



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**  
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482  
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

JULIA KROG, 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

May 26, 2022

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Zoning Administrator, at a Special Meeting on Wednesday, June 15, 2022, at **1:30 PM**, will conduct a public hearing on the following project(s) at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation in an effort to slow the spread of COVID-19 and pursuant to the recommendation of the Mendocino County Health Officer and the California Department of Industrial Relations. In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending written comments to [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org), or via telecomment. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>. The meeting is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>

**CASE#:** UR\_2021-0006

**DATE FILED:** 10/1/2021

**OWNER:** CONRAD & TRUDY BOWMAN

**APPLICANT:** NORTHERN NIGHTS MUSIC GROUP LLC

**AGENT:** PETER HUSON

**REQUEST:** Use Permit Renewal and Modification for an annual event known as the "Northern Nights Music Festival" during the third weekend of July, 2022. The projected on-site camping capacity of the event is approximately 8,410 attendees in eight designated camping areas spread over more than twenty-five acres. The on-site parking capacity is approximately 3,144 vehicles and 170 recreational vehicles and trailers in eight designated parking areas. Amplified music is proposed on the following days: 6:00 p.m. to 10:00 p.m. on the Thursday prior to the event, 10:00 a.m. to 2:00 a.m. on the Friday of the event, 10:00 a.m. to 2:00 a.m. on the Saturday of the event and 10:00 a.m. to 12:00 a.m. on the Sunday of the event. The modification of the original Use Permit (UR 2017-0002) would be to allow cannabis sales and consumption. The areas in which cannabis would be sold is proposed to be composed of four types of licensed participants, including: Cannabis Event Organizer, Retailer, Distributors and Exhibitors.

**ENVIRONMENTAL DETERMINATION:** Addendum to a previous Mitigated Negative Declaration

**LOCATION:** 2.5± miles north of Piercy, just south of the Mendocino/Humboldt County line, lying on the east side of Highway 101, just South of the Cook's Valley exit; located at 83950 County Road 442E; APNs 053-020-10, -11, -12, -13, -14 and -16 in the Piercy area.

**SUPERVISORIAL DISTRICT:** 3 (Haschak)

**STAFF PLANNER:** KEITH GRONENDYKE

The staff report and notice will be available for public review 10 days prior to the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/zoning-administrator>.

Your comments regarding the above project(s) are invited. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California. In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by emailing comments to [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org) by **June 14, 2022**, or orally via telecomment in lieu of personal attendance. All public comment will be made available to the Zoning Administrator, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at

<https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/zoning-administrator>.

The Zoning Administrator's action regarding this item shall be final unless appealed to the Board of Supervisors. The last day to file an appeal of the Zoning Administrator's decision is the 10th day after the hearing. To file an appeal, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling 707-234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 707-234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Zoning Administrator's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

JULIA KROG, Director of Planning and Building Services

**SUMMARY**

**OWNER:** CONRAD K BOWMAN  
779 HIGHWAY 101  
GARBERVILLE, CA 95542

**APPLICANT:** NORTHERN NIGHTS MUSIC GROUP  
705 HIGHWAY 101  
GARBERVILLE, CA 95542

**AGENT:** PETER HUSON  
5 DORENFELD COURT  
PETALUMA, CA 94592

**REQUEST:** Use Permit Modification and Renewal for an annual event known as the "Northern Nights Music Festival". The modification proposal is to provide for on-site cannabis sales and consumption. The areas in which cannabis would be sold is proposed to be composed of four types of licensed participants, including: Cannabis Event Organizer, Retailer, Distributors and exhibitors. The agent for the event has stated that all previous activities will remain as approved in 2018, specifically that: The projected on-site camping capacity of the event is approximately 8,410 attendees in eight designated camping areas spread over more than twenty-five acres. The on-site parking capacity is approximately 3,144 vehicles and 170 recreational vehicles and trailers in eight designated parking areas. Amplified music is proposed on the following days: 6:00 p.m. to 10:00 p.m. on the Thursday prior to the event, 10:00 a.m. to 2:00 a.m. on the Friday of the event, 10:00 a.m. to 2:00 a.m. on the Saturday of the event and 10:00 a.m. to 12:00 a.m. on the Sunday of the event.

**LOCATION:** 2.5± miles north of Piercy, just south of the Mendocino/Humboldt County line, lying on the east side of Highway 101, south of the Cook's Valley exit, located at 83950 County Road 442E, Piercy (APNs: 053-020-10, -11, -12, -13, -14, & -16).

**TOTAL ACREAGE:** 100± acres in Mendocino County with an additional 60± acres located in neighboring Humboldt County

**GENERAL PLAN:** Rural Residential (RR)

**ZONING:** Rural Residential – 5 acre minimum: Flood Plain District (RR 5: FP)

**SUPERVISORIAL DISTRICT:** 4 (Gjerde)

**ENVIRONMENTAL DETERMINATION:** Addendum to the previous Mitigated Negative Declaration

**RECOMMENDATION:** Approve with Conditions

**STAFF PLANNER:** KEITH GRONENDYKE

### **BACKGROUND**

**PROJECT DESCRIPTION:** The applicant is requesting a modification and renewal to their previous entitlements including Use Permits U\_2013-0005, UM\_2014-0011 and UR\_2017-0002 for an annual event held over the third weekend in July known as the “Northern Nights Music Festival.” Specifically, the applicant proposes to: allow cannabis sales composed of four types of licensed participants, including: Cannabis Event Organizer, Retailer, Distributors and exhibitors. A cannabis Event Organizer is responsible for organization, coordination and compliance within the event premises. A retailer sells cannabis goods at the event, A distributor may transport cannabis goods to and from the premises and may also distribute cannabis goods to the retailer and an exhibitor exhibits cannabis goods within the event but are prohibited from selling or distributing cannabis goods. The event was previously approved to occur annually from 2018 through 2020 with up to 8,000 total attendees for a four-day event. Camping space would be provided for a total of 6,000 attendees and parking for 2,000 vehicles in Mendocino County. The event also involves supplemental parking and camping for 2,000 attendees and 2,000 vehicles located in adjacent Humboldt County. Amplified music for the main stage is proposed from 6 PM to 10 PM on Thursday, 10 AM to 2 AM on Friday, 10 AM to 2 AM on Saturday and 8 AM to 12 AM on Sunday. Amplified music for the auxiliary stage located near the Eel River would be restricted to 10 AM to 8 PM, Friday through Sunday. On-site parking would be provided within designated areas as identified on the event Site Plan including areas on neighboring lands within Humboldt County. Water is provided from an on-site well and water distribution system that runs throughout the property. Portable toilets, hand washing stations and showers would be provided. The applicant has submitted a Plan of Operations (Attachment C) for the event which describes event details.

