



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
 120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

IGNACIO "NASH" GONZALEZ, INTERIM DIRECTOR
 JULIA ACKER KROG, ASSISTANT DIRECTOR
 TELEPHONE: 707-234-6650
 FAX: 707-463-5709
 FB PHONE: 707-964-5379
 FB FAX: 707-961-2427
 pbs@mendocinocounty.org
 www.mendocinocounty.org/pbs

March 11, 2021

Department of Transportation
 Environmental Health - Fort Bragg (Land Use)
 Environmental Health - Fort Bragg (Hazmat)
 Cannabis Division - Ukiah

County Addresser
 Fort Bragg Rural Fire District
 CALFIRE Land Use
 Redwood Valley Rancheria

Sherwood Valley Band of Pomo Indians
 Noyo River Indian Community
 Manchester Band of Pomo Indians

CASE#: R_2019-0013

DATE FILED: 10/30/2019

OWNER: VARIOUS

APPLICANT: BRANDY MOULTON

REQUEST: A Rezone request to create a Cannabis Accommodation Combining District of ten (10) parcels to facilitate greater flexibility in the development standards related to cannabis cultivation for existing commercial cannabis cultivation sites and suspend the 'Sunset Provision for Residential Districts' to facilitate continued operation.

ENVIRONMENTAL DETERMINATION: No additional environmental evaluation is required pursuant to Section 15164 Article II, Title 14, Guidelines for California Environmental Quality Act. The Addendum to the previously adopted Mitigated Negative Declaration (MND; SCH#2016112028) for the Mendocino Cannabis Cultivation Regulations appropriately addressed requirements under CEQA for amendments to Ordinance No. 4381 and determined that no conditions calling for preparation of a subsequent environmental document.

LOCATION: 3.9± miles southeast of Fort Bragg City center, lying on the west side of Franklin Rd. (CR 414D), 0.2 miles south of its intersection with Simpson Ln. (CR 414), located at multiple addresses (APN's: 019-450-08, 019-440-21, 019-440-25, 019-480-08, 019-480-09, 019-480-10, 019-480-33, 019-480-34, 019-480-35, 019-480-36).

SUPERVISORIAL DISTRICT: 4

STAFF PLANNER: CHEVON HOLMES

RESPONSE DUE DATE: March 25, 2021

PROJECT INFORMATION CAN BE FOUND AT:

<https://www.mendocinocounty.org/government/planning-building-services/public-agency-referrals>

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

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

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

REVIEWED BY:

Signature _____ Department _____ Date _____

CASE: R_2019-0013

OWNER: VARIOUS

APPLICANT: BRANDY MOULTON

REQUEST: A Rezone request to create a Cannabis Accommodation Combining District of ten (10) parcels to facilitate greater flexibility in the development standards related to cannabis cultivation for existing commercial cannabis cultivation sites and suspend the 'Sunset Provision for Residential Districts' to facilitate continued operation.

LOCATION: 3.9± miles southeast of Fort Bragg City center, lying on the west side of Franklin Rd. (CR 414D), 0.2 miles south of its intersection with Simpson Ln. (CR 414), located at multiple addresses in Fort Bragg (APN's: 019-450-08, 019-440-21, 019-440-25, 019-480-08, 019-480-09, 019-480-10, 019-480-33, 019-480-34, 019-480-35, 019-480-36).

PARCEL SIZE: Cannabis Accommodation (CA) Combining District approximately 57 aggregate acres

GENERAL PLAN: Rural Residential 2 (RR2): 80,000 square foot minimum parcel size

ZONING: Rural Residential 2 (RR2): 80,000 square foot minimum parcel size

EXISTING USES: Residential/Cannabis

SUPERVISORIAL DISTRICT: 4 (Gjerde)

RELATED CASES: AG_2018-0172 (Cannabis Cultivation)
CFBL_2018-0053 (Cannabis Business License)
U_2019-0002 (Use Permit for indoor cultivation)
BF_2018-0338 (Convert structure to shop for cultivation)

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
NORTH:	Rural Residential	Rural Residential	45,254± Square Feet	Residential
EAST:	Rural Residential	Rural Residential	5± Acres	Residential
SOUTH:	Rural Residential	Rural Residential	42,636± Square Feet	Residential
WEST:	Rural Residential	Rural Residential	60,580± Square Feet	Residential

REFERRAL AGENCIES

LOCAL

- Building Division (Fort Bragg)
- Cannabis Division (Ukiah)
- County Addresser
- Department of Transportation (DOT)
- Environmental Health (Fort Bragg-Land Use)

- Environmental Health (Fort Bragg-Hazmat)
- Fort Bragg Rural Fire District

STATE

- CALFIRE (Land Use)

TRIBAL

- Redwood Valley Rancheria
 - Sherwood Valley Band of Pomo Indians
 - Noyo River Indian Community
 - Manchester Band of Pomo Indians
-

ADDITIONAL INFORMATION: Rezone application to create a new Cannabis Accommodation Combining District to include ten (10) parcels. Staff has preliminarily determined that no additional environmental evaluation is required pursuant to Section 15162 (a), California Code regulations, Title 14, Chapter 14, Guidelines for California Environmental Quality Act. A draft Addendum to the previously adopted Mitigated Negative Declaration (MND; SCH#2016112028) for the Mendocino Cannabis Cultivation Regulations appropriately addressed requirements under CEQA for amendments to Ordinance No. 4381 and determined that no conditions calling for preparation of a subsequent environmental document.

