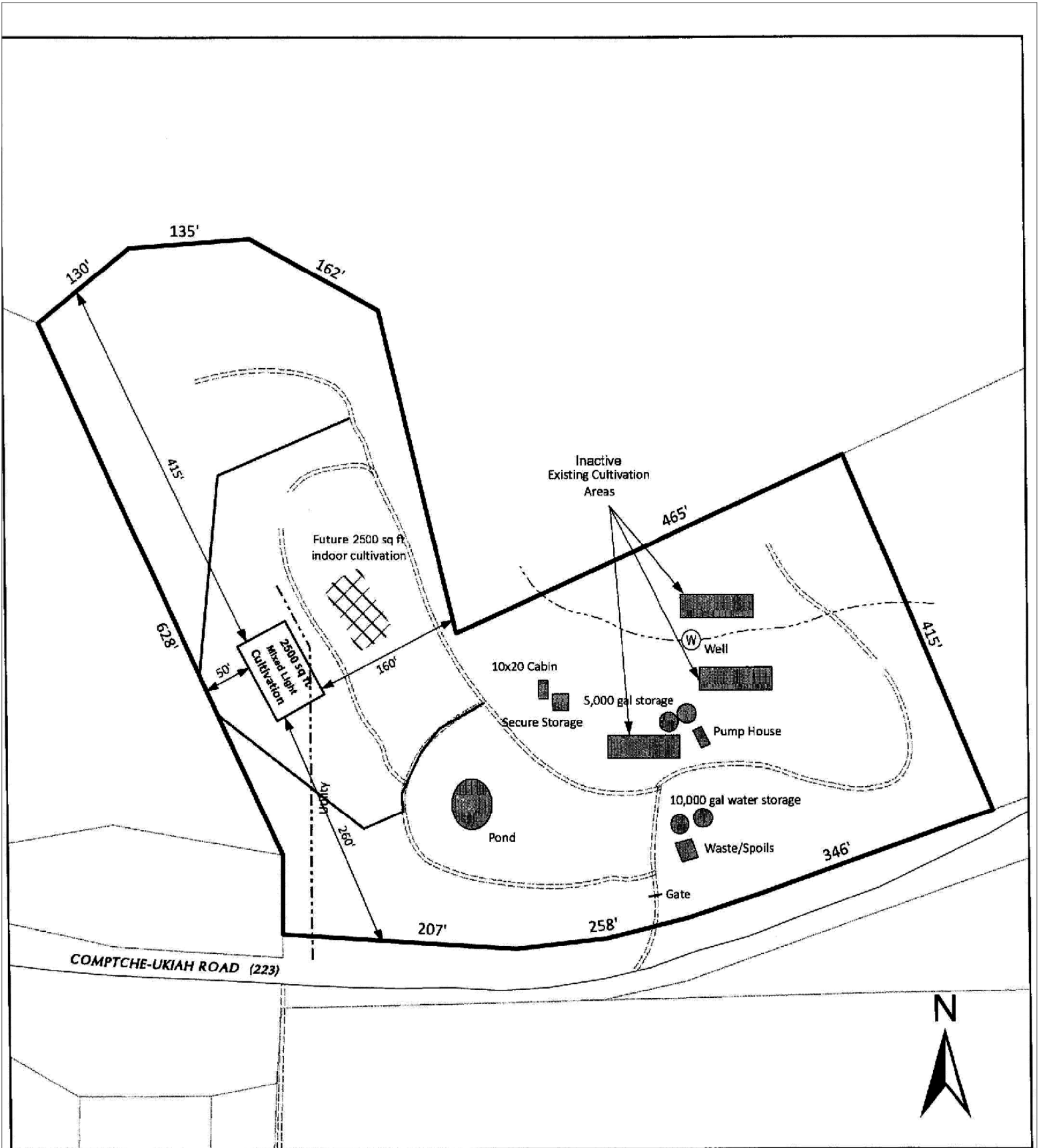
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-  Major Roads
-  Public Roads