**STRUCTURE OF THIS STAFF REPORT AND RESOLUTION:** Potential project impacts were evaluated for the parent Use Permit U\_2013-0005 and previous Use Permit Modifications U\_2013-0005 and UM\_2014-0011 which permitted the temporary use of the property for an annual 3 day event to include up to 5,000 attendees in 2015 and 6,000 attendees in both 2016 and 2017 with an amplified music curfew of 2 AM. Additionally, the most recent Use Permit Renewal (UR 2017-0002) was approved on June 14, 2018, which adopted a Subsequent Negative Declaration to satisfy the requirements of the California Environmental Quality Act (CEQA). Staff’s evaluation for this modification and renewal UR\_2021-0006 is limited to the proposed cannabis sales and the proposed renewal term period of three (3) years.

The conditions from the original Use Permit U\_2013-0005 and subsequent modifications, U\_2013-0005, UM\_2014-0011 and UR\_2017-0002 will still apply to the event requirements. Staff has also added new conditions of approval to regulate the proposed cannabis sales component of this renewal application along with comments from Caltrans, Mendocino County Building Department, Mendocino County Division of Environmental Health and the Mendocino County Department of Transportation

**STAFF RECOMMENDATION:** Approve UR 2021-0006 for a period not to exceed three (3) years., which would include the following: The holding of a 4-day music and camping event with up to 8,410 attendees, and with the addition of cannabis sales and consumption

### **RELATED APPLICATIONS:**

#### **Surrounding Area:**

- On the subject and neighboring property immediately to the east, Use Permit U\_1988-0012 (Mercer, Fraser Co./Cooks Valley Bars), and its renewals UR 12-88/93 and UR 12-88/2000 were permitted for extraction and on-site processing (crushing and screening) of up to 20,000 cubic yards of gravel per year. To the northeast of the subject property in Humboldt County, Mercer Fraser Company operates an asphalt plant in addition to its extraction and aggregate processing facilities in Mendocino County. Gravel extraction has ceased to be an operation at this site.
- The Mateel Community Center received a Conditional Use Permit CUP-12-017 and Special Permit SP-12-030 from Humboldt County authorizing the “Reggae on the River” music festival to be held from Thursday through Sunday over the first weekend of August 2013 – 2017. This event is located approximately one-half mile north of the of the Northern Nights event location within Humboldt County.

## USE PERMIT MODIFICATION/RENEWAL

PAGE 3

Attendance for the 2013 event is limited to 6,000 ticketholders, and 2,000 staff, volunteers, performers, and guests, for a peak total of 8,000 persons. Attendance for the 2014 - 2017 events was limited to 8,000 ticket holders, and 2,500 staff, volunteers, performers, and guests for a peak total of 10,500 persons. Up to 4,000 persons may be camping on the site.

As of April of 2022, a modification (PLN-17653-CUP) of the previously noted Use Permit, CUP-2017 and Special Permit SP-12-030 has been applied for and is scheduled to be heard at the Humboldt County Planning Commission hearing on April 21, 2022. The requested modification seeks permission to operate a couple of two-day events in lieu of the annual three-day camping event. Humboldt County Planning staff is recommending approval of PLN-17653-CUP and the adoption of an Addendum to the Final Supplemental Environmental Impact Report prepared previously.

**On-Site:**

- Use Permit U\_2005-0003 was approved by the Zoning Administrator (ZA) on May 12, 2005, authorizing the temporary use of the subject property, from August 4-7, 2005, as a campground to accommodate attendees of a neighboring music festival, "Reggae on the River" (name subsequently changed to "Reggae Rising"). This Permit authorized a total of 1,000 vehicles to park and 2,500 individuals to camp on the subject property. The Permit was renewed in 2006 (U\_2005-0003) through 2010.
- Use Permit Modification UM 3-2005/2008 was approved by the ZA at the July 10, 2009, meeting allowing for the temporary use of the property through 2010 as a camping area for one day (last Sunday in August) for attendees of another neighboring county music concert located in Humboldt County. A total of 2,500 individual campers were authorized.
- Use Permit Modification UM 3-2005/2011 was approved by the ZA at the May 18, 2011, meeting authorizing the temporary use of the property for the gathering of up to 3,500 people for 3 day music/camping event June 10, 11, and 12, 2011 known as the "Redwood Run". Permit also included same use of the property on July 16 and 17, 2011 in conjunction with an off-site event located in Humboldt County known as "Reggae on the River," and a separate one-day music event to be held on-site the last weekend in August.
- Use Permit Modification UM 3-2005/2012 was approved by the ZA at the July 9, 2012 meeting authorizing the temporary use of the property for the gathering of up to 3,500 people for a 3 day music event July 20-22, 2012 known as the "Late Night Dancehall Dome After Party" to include camping, music, provision for food and alcohol, and vending booths.
- Use Permit U\_2013-0005 was approved by the ZA on May 17, 2013 authorizing Northern Nights Music Group, the temporary use of a property for a 3-day event starting July 19, 2013, known as the "Northern Nights Music Festival", to include camping, music, provisions for food and alcohol and vending booths as well as a temporary on-site general store. Approval allowed for a maximum total of 3,500 attendees including staff, artists and vendors. Amplified music was permitted between the hours of 10 a.m. and midnight. The ZA decision was appealed to the Board of Supervisors (BOS) by the Mateel Community Center as well as a neighboring property owner whose house is located approximately 1,200 feet south of the event site. The BOS, at the June 18, 2013 meeting, ultimately upheld the determination of the ZA, and approved the Use Permit with condition modifications.
- Use Permit Modification UM 5-2013/2013 was approved by the ZA on May 8, 2014, authorizing Northern Nights Music Festival to occur starting the Friday before the third full weekend in July for the years 2014 through 2017. A total of 4,000 attendees including staff, artists and vendors were authorized. Amplified music was limited between the hours of 10:00 a.m. and midnight.
- Use Permit Modification UM 2014-0011 was approved by the ZA on June 11, 2015, authorizing a total of 5,000 attendees for 2015 and 6,000 attendees for 2016 and 2017. The modification also extended amplified music until 2 AM on Friday and Saturday nights for the Main Stage and until 8 PM for the River Stage.