STAFF PLANNER: CHEVON HOLMES

DATE: 3/11/2021

ENVIRONMENTAL DATA

1. MAC:

GIS

NO

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

Moderate Fire Hazard

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

Fort Bragg Rural FPD

State Responsibility Area (SRA)

4. FARMLAND CLASSIFICATION:

GIS

Urban and Built Up (D)

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

Sufficient Water Resources

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

Shinglemill-Gibney Complex (147)

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

No

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

NO

10. TIMBER PRODUCTION ZONE:

GIS

NO

11. WETLANDS CLASSIFICATION:

GIS

N/A

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

NO

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

NO

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

NO

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

YES

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

NO

17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

NO

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

NO

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

NO

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

NO

21. STATE CLEARINGHOUSE REQUIRED:

Policy

NO

22. OAK WOODLAND AREA:

USDA

NO

23. HARBOR DISTRICT:

Sec. 20.512

No



PLANNING & BUILDING SERVICES

CASE NO:	P-2019-0013
DATE FILED:	10/30/19
FEE:	\$5,804
RECEIPT NO:	PEJ-031377
RECEIVED BY:	CLH

Office Use Only

APPLICATION FORM

APPLICANT:

Name: Brandy Moulton Phone: 707 223 1129
 Mailing Address: 18601 N HWY 1 #166
 City: Fort Bragg State/Zip: CA 95437 Email: brandy@sovereign707.com

PROPERTY OWNER:

Name: Tim Taubold Phone: 707-964-4222
 Mailing Address: 279 Jewett St
 City: Fort Bragg State/Zip: CA 95437 Email: N/A

AGENT:

Name: Brandy Moulton Phone: 707 223 1129
 Mailing Address: 18601 N HWY 1 #166
 City: Fort Bragg State/Zip: CA 95437 Email: brandy@sovereign707.com

ASSESSOR'S PARCEL NUMBER/S: 019-450-08 16730 Franklin Rd

TYPE OF APPLICATION:

- | | | |
|---|--|---|
| <input type="checkbox"/> Administrative Permit | <input type="checkbox"/> Flood Hazard Development Permit | <input type="checkbox"/> Reversion to Acreage |
| <input type="checkbox"/> Agricultural Preserve: New Contract | <input type="checkbox"/> General Plan Amendment | <input checked="" type="checkbox"/> Rezoning |
| <input type="checkbox"/> Agricultural Preserve: Cancellation | <input type="checkbox"/> Land Division - Minor | <input type="checkbox"/> Use Permit - Cottage |
| <input type="checkbox"/> Agricultural Preserve: Rescind & ReEnter | <input type="checkbox"/> Land Division - Major | <input type="checkbox"/> Use Permit - Minor |
| <input type="checkbox"/> Airport Land Use | <input type="checkbox"/> Land Division - Parcel | <input type="checkbox"/> Use Permit - Major |
| <input type="checkbox"/> Development Review | <input type="checkbox"/> Land Division - Re-Subdivision | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Exception | <input type="checkbox"/> Modification of Conditions | <input type="checkbox"/> Other |

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

Mendocino County

OCT 30 2019

CLH

Planning & Building Services

10-20-19

Brandy Moulton 10/25/19 Tim Taubold
 Signature of Applicant/Agent Date Signature of Owner Date

SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

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

THE PROJECT

1. Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.

THE PURPOSE OF THIS APPLICATION IS TO CREATE A CANNABIS INCLUSION ZONE. ATTACHMENT 1. THIS HAS A 70% APPROVAL RATE

THERE ARE TWO CANNABIS PERMITS IN THIS ZONE. BOTH PROVIDE JOBS, ECONOMIC STIMULUS, TAX REVENUE AND SUPPLY LOCAL DISPENSARY "SOVEREIGN" WHICH IS A PART OF THE COIT BRAGG COMMUNITY. ~~SEE~~ ATTACHMENT 2.

NO IMPROVEMENTS TO BE MADE. PROJECT HAS BEEN OPERATIONAL FOR YEARS. INDOOR CANNABIS CULTIVATION ATTACHED TO SINGLE FAMILY RESIDENCE. TREES AND BEE FRIENDLY PLANTS. ODOOR CONTROL IN PLACE. LIGHTING CONTAINED, NO LIGHT POLLUTION. USE PERMIT REQUIRES DRIVEWAY MODIFICATION AND ADA PARKING SPOT.

2. Structures/Lot Coverage	Number of Units		Square Footage		
	Existing	Proposed	Existing	Proposed	Total
<input type="checkbox"/> Single Family <input type="checkbox"/> Mobile Home <input type="checkbox"/> Duplex <input type="checkbox"/> Multifamily <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____	1	0			
Total Structures Paved					
Area Landscaped Area					
Unimproved Area					
GRAND TOTAL (Equal to gross area of Parcel)					

4. Will the project be phased?

YES NO If yes, explain your plans for phasing:

driveway will be widened and paved after the winter months.