AERIAL IMAGERY
Attachment C

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SITE PLAN MUST INCLUDE ALL RELEVANT INFORMATION

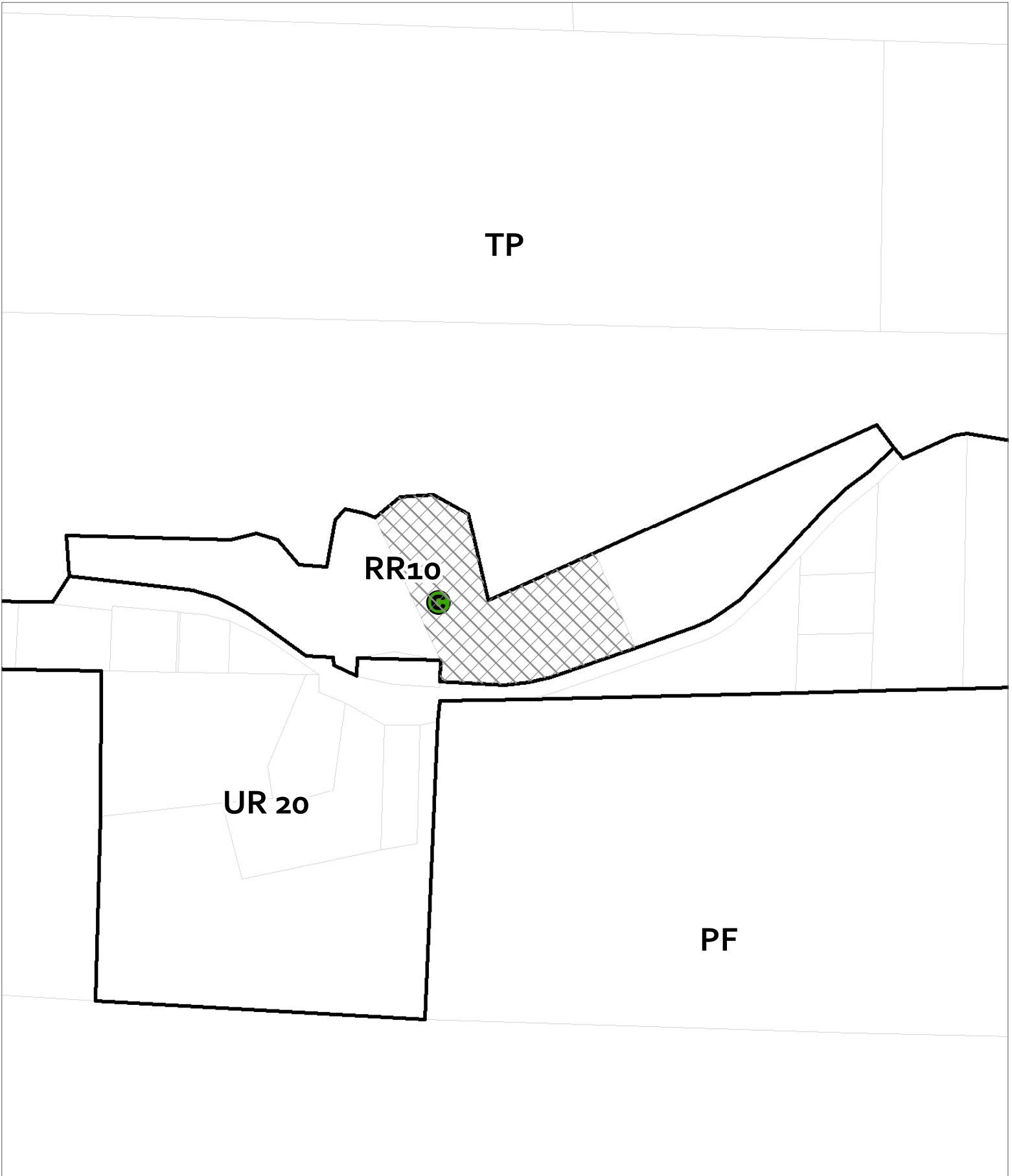
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NO SCALE

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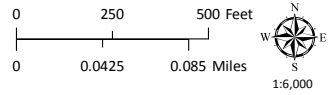
SITE PLAN