- Use Permit Renewal UR\_2017-0002 was approved by the Zoning Administrator on June 14, 2018, authorizing a 4-day music and camping event with up to 8,000 attendees. The modification proposal was to increase the event from 3 days to 4 days beginning the Thursday before the third full weekend in July and increase attendance from 6,000 to 8,000 persons. Camping space would be provided for a total of 6,000 attendees and parking for 2,000 vehicles. The project also involved supplemental parking and camping for 2,000 attendees and 2,000 vehicles located in adjacent Humboldt County. Amplified music was proposed from 6 PM to 10 PM on Thursday, 10 AM to 2 AM on Friday, 10 AM to 2 AM on Saturday and 8 AM to 12 AM on Sunday. The event would include newly designated camping areas on the point bars along the western bank of the South Fork Eel River.

**SITE CHARACTERISTICS:** The properties associated with the project are approximately 100 acres within Mendocino County and 60 acres in neighboring Humboldt County and are bordered by the Eel River to the south and east, Dimmick Ranch to the north, and U.S. Highway 101 to the west, which is a two-lane roadway that crosses the South Fork of the Eel River. The property is relatively flat and includes a gravel river bar along the South Fork of the Eel River, open fields along with oak woodlands, a redwood tree grove and native grass fields. The elevation range of the multiple properties is from 521± feet above sea level to 458± feet above sea level. Multiple single-family residences and accessory structures exist on the property. The property has historically been used to support multiple temporary events along with being utilized as a surface mine, which has since been closed.

**SURROUNDING LAND USE AND ZONING:**

	GENERAL PLAN	ZONING	LOT SIZES	USES
<b>NORTH</b>	Humboldt County	Humboldt County	Humboldt County	Humboldt County
<b>EAST</b>	FL (Forest Lands)	FL-160 + FP	44.5± Acres	Gravel extraction and processing
<b>SOUTH</b>	RC (Rural Community 40K) FL (Forest Land 160)	RC-40K + FP TP-160	4± acres, 70± Acres	Eel River/Residential, Vacant
<b>WEST</b>	RC (Rural Community)	RC-40K	5.39± Acres	US Highway 101

**PUBLIC SERVICES:**

Access: County Road 442E off U.S. Highway 101  
 Fire District: Cal Fire/Piercy Fire District  
 Water District: None  
 Sewer District: None  
 School District: Southern Humboldt Unified School District

**AGENCY COMMENTS:** On April 2, 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. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Department of Transportation	Comments
Environmental Health-Ukiah	Comments
Building Services-Ukiah PBS	Comments
Office of Emergency Services	No Response
U.S. Fish and Wildlife Service	No Response
Air Quality Management District	No Response
Department of Health Services	No Response

Department of Parks and Recreation	No Response
Department of Alcoholic Beverage Control (ABC)	No Response
CHP	No Response
Regional Water Quality Control Board	No Response
California Dept. of Fish & Wildlife	No Response
Army Corp. of Engineers	No Response
Assessor	No Response
Forest Advisor	No Comments
Sherwood Valley Band of Pomo Indians	No Response
Redwood Valley Rancheria	No Response
Cloverdale Rancheria	No Response
Caltrans	Comments
Cal Fire	No Response
NOAA Fisheries	No Response
Humboldt County Planning	No Response
Humboldt County Sheriff	No Response
MSWMA	No Response
Public Health Department	No Response
Leggett Fire District	No Response
Piercy Fire District	No Response
Environmental Health Hazardous Materials Sheriff (MCSO)	No Comment
Mendocino Solid Waste Management Authority (MSWMA)	No Response
Public Health	
Emergency Services	No Comment

**KEY ISSUES**

- 1. General Plan and Zoning Consistency:** The property has a General Plan designation of Rural Residential (RR) and is zoned Rural Residential 5 acre minimum (RR-5).

Policy DE-173 of the Mendocino County General Plan states: *“Provide open space, parks and recreation opportunities in and around communities”* This event provides a recreation opportunity for not only Mendocino County residents, but also out of county visitors, which could benefit the community of Piercy along with other small communities.

The properties involved with this application are located within the RR-5 Zoning District. The MCC limits the use of land for a temporary event to 5 days in any 6-month period. This includes properties that are located in the RR-5 Zoning District. The MCC does not limit the attendance levels, hours of amplified music or camping that an applicant may request. Therefore, the proposed project renewal and increased number of days the event would be held along with an increase in the number of attendees would be consistent with its General Plan designation, applicable zoning regulations, and the Temporary Use provisions of the MCC.