5. Will vegetation be removed on areas other than the building sites and roads?

YES NO If no, explain:

6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives?

YES NO If yes, explain:

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

	Number	Size
No. of covered spaces:	0	
No. of uncovered spaces:	4	
No. of standard spaces:	0	
No. of accessible spaces:	4	8 ft
Existing no. of spaces:	4	
Proposed additional spaces:	0	
Total:	4	

8. Is any road construction or grading planned? If yes, grading and drainage plans may be required.

YES NO Also, please describe the terrain to be traversed. (e.g., steep, moderate slope, flat, etc.)

driveway required to be widened to a minimum of 18 ft. flat surface.

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

Amount of cut: 0 cubic yards
 Amount of fill: 0 cubic yards
 Max. height of fill slope: 0 feet
 Max. height of cut slope: 0 feet
 Amount of import/export: 0 cubic yards
 Location of borrow or disposal site: 0

10. Does the project involve sand removal, mining or gravel extraction? If yes, detailed extraction, reclamation and monitoring plans may be required.

YES NO

11. Will the proposed development convert land currently or previously used for agriculture to another use?

YES NO

12. Will the development provide public or private recreation opportunities?

YES NO If yes, explain how:

13. Is the proposed development visible from State Highway 1 or other scenic route?

YES NO

14. Is the proposed development visible from a park, beach or other recreational area?

YES NO

15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?

Diking: YES NO

Filling: YES NO

Dredging: YES NO

Structures: Open Coastal Waters Wetlands Estuaries Lakes

If so, what is the amount of material to be dredged/filled?: 0 cubic yards

Location of dredged material disposal site?: N/A

Has a U.S. Army Corps of Engineers permit been applied for? YES NO N/A

16. Will there be any exterior lighting?

YES NO If yes, describe below and identify the location of all exterior lighting on the plot and building plans.

17. Utilities will be supplied to the site as follows:

Electricity: Utility Company (service exists to parcel)
 Utility Company (requires extension of service to site): _____ feet _____ miles
 On Site Generation – Specify:

Gas: Utility Company/Tank
 On Site Generation – Specify:
 None

Telephone: YES NO

18. What will be the method of sewage disposal?

- Community Sewage System (specify supplier): _____
- Septic Tank
- Other (specify): _____

19. What will be the domestic water source:

- Community Water System (specify supplier): _____
- Well
- Spring
- Other (specify): _____

20. Are there any associated projects and/or adjacent properties under your ownership?

- YES
- NO If yes, explain: (e.g., Assessor's Parcel Number, address, etc.)

21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, State and Federal agencies:

N/A

22. Describe the location of the site in terms of readily identifiable landmarks: (e.g., mailboxes, mile posts, street intersections, etc.)

mailbox at side of road with house number on the side.

23. Are there existing structures on the property? If yes, describe below and identify the use of each structure on the plot plan or tentative map if the proposal is for a subdivision.

- YES
- NO

single family residence

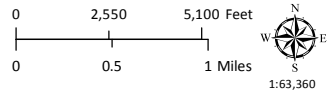
24. Will any existing structure be demolished or removed? If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.

- YES
- NO



CASE: R 2019-0013
 OWNER: Various
 APN: Various
 APLCT: Brandy Moulton
 AGENT: Brandy Moulton
 ADDRESS: Franklin Road, Fort Bragg

- Major Towns & Places
- Major Rivers
- City Limits
- Highways
- Coastal Zone Boundary
- Major Roads



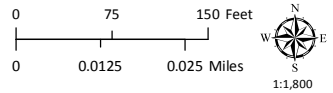
LOCATION MAP

MENDOCINO COUNTY PLANNING DEPARTMENT (11/20/2019)



CASE: R 2019-0013
OWNER: Various
APN: Various
APLCT: Brandy Moulton
AGENT: Brandy Moulton
ADDRESS: Franklin Road, Fort Bragg