Attachment D



CASE: U 2017-0030
 OWNER: BUTTRICK, Nathaniel
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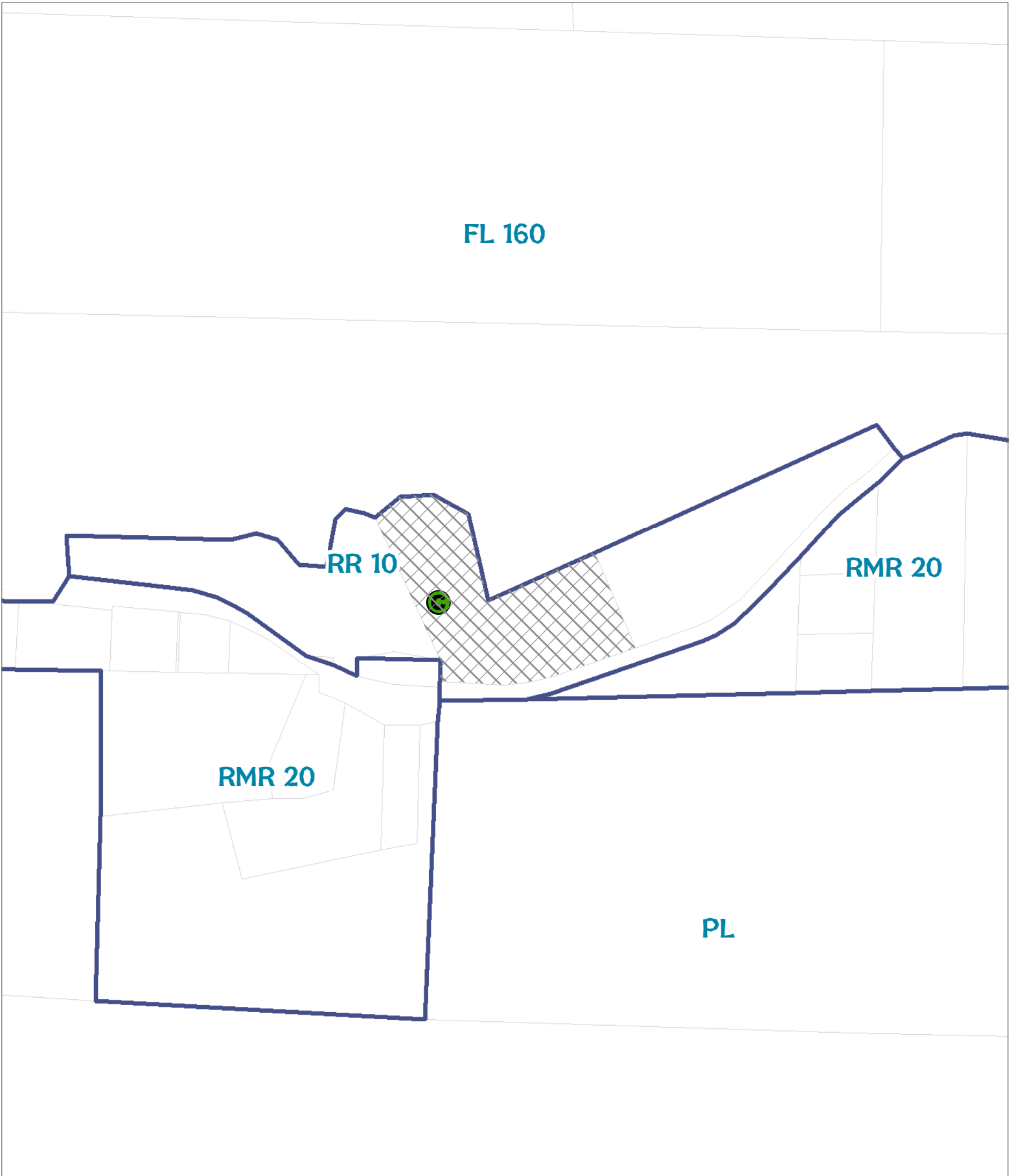
 Zoning Districts