- 3. Caltrans:** The California Department of Transportation (Caltrans) submitted comments that the site layout appears to designate camping within the Caltrans right-of-way, specifically, the area under the Highway 101 bridge that crosses the South Fork of the Eel River. Additional concerns were brought up pertaining to event advertising and the requirement that the event organizers obtain an encroachment permit from Caltrans prior to the event. Staff has added conditions #26 and #27 to address Caltrans’ concerns
- 4. Environmental Protection:** The California Department of Fish and Wildlife did not respond to the request for comments for this application, nor did the United States Fish and Wildlife Service. Previous applications discussed in-depth potential negative impacts to water quality along the South Fork of the Eel River along with biological resources. A thorough list of conditions were added to the previous

renewal application (UR\_2017-0002) to address the various previous entitlement applications and possible adverse impacts to sensitive or endangered species, mainly along and within the South Fork of the Eel River and they will still be applicable to this renewal application.

- 5. Noise:** No modification to the hours of amplified music is proposed from the previous application, (UR\_2017-0002). The applicant has indicated that approximately 25% of the event population will have arrived by Thursday evening and proposes a modified schedule for music on that Thursday, as detailed below. Due to the nature of the event and its potential to create noise nuisances, it is important to reiterate the previously approved hours of amplified music. The project has the potential to generate noise levels in excess of standards established in the County General Plan. The nearest off-site residences are located approximately 500 feet away on the west side of U.S. Highway 101 and 1,200 feet to the south, on the opposite side of the river. Upon reviewing aerial photos, there are approximately ten single-family homes located within a half mile of the property, primarily in Humboldt County.

The event organizer indicated in the application that: *“Temporary stages will be built and oriented away from Highway 101 and developed residences in the Piercy area, keeping them shielded from the main source of light and sound. The stages will be separated from the highway by a number of mature trees and is at least 40 feet lower in elevation than the highway, further mitigating any paths of direct light to properties across the highway. Any lighting other than performance displays (such as light towers) will be downcast and shielded from adjacent properties.”*

The event is permitted to operate two primary music stages during the event including the main stage and a river stage. Amplification for music or speakers during the event is currently permitted as follows with the exception of a 30-minute sound test on the day before the event:

**MAIN STAGE:**

Thursday: 6:00 p.m. to 10:00 p.m.  
 Friday: Noon to midnight  
 Saturday: Midnight to 2:00 a.m. and 10:00 a.m. to midnight  
 Sunday: Midnight to 2:00 a.m. and 10:00 a.m. to midnight

**RIVER STAGE**

Thursday 6:00 p.m. to 10:00 p.m.  
 Friday: 10:00 a.m. to 8:00 p.m.  
 Saturday: 10:00 a.m. to 8:00 p.m.  
 Sunday: 10:00 a.m. to 8:00 p.m.

- 6. Traffic/Parking:** The proposed renewal application includes a parking component to accommodate a total of 3,144 cars and trucks within eight parking areas. Additionally, 170 parking spaces are identified to accommodate recreational vehicles and trailers. Pre-designated parking areas are identified on the event Site Plan. The applicant has identified additional parking areas located on adjacent lands in Humboldt County for which they have obtained a permit (Case #CUP-04-38MMMMM and #MON-17-001) from Humboldt County. This permit would allow the applicant to use a portion of the neighboring property as a temporary auxiliary parking lot for an additional 2,000 vehicles in conjunction with the Northern Nights event. Staff has determined that adequate parking areas have been identified in both Mendocino and Humboldt counties to accommodate increased parking needs resulting from increased attendance levels.
- 7. Permit Condition Compliance:** Previous modifications included conditioning for pre-event and post event inspections. Previously, new site circumstances were discovered (e.g., foothill yellow-legged frog status), along with an increase in attendance, and a new 3-year term for the proposed Use Permit Modification (UR\_2017-0002). As done previously, staff recommends a continuation of a condition to require submission of a pre-payment for Planning and Building Services staff to conduct an event compliance inspection during event operation.
- 8. Camping and Parking:** The application states that the onsite camping capacity of the event is 8,410 attendees in eight designated camping areas spread over more than 25 acres, while the on-site parking capacity is approximately 3,144 vehicles and 170 recreational vehicles and trailers also in eight designated parking areas. Campers will be required to maintain a thirty-foot setback from the edge of the South Fork of the Eel River and vehicles are required to maintain a 100-foot setback from the edge of the South Fork of the Eel River. The table below outlines on-site parking and camping details:



<u>Parking Area</u>	<u>Cars and Trucks</u>	<u>RVs &amp; Trailers</u>	<u>Camping</u>	<u>Attendees</u>
<b>P1</b>	514		<b>C1</b>	2,080
<b>P2</b>	784	50	<b>C2</b>	,884
<b>P3</b>	792	75	<b>C3</b>	1,071
<b>P4</b>	193	25	<b>C4</b>	818
<b>P5</b>	91	10	<b>C5</b>	1,029
<b>P6</b>	111	10	<b>C6</b>	1,250
<b>P7</b>	458		<b>C7</b>	915
<b>P8</b>	202		<b>C8</b>	363
<b>Total Parking</b>	<b>3,144</b>	<b>170</b>	<b>Total Camping</b>	<b>8,410</b>

Traffic flows will be limited to vendors and staff on the Tuesday and Wednesday of the event, and the only traffic allowed into the venue on the Thursday before the event will be 4-day ticket holders and staff.

On Friday through Sunday of the event, Admission gates will open at 8:00 a.m., unless there is a safety concern for automobile travelers, which would necessitate that the gates be opened at an earlier time.

There will be two main access points into the venue: One into the Humboldt County side for staff, volunteers and performers and one into the Mendocino County side for ticket holders.

The event organizers indicated that a shuttle service to and from Garberville is intended to be provided for the local community and to encourage out-of-town attendees to utilize local travel hospitality options.

**9. Public Safety:** The applicant has indicated that they will continue to work with Humboldt and Mendocino County Sheriff's offices, Piercy, Leggett and Garberville Fire Departments, Howard Fire Department, City Ambulance and the Garberville California Highway Patrol office to ensure cross-county safety of participants and staff.

An emergency medical plan will also be established consisting of an experienced medical service team as the on-site medical care provider for the duration of the event. Access shall be provided twenty-four hours a day at an established medical tent to anyone at the venue. The applicant has indicated that a helicopter landing area will also be available during the event.