 Public Roads

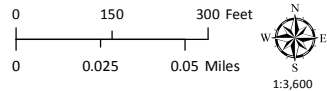



AERIAL IMAGERY



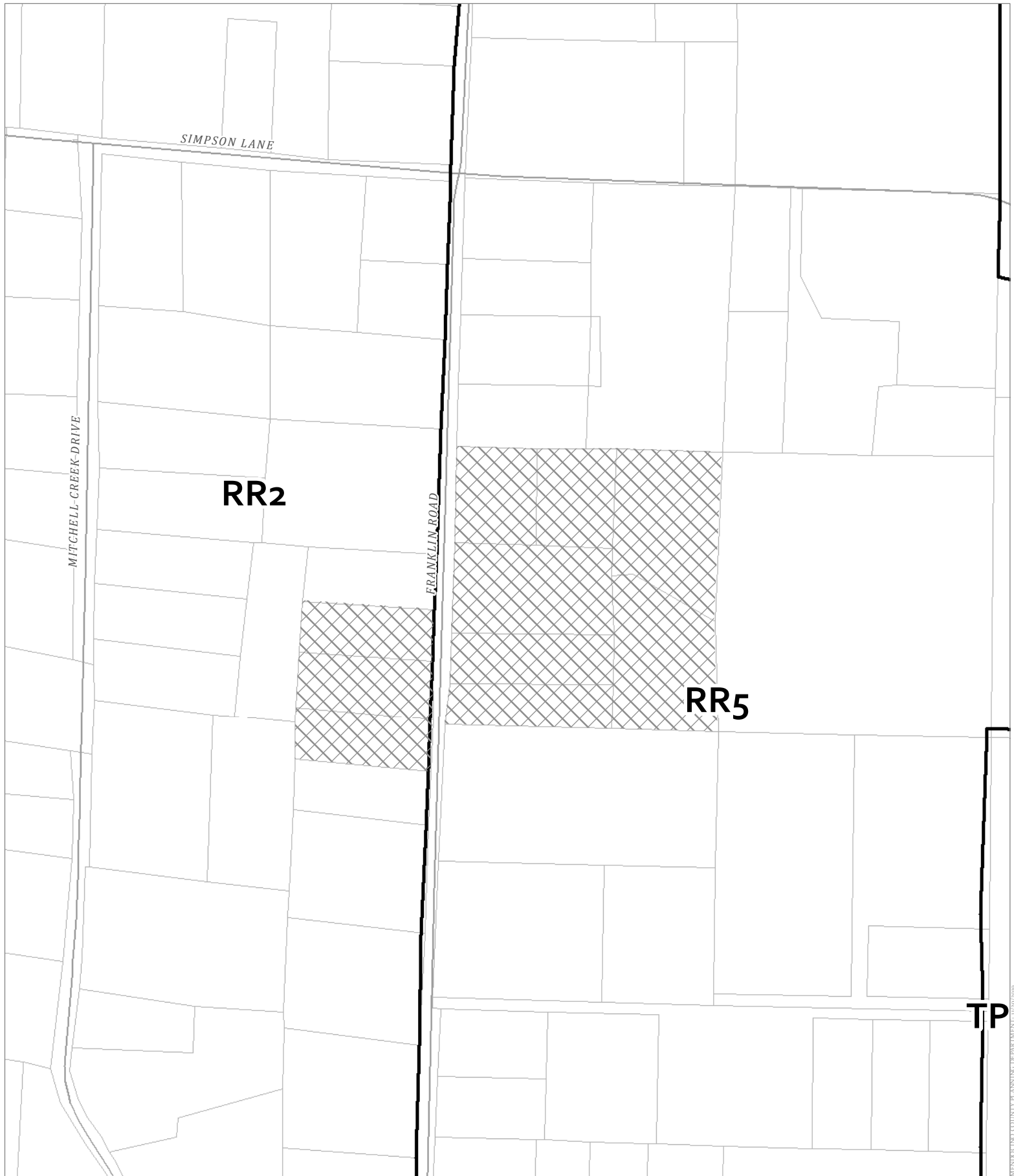
MENDOCINO COUNTY PLANNING DEPARTMENT - 11/20/2019

CASE: R 2019-0013
OWNER: Various
APN: Various
APLCT: Brandy Moulton
AGENT: Brandy Moulton
ADDRESS: Franklin Road, Fort Bragg