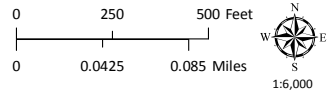
ZONING DISPLAY MAP


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Attachment E



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 AGENT: Peter Huson
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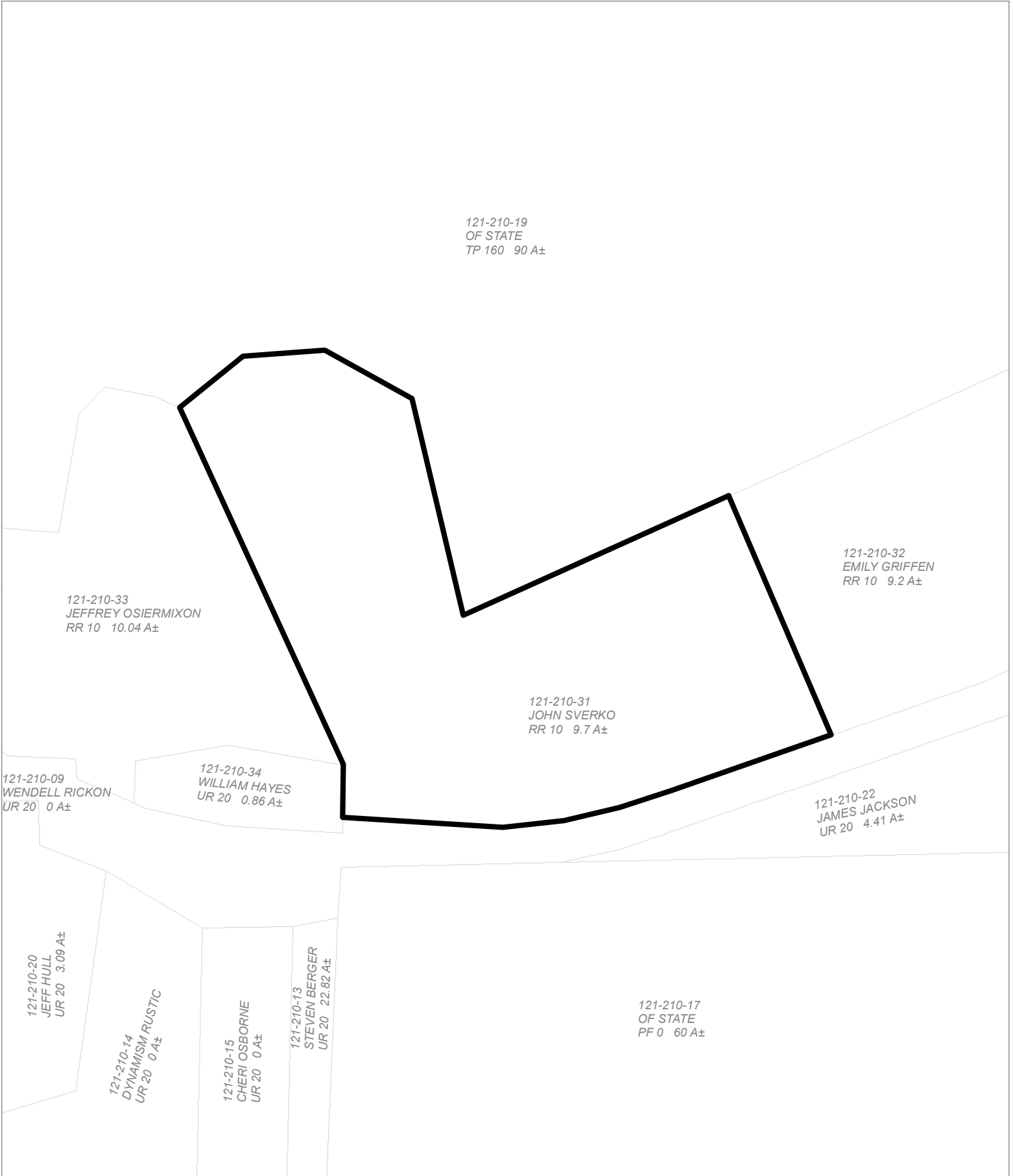