On-site fire safety support at the event will be supervised by the Piercy Volunteer Fire Department who will be available 24 hours a day. An all-weather surfaced twenty-foot-wide fire lane existing around the perimeter of the site will be designated for fire and emergency use. The emergency fire plan will be reviewed by Cal Fire representatives and the Piercy Volunteer Fire Department.

**10. Security:** Professional on-site security services shall be secured for the event. According to the applicant, an experienced security service provider will be utilized as the lead supervising company to organize and lay out the complete final plan. Security will be on site beginning the Wednesday prior to the event until the Tuesday after and operate twenty-four hours a day. Temporary fencing around the perimeter of the site will be installed.

**11. Water Supply and Distribution:** The water supply will be sourced from an on-site well. The applicant has indicated that the projected estimated water usage throughout the month of the event would be between 100,000 and 200,000 gallons, including for showers, drinking water, irrigation and domestic and vendor usage.

**12. Sanitary Facilities:** The applicant has stated that there will be up to 300 portable toilets (including ADA) placed around the venue, which maintains a 40-50 person per toilet capacity. Hand washing stations also will be provided with a minimum of one wash station for every 10 portable toilet facility. Sewage will be disposed of off-site at an approved disposal facility by the service provider.

**13. Solid Waste Disposal and Recycling:** The applicant has indicated that refuse disposal crews will patrol the site venue and periodically empty waste barrels and take these materials to a recycling area to sort and store for future disposal and/or recycling. Forty-yard dumpsters will be used for trash and large

totes will be utilized for recyclables and then transferred to a waste disposal facility or a recycling center. The applicant has stated that the refuse disposal crew will remain on-site for up to two weeks after the event to sort out recyclables from solid waste and pick up "micro trash" from the entire site, including the full length of the river bar and the swimming areas.

**14. Liquid Waste:** The applicant states that liquid waste is proposed to be collected and stored on-site before being hauled off-site to an approved wastewater facility.

**15. Craft Booths:** 20 to 30 craft booths are proposed to be located around the perimeter of the performance stages and other high traffic areas.

**16. Food Service:** According to the applicant, food vendors will be provided with hot and cold water by the existing water system. Cooking can be accomplished with propane gas supplied by each vendor.

**17. Alcohol Service:** Alcohol is proposed to be served at specific booths by a professional concessions team. All Alcohol and Beverage Control (ABC) rules and regulations will apply and be enforced. Attendees' will not be allowed to bring in their own alcohol into the concert area.

**18. Cannabis Sales and Consumption:** In addition to the previously permitted alcohol sales, the sales and consumption of cannabis products is being proposed with this renewal application. According to the event organizer, *"Cannabis will be served at specific booths and managed by a professional cannabis event organizer. All DCC (Department of Cannabis Controls) rules and regulations will apply and be enforced."* Additionally, *"To gain local authorization, Mendocino County Code requires that cannabis sales and consumption be subject to a use permit and that all proposed vendors be licensed, that consumption not be visible to the public or to those under 21 and that they cannot occur concurrently in the same premises that tobacco or alcohol is consumed."*

The State of California limits cannabis sales and consumption to temporary events with the event being limited to no more than four consecutive days.

To regulate the sales and consumption of cannabis products, the applicant detailed a number of rules and regulations to comply with State of California and Mendocino County requirements. These have been included as conditions of approval numbers 5 through 25.

**19. Environmental Monitoring:** The applicant has indicated that various components of the event shall be subject to environmental monitoring, including the following:

- Vehicular excursions
- Water quality, both potable and within the South Fork of the Eel River
- Noise levels
- Dust levels

In addition to the above noted monitoring, no significant vegetation removal is permitted, other than for fire safety and no camping will be permitted within 30 feet of the South Fork of the Eel River and no vehicular parking will be permitted within one-hundred (100) feet of the South Fork of the Eel River.

### **RECOMMENDATION**

By resolution, the Zoning Administrator adopt an Addendum to a Mitigated Negative Declaration and grant Use Permit UR\_2021-0006 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