 Cannabis Cultivation Sites

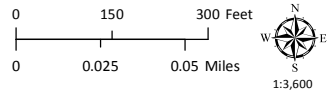
CANNABIS SITES



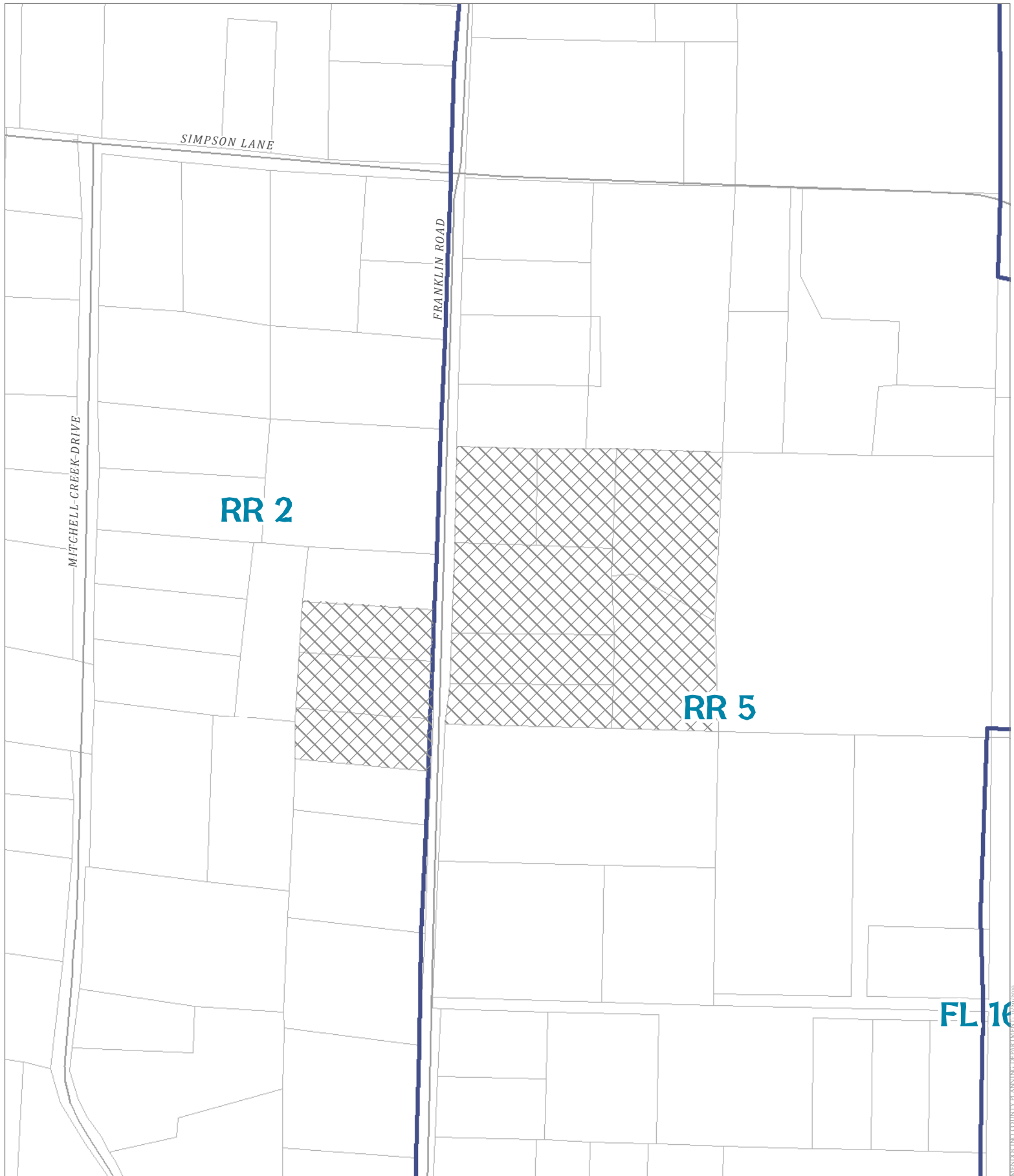
MENDOCINO COUNTY PLANNING DEPARTMENT - 07/27/2019

CASE: R 2019-0013
 OWNER: Various
 APN: Various
 APLCT: Brandy Moulton
 AGENT: Brandy Moulton
 ADDRESS: Franklin Road, Fort Bragg

 Zoning Districts
 Public Roads





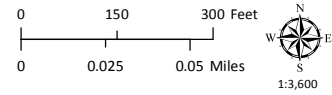
ZONING DISPLAY MAP



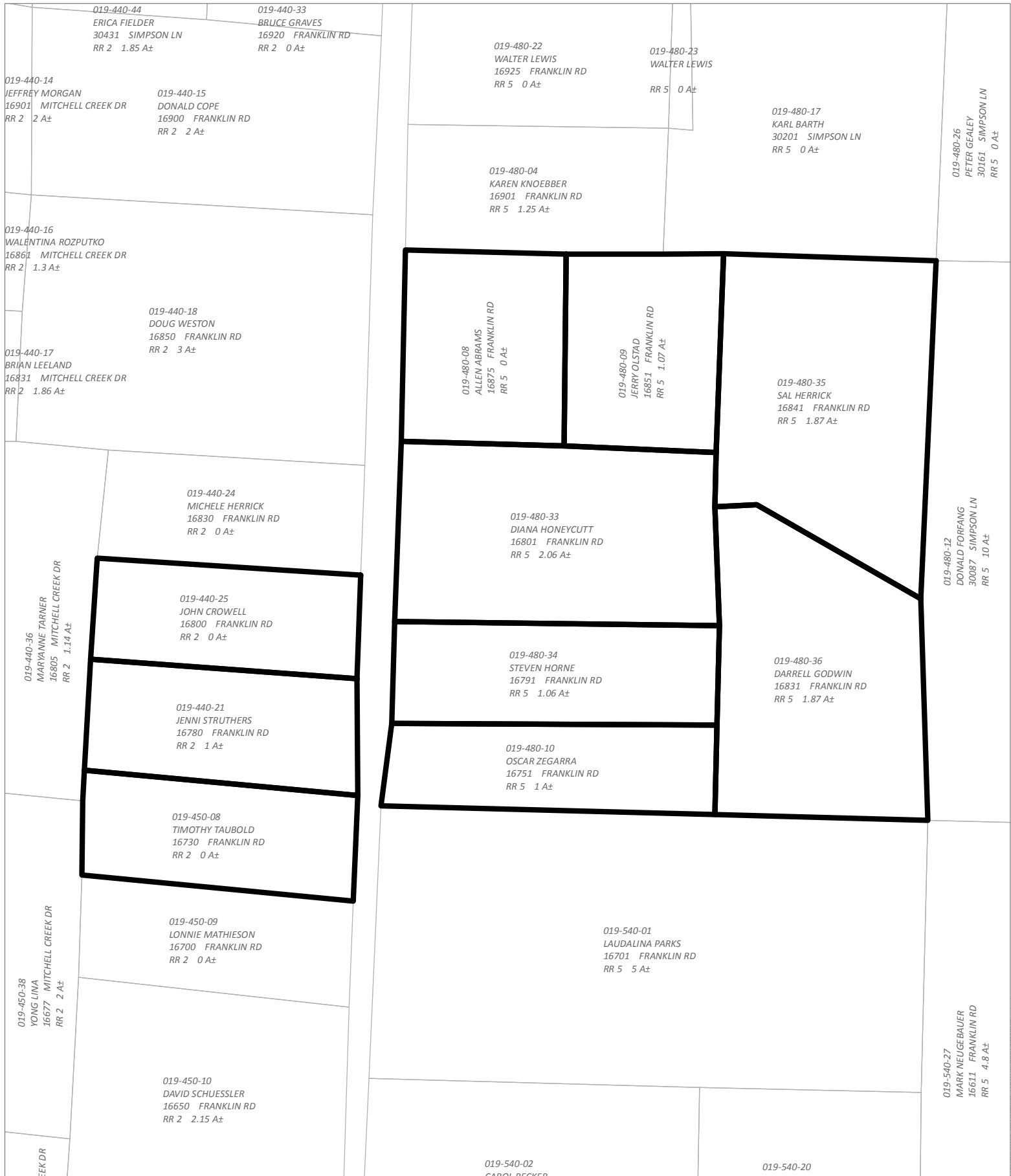
MENDOCINO COUNTY PLANNING DEPARTMENT (7/20/2019)