 General Plan Classes

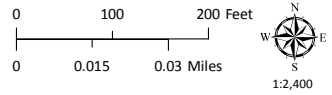
GENERAL PLAN CLASSIFICATIONS

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Attachment F



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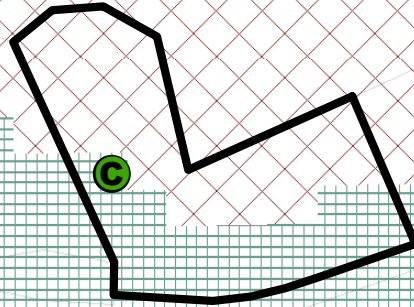


ADJACENT PARCELS


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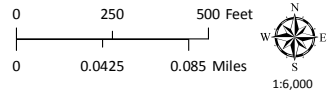
Attachment G

MENDOCINO FIRE PROTECTION DISTRICT



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-  County Fire Districts
-  High Fire Hazard
-  Moderate Fire Hazard



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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Uninhabited, Vegetated
Uninhabited, No Vegetation

Very Low Density, Vegetated

Low Density Intermix

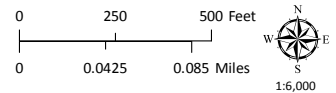
Low Density Intermix

Medium Density Intermix

Low Density Intermix



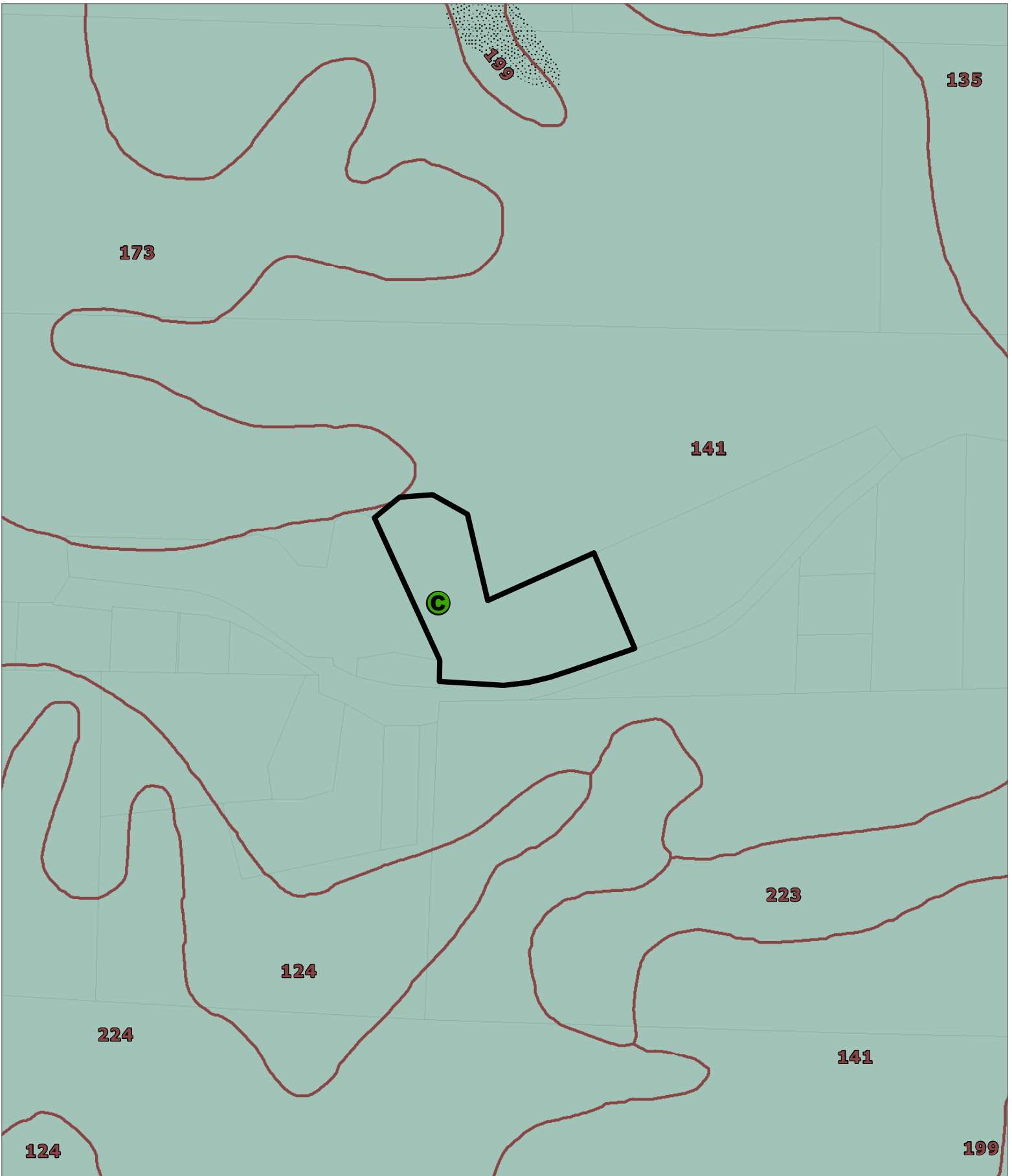
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WILDLAND-URBAN INTERFACE ZONES