---

DATE

---

KEITH GRONENDYKE  
PLANNER III

Appeal Period: 10 Days  
Appeal Fee: \$2,620.00

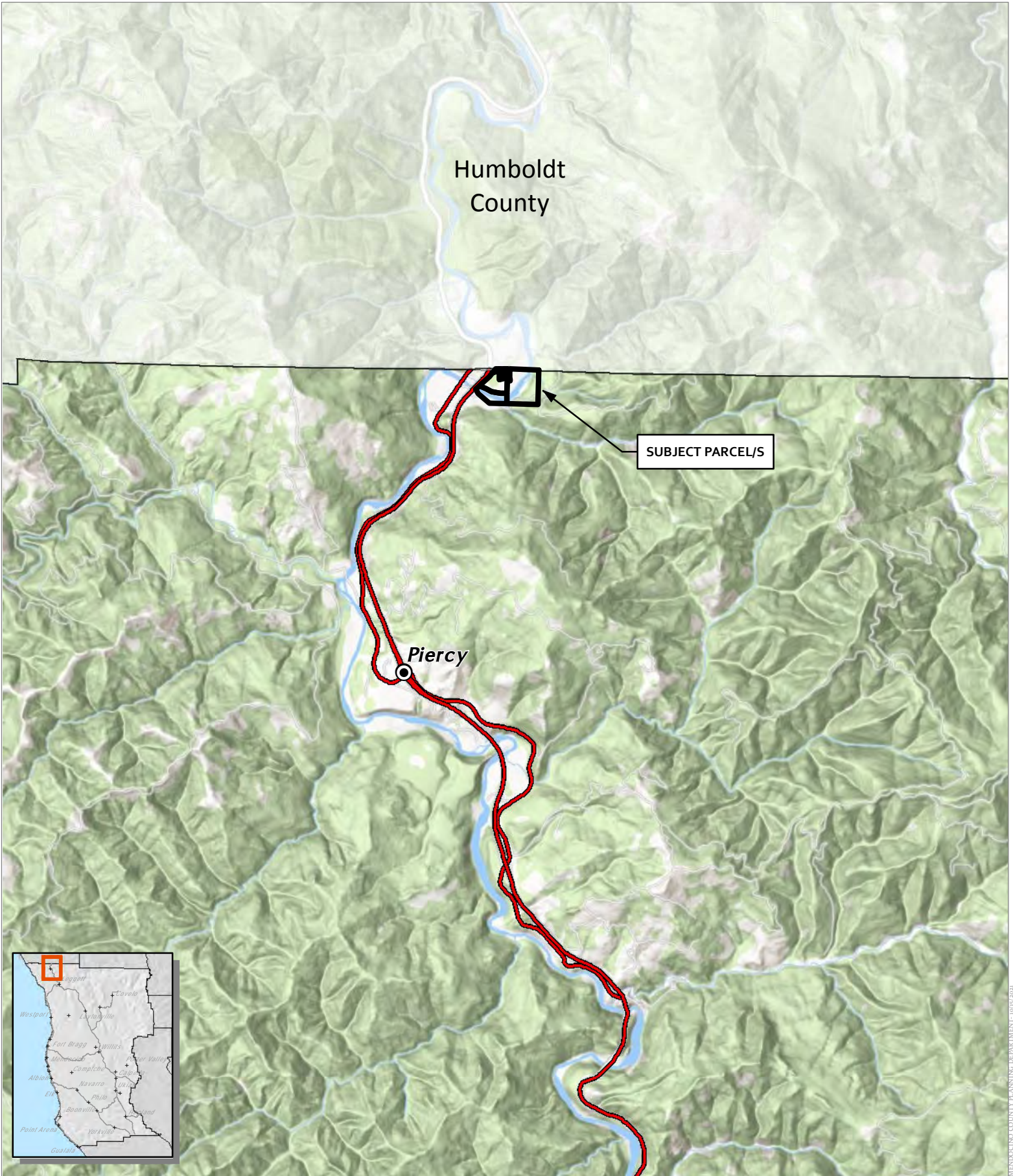
**ATTACHMENTS:**

- A. Aerial Imagery
- B. Location Map
- C. Project Description
- D. Site Maps
- E. Zoning Display Map
- F. Fire Hazard Zones and Responsibility Areas
- G. Wildland-Urban Interface Zones
- H. Farmland Classifications
- I. Special Flood Hazard Areas
- J. Wetlands
- K. Adjacent Parcels
- L. Flood Zone
- M. Timber Production Map
- N. Wetlands

**RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):**

**CEQA Addendum available online at:**

<https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/zoning-administrator>






Humboldt  
County

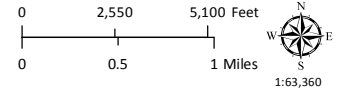
SUBJECT PARCEL/S

Piercy



CASE: UR 2021-0006  
 OWNER: BOWMAN, Conrad & Trudy  
 APN: 053-020-10, 11, 12, 13, 14, 16  
 APLCT: Northern Nights Music Group, LLC  
 AGENT: Peter Huson  
 ADDRESS: 83990 Road 442-E, Piercy


-  Major Towns & Places
-  California Counties
-  Highways

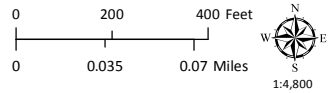


LOCATION MAP



CASE: UR 2021-0006  
 OWNER: BOWMAN, Conrad & Trudy  
 APN: 053-020-10, 11, 12, 13, 14, 16  
 APLCT: Northern Nights Music Group, LLC  
 AGENT: Peter Huson  
 ADDRESS: 83990 Road 442-E, Piercy

 Public Roads



AERIAL IMAGERY

BENSCH/NO COUNTY OF TEHAMA/INCA/DEPARTMENT - 10/19/2021

## **UM 2017-0002 Renewal & Modification**

### **Northern Nights Music Festival**

#### **Project Description**

The applicant, Northern Nights Music Group, LLC, proposes to renew UR\_2017-0002, which authorized the temporary use of Cook's Valley Campground (Mendocino APN 053-020-10, -11, -12, -13, -14, -16) during the third weekend of July for Northern Nights Music Festival, in conjunction with adjacent parcels in Humboldt County (APN 033-271-007). In addition to the renewal request, the applicant proposes to modify the event to provide for on-site cannabis sales & consumption.

This request is consistent with the existing zoning restriction for the property, which allows land use for temporary events up to five days in any six-month period. The use(s) are proposed in conjunction with and in addition to Humboldt County CUP 04-38MMMMM.

The project proponent and applicant is Northern Nights Music Group, LLC. The owner of record for Cook's Valley Campground is Conrad & Trudy Bowman and owner of record for County Line Ranch is Outraged Orangutan, LLC.

## **Plan of Operations**

### ***Event History***

Northern Nights Music Festival was held for seven consecutive years between 2013-2019. The event did not occur in 2020 and 2021 due to the COVID-19 pandemic.

### ***Location and Environmental Setting***

The Project Site, known as Cook's Valley Campground, is approximately 100 acres in size and is located adjacent to and east of Highway 101 approximately 2 miles north of Piercy. The South Fork Eel River runs through the entire site, which extends east of the river. Proposed uses include music, camping and vending as well as music and camping along approximately 3,000 linear feet of gravel bar. The project extends onto over 160 acres into Humboldt County. The total use area is shown in Exhibit B.

### ***Attendance Levels***

A population of approximately 5% of the total attendance capacity will be on-site two weeks before and two weeks after the event as build and strike crews. Event vendors and staff will start arriving Wednesday before the event. It is estimated that a population of approximately 25% of the total event capacity will be on-site by Thursday evening and a population of another 50% of total event capacity will have arrived by Friday evening. The remaining 25% of the total event capacity will arrive Saturday resulting in peak capacities Saturday night.