CASE: R 2019-0013
 OWNER: Various
 APN: Various
 APLCT: Brandy Moulton
 AGENT: Brandy Moulton
 ADDRESS: Franklin Road, Fort Bragg

 General Plan Classes
 Public Roads



GENERAL PLAN CLASSIFICATIONS



CASE: R 2019-0013

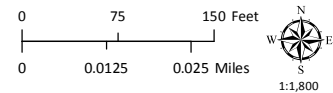
OWNER: Various

APN: Various

APLCT: Brandy Moulton

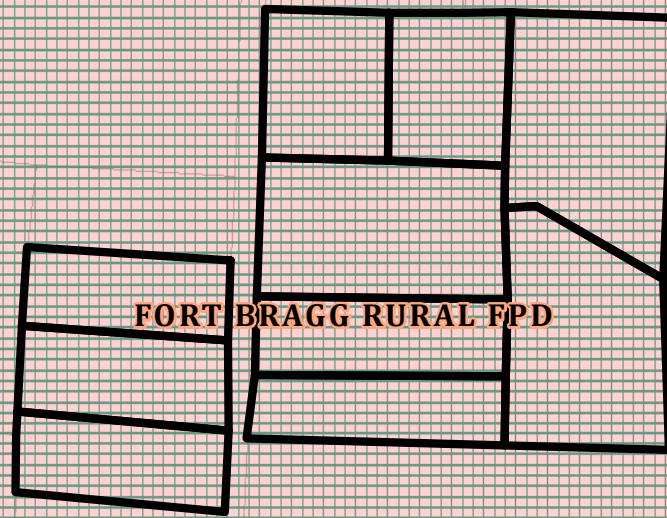
AGENT: Brandy Moulton

ADDRESS: Franklin Road, Fort Bragg

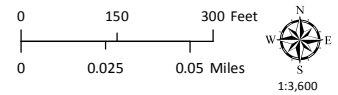
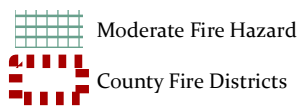