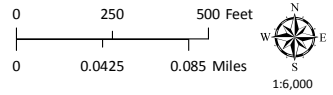
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Attachment I

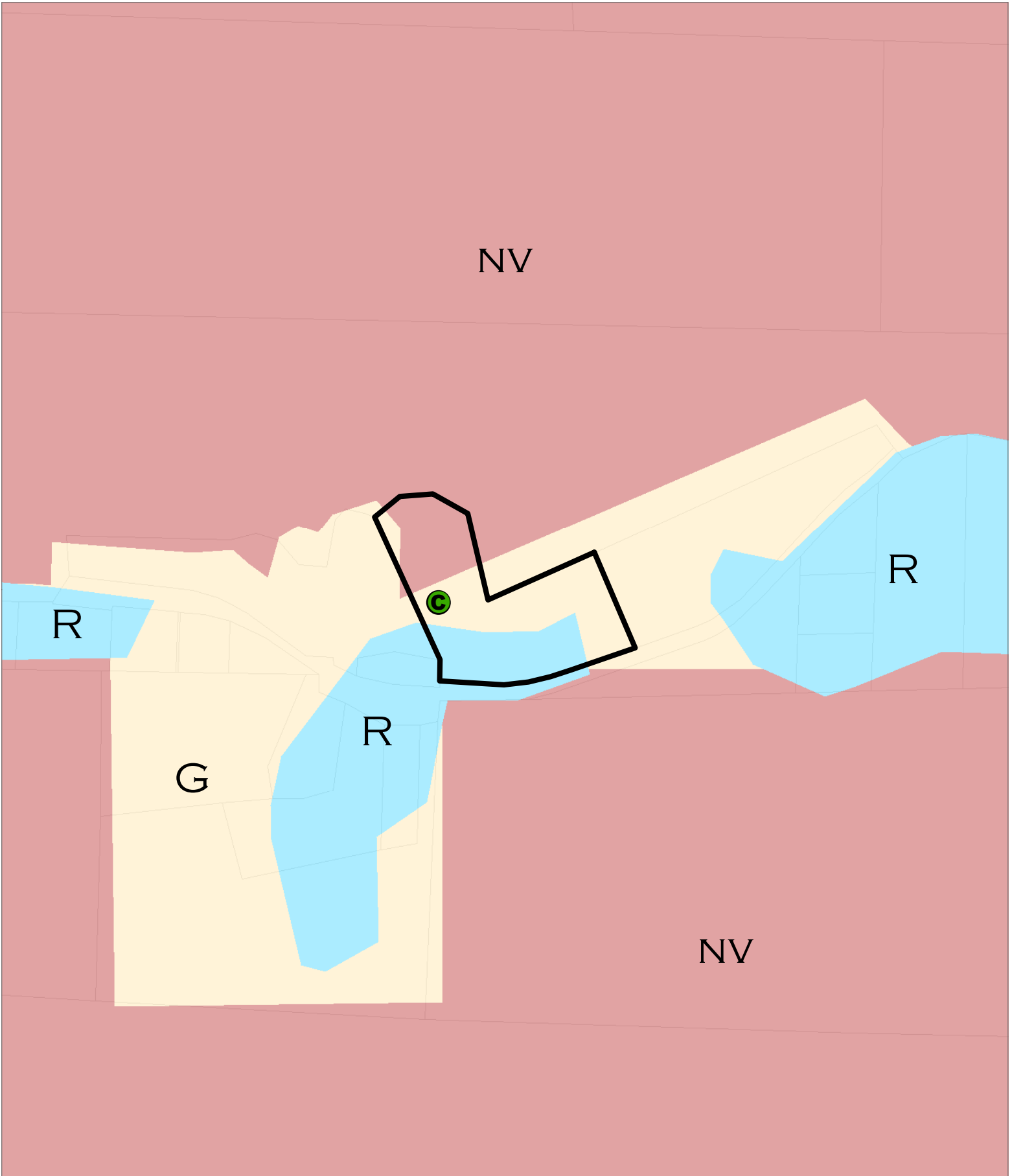


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 ADDRESS: 40500 Comptche Ukiah Road, Mendocino

- Western Soil Classes
- Shinglemill-Gibney Complex
- Bishop Pine

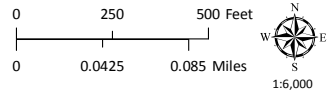


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- Grazing Land (G)
- Non-Ag & Natural Vegetation (nv)
- Rural Residential & Rural Commercial (R)



IMPORTANT FARMLAND

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Attachment K

Resolution Number _____

County of Mendocino
Ukiah, California
August 9, 2018

U_2017-0030 - NATHANIEL BUTTRICK

RESOLUTION OF THE ZONING ADMINISTRATOR, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, GRANTING A MINOR USE PERMIT U_2017-0030 FOR CANNABIS CULTIVATION.

WHEREAS, the Applicant, NATHANIEL BUTTRICK, filed an application for a USE PERMIT with the Mendocino County Department of Planning and Building Services to establish a Type C-A (2500 ft²); AG_2017-0251) site of no more than 2,500 sq. ft. of canopy, as well as a medium mixed light cultivation (Type 1B (5,000 ft²); AG_2017-0249) site of no more than 5,000 sq. ft. 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 5,000 ft²., 5.1± miles west of Mendocino town center, on the north side of Comptche Ukiah Rd. (CR 233), 4± miles west of its intersection with Hwy. 1 (CA-1 S), located at 40500 Comptche Ukiah Rd., Mendocino (APN: 121-210-31); General Plan RR10; Zoning RR10; Supervisorial District 5; hereto referred as (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 August 9, 2018, at which time the Zoning Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding and 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 CATEGORICAL EXEMPTION and 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 10 acre minimum parcel