It is expected that a minimum of 25% and maximum of 50% of the population will leave Sunday by 4 pm. It is estimated that 75% of attendees will stay on-site and that 25% will stay off site either at hotels or at their home.

The Applicants are event management professionals and ensure that the number of individuals on-site will not exceed the capacity for which infrastructure can reasonably and safely support. Total attendance of the festival in both Humboldt and Mendocino

Counties at any one time will be verified through wristband counts, box office cross-verification, and on-site security.

### ***Schedule and Hours of Operation***

*May 1st* – Water system preparation

*June 15<sup>th</sup>* – Fencing, electrical, signage and general infrastructure setup

*Wednesday prior to event* – vendors arrive for setup mid-day

*Thursday prior to event* - gates open in AM for up to 25% of total event capacity, amplified music from 6 PM to 10 PM

*Friday of the event* – gates open 8 AM, amplified music from 10 AM to 2 AM

*Saturday of the event* – gates open 8 AM, amplified music from 10 AM to 2 AM

*Sunday of the event* – gates open 8 AM, amplified music from 10 AM to 12 AM

*Monday following the event* – attendees depart, strike and cleanup begins

*July 31<sup>st</sup>* – strike and cleanup complete

*Dec 31<sup>st</sup>* – Post Event Report Submitted to County

### ***Concert and Infrastructure***

Temporary stages will be built and oriented away from Highway 101 and developed residences in the Piercy area, keeping them shielded from the main source of light and sound. The stages will be separated from the highway by a number of mature trees and is at least 40 feet lower in elevation than the highway, further mitigating any paths of direct light to properties across the highway. Any lighting other than performance displays (such as light towers) will be downcast and shielded from adjacent properties.



### ***Camping and Parking***

Camping and parking for the participants and staff will be provided on both Cook's Valley Camoground and adjacent Humboldt County properties. The on-site camping capacity of the event is approximately 8,410 attendees in eight designated camping areas spread over more than 25 acres. The on-site parking capacity is approximately 3,144 vehicles and 170 RVs and trailers in eight designated parking areas. Campers will be required to maintain a 30 ft. setback from the water's edge and vehicles will be required to maintain a 100 ft. setback. These setbacks will allow for pedestrian traffic as well as emergency access. Total camping and parking capacities are shown in Table 1 and are identified in Exhibit B.

**Table 1. On-Site Parking and Camping Capacities**

<u>PARKING</u>	<u>CARS AND TRUCKS</u>	<u>RVS AND TRAILERS</u>	<u>CAMPING</u>	<u>ATTENDEES</u>
P1	514		C1	2080
P2	784	50	C2	884
P3	792	75	C3	1071
P4	193	25	C4	818
P5	91	10	C5	1029
P6	111	10	C6	1250
P7	458		C7	915
P8	202		C8	363
<b>TOTAL PARKING</b>	<b>3,144</b>	<b>170</b>	<b>TOTAL CAMPING</b>	<b>8,410</b>

### ***Traffic Flow and Parking***

The festival traffic flow, parking, and encroachment plans will be the same as previous years and can be found in Exhibit D. The plan has been designed by the Applicant and Stop N Go Traffic and reviewed by Caltrans, Garberville CHP, and stamped by a licensed traffic engineer. The plan includes measures for required signage, CMS Boards, cones, light towers, in-and-out regulations, and cancellation procedures. Estimated total number of vehicles parked on-site is 3,100 vehicles and are based on an average of 2.6 people per

vehicle. Parking areas are shown in Figure 2 and will be filled in sequential order – beginning with P1.

*Wednesday (2 days prior to the event)*

The only traffic allowed on-site two days prior to the event will be vendors and staff, resulting in approximately 10% of the total vehicle capacity on-site.

*Thursday (day prior to the event)*

The only traffic allowed on-site the day before the event includes 4 day ticket buyers and staff resulting in approximately 25% of the total vehicle capacity on-site.

*Friday- Sunday (during the event)*

Most of the traffic to the event will be paying ticket holders. The gates will open at 8:00 AM on Friday. If there is a need to open the gates early for safety concerns, the Applicants will have staff in place to handle this, following any commands of on-site Garberville Highway Patrol. Northbound traffic will use the right turn lane at the intersection of Highway 101 and State Route 271. Southbound traffic will use the left turn lane at the intersection of Highway 101 and State Route 271. The Applicants utilize a thorough traffic plan implemented by an experienced traffic crew that has proven very successful during past events at the same location. All vehicles will be directed to traffic lanes away from Highway 101 for processing.

There will be two main access points – one into Humboldt for staff, volunteers and performers, and one into Mendocino for ticket holders. Upon arrival to Mendocino, the entry will be divided into four lanes for wristband retrieval and impact checks.

*Monday (day after the event)*

The campground will close no later than noon on the Monday following the event and it is estimated that 5% of the total vehicle capacity will remain on-site for clean up over the following two weeks.

*Re-entry*

During the event, patrons will be allowed to leave the event only as necessary and only by vehicle. Patrons will be prohibited from leaving the premises as pedestrians, and this will be enforced by highway security staff and/or CHP. We will work to have reasonable prices in the general store to discourage attendees from leaving the property for additional supplies.

### *Shuttle Services*

We intend to offer a shuttle service by a licensed transportation company to and from the Garberville area to provide safe means of transportation for the local community and encourage out-of-town attendees to utilize local travel hospitality options.

The traffic plan will be reviewed by Garberville CHP and Caltrans and written correspondence with these agencies will be submitted at least one month prior to the event.

### ***Public Safety***

Contact with local law enforcement, fire agencies, and emergency response personnel will be made more than two (2) months prior to the event. Any warranted walkthroughs will be made during the week of the event. A briefing sheet will be supplied during the walkthrough with contact and schedule information for all on-site emergency personnel.