ADJACENT PARCELS

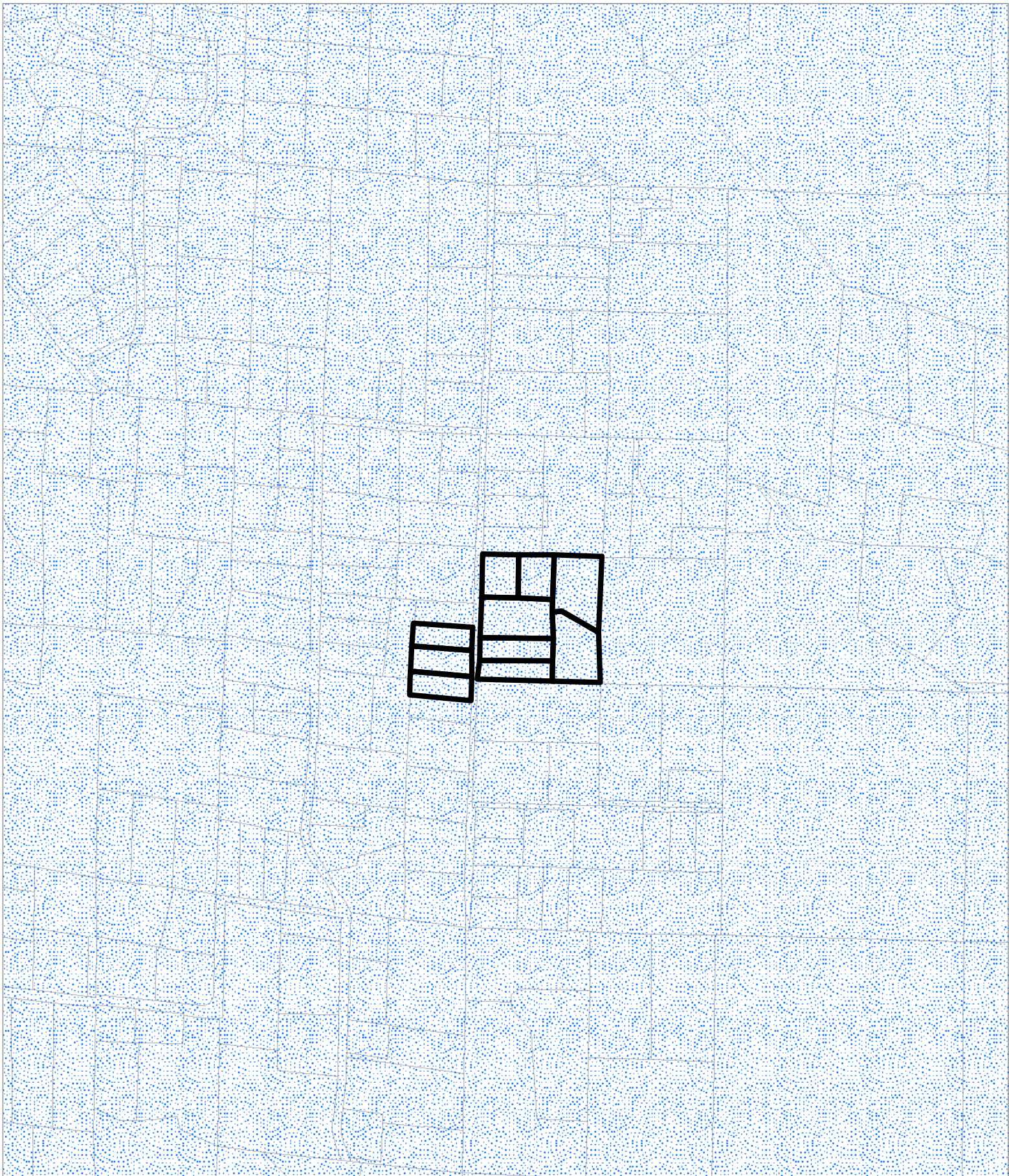
MENDOCINO COUNTY PLANNING DEPARTMENT - 11/20/2019



CASE: R 2019-0013
OWNER: Various
APN: Various
APLCT: Brandy Moulton
AGENT: Brandy Moulton
ADDRESS: Franklin Road, Fort Bragg




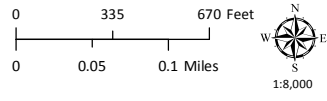
MERCANTILE COUNTY PLANNING DEPARTMENT 11/29/2019



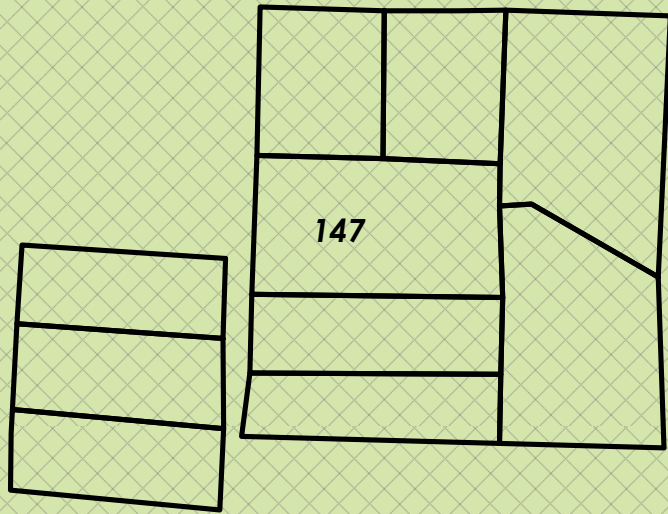
MERCED COUNTY PLANNING DEPARTMENT 11/29/2019

CASE: R 2019-0013
OWNER: Various
APN: Various
APLCT: Brandy Moulton
AGENT: Brandy Moulton
ADDRESS: Franklin Road, Fort Bragg

 Sufficient Water Resources



GROUND WATER RESOURCES





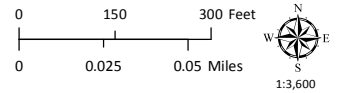
147

124

214

CASE: R 2019-0013
OWNER: Various
APN: Various
APLCT: Brandy Moulton
AGENT: Brandy Moulton
ADDRESS: Franklin Road, Fort Bragg