size (RR10) 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 RR10 land use designation. Additionally, the subject parcel is zoned Rural Residential with a 10 acre minimum parcel size (RR10) 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 with the inclusion of a condition that a dwelling unit to be constructed; 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 NATHANIEL BUTTRICK - U_2017-0030 AUGUST 9, 2018

APPROVED PROJECT DESCRIPTION: A Minor Use Permit for a Type C-A Cottage-Size Indoor Cultivation Permit (AG_2017-0251) for cannabis cultivation of no more than 2,500 square feet of canopy within one structure and a Type 1B Medium Mixed Light Cultivation Permit (AG_2017-0249) of no more than 5,000 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 **August 9, 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. (24 hour security lighting would be exempt from this time requirement; however any exterior security lighting installed on the property shall utilize motion sensor 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. Prior to approval of the Agricultural Permits, a Lake or Streambed Alteration Agreement (LSAA) is 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.

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.

Transportation

20. A standard private road approach shall be constructed to a minimum width of 18 feet, with improved approach extending 20 feet from the edge of the County road, paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.
21. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.

Housing

22. Prior to approval of the Agricultural Permits, the Applicant shall submit a complete Building Permit application for a 'Dwelling Unit' which is defined as a legal residential structure providing complete, independent living facilities for 1 or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, and obtain said Building Permit.