 Shinglemill-Gibney Complex
 Bishop Pine

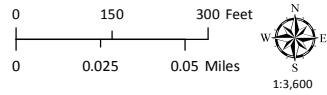


WESTERN SOIL CLASSIFICATIONS

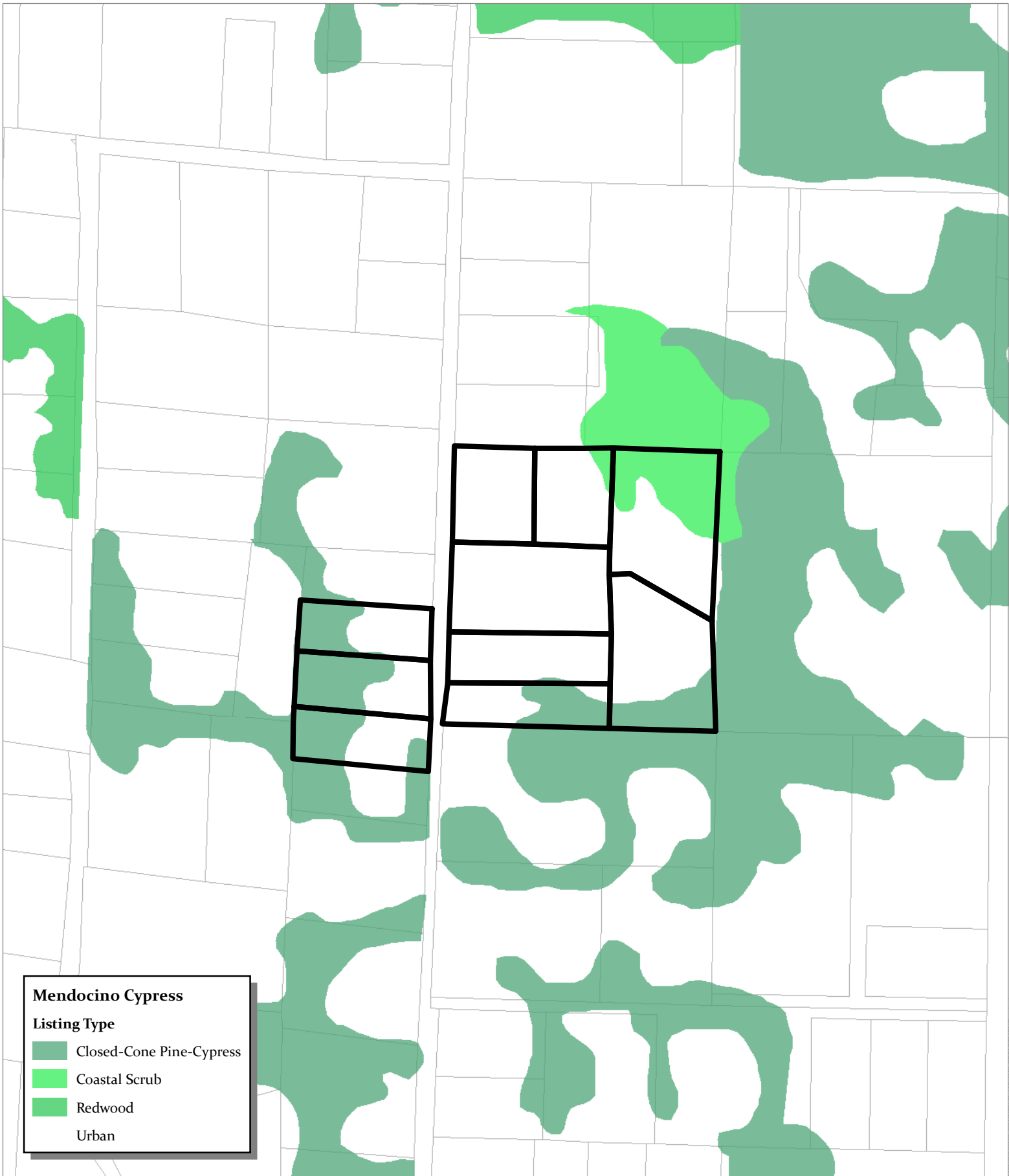


Urban & Built-Up Land (D)
 Grazing Land (G)

CASE: R 2019-0013
 OWNER: Various
 APN: Various
 APLCT: Brandy Moulton
 AGENT: Brandy Moulton
 ADDRESS: Franklin Road, Fort Bragg



MENDOCINO COUNTY PLANNING DEPARTMENT - 11/20/2019

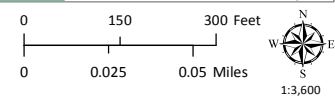


Mendocino Cypress

Listing Type

- Closed-Cone Pine-Cypress
- Coastal Scrub
- Redwood
- Urban

CASE: R 2019-0013
 OWNER: Various
 APN: Various
 APLCT: Brandy Moulton
 AGENT: Brandy Moulton
 ADDRESS: Franklin Road, Fort Bragg



MENDOCINO COUNTY PLANNING DEPARTMENT - 11/20/2019