A detailed emergency plan will be finalized in conjunction with emergency providers to include fire, medical, law enforcement and evacuation procedures. The final plan will contain detailed checklists and direct contact information for use by security and safety personnel. The plan will be submitted to the Humboldt County Planning Division and Sherriff's Office at least two months before the commencement of the event. The Applicant has and will continue to coordinate with Humboldt and Mendocino County Sherriff's Offices, Piercy, Leggett and Garberville Fire Departments, Howard Fire, City Ambulance and Garberville CHP to ensure cross-county safety and clear emergency service provider communication.

Communications will be conducted through the use of radios, cell phones, and a land line in the event that cell phone reception is poor.

### ***Emergency Medical Plan***

An experienced medical service team will be contracted as the on-site medical care provider for the duration of the event. The ALS-staffed medical team will be available around the clock at an established medical tent accessible to anyone on-site. The team will consist of licensed E.M.T.'s, paramedics, M.D.'s, and nurses. Highly visible signage will identify the medical tent. All medical and security staff will communicate via radio with the command center. The Applicants will provide the identity and on-site contact information for medical team members at least 14 days prior to the event. Communication and transportation equivalent to Cal Fire dispatch will be on-site and available for any life-threatening emergencies. A helicopter landing area is available for emergency evacuation. Jerold Phelps Community Hospital in Garberville and City Ambulance will be notified of the event dates.

An evacuation plan satisfying emergency service agencies will be available prior to the event and the contracted medical team documentation will be submitted to the Planning Commission at least one month before the event.

### ***Emergency Fire Plan***

A Cal Fire Safety Regulations Package will be submitted to the California Department of Forestry and Fire Protection (Cal Fire). On-site fire safety support at the event will be supervised by Piercy Volunteer Fire Department who will be available for the duration of the event around the clock with a minimum of two (2) personnel and supported with a minimum of one (1) Type 3 fire engine and one (1) water tender for standby emergency water and dust abatement, and radio communication equivalent to Cal Fire dispatch. An all-weather surfaced 20-ft fire lane existing around the perimeter of the campground will be designated for fire and emergency use. Visible signage will indicate designated locations for fire, medical, and security personnel. Fire extinguishers will be mounted accessibly around the event site.

The Applicants employ a team to specifically target prohibited burning and open flames, including fireworks, in addition to posting signage and informing patrons and staff of fire danger and the strict no burn and no fireworks policies. The Applicants will advertise this information on the event website, email, social media, and local radio.

The emergency fire plan will be reviewed by Cal Fire and Piercy Volunteer Fire Department and written correspondence with these agencies will be submitted to the Planning Division at least one month before each event.

### ***Emergency Response Plan***

Prior to each event, members of the medical, security and fire teams will meet and plan responses to emergency scenarios as well as identify and correct potential safety risks. A Communications Leader will be designated. Contact information will be organized and shared to facilitate emergency communication during the event.

If there is an emergency situation during the event, the Communications Leader will coordinate response efforts involving the event producers, security, medical, and fire team leads, and on-site law enforcement. In the case of a medical evacuation, the Communications Leader will also communicate with City Ambulance dispatch, Jerold Phelps Community Hospital and coordinate with on-site law enforcement and traffic crew to ensure a clear path for emergency vehicles. A helicopter landing area is available for emergency evacuation.

The various emergency response teams will communicate using handheld radios and cell phones. The Communications Leader will be able to contact Cal Fire dispatch, as will fire, medical and security personnel.

As necessary, event producers will communicate information to event attendees using main stage amplification and provide instructions to ensure emergency service providers can safely and quickly access necessary locations.

If a fire occurs, the Communications Leader will coordinate with Piercy Volunteer Fire Department, Cal Fire dispatch, on-site law enforcement, event security, medical, and traffic teams to ensure a clear path for emergency vehicles and to implement the Emergency Fire Plan as follows:

- 1) Notify off-site responders
- 2) Secure and clear the affected area
- 3) Shelter in place along the river bar; in the case of approaching wild land fire dismantle tents and campsites.
- 4) Responding agencies will determine extent of evacuation area.
- 5) Clear the evacuation area on foot to the predetermined evacuation zones
- 6) Use on-site communications resources such as the stage PA, on-site FM radio broadcasting, and event staff to inform and direct the public.

The emergency response plan will be reviewed by Garberville CHP, Mendocino County Sheriff's Office, and Piercy Volunteer Fire Department and written correspondence with these agencies will be submitted to the Planning Commission at least one month before the event.

### ***Security***

Professional on-site security services shall be secured for the event and will consume the largest percentage of our on-site staff budget. We will use an experienced security service provider as our lead supervising company to organize and lay out the complete final plan, which will emphasize strictly enforcing responsibility to the property and policing attendee activity, with particular emphasis on the control of alcohol and prevention of drug consumption, as well as the noise curfew enforcement. The contracted team will be given distinctive colored clothing as approved by the Sheriff's Office.

Temporary fencing around the perimeter of the site will be installed to mitigate trespassing onto adjacent properties. Twenty-four hour per day security will be provided

on-site for the protection and service to attendees and neighboring property owners. Every attempt will be made to limit encroachment/trespassing onto neighboring properties. The perimeter of the site shall be clearly identified and fenced, and shall be posted to limit access beyond the approved event, camping, and parking area sites.

Security will be on site beginning Wednesday prior to the event until Tuesday following the event and operating 24 hours a day reaching close to 75 staff members at peak times.

There will be (2) security positions assigned to the River Stage swimming area during the operating hours of 12 PM – 8 PM, in addition to the (3) medical staff composed of (2) lifeguards and (1) staff. During all other times at the River Stage swimming area, signs will be posted advising “NO LIFEGUARD ON DUTY”.

There will be (2) security roamers throughout the festival, with emphasis on the campgrounds, specifically assigned to monitoring those attendees under 21.

Northern Nights Music Group will remain in consistent contact with the Sheriff's Office, CHP, and contracted security as the event approaches and we are committed to maintaining these relationships through responsible management practices and an open communication with all local law enforcement. A post-event meeting to address public safety concerns will be held following the event, to improve the event each year.

Our security plan will be reviewed by Garberville CHP and the Mendocino Sheriff's Office and written correspondence with these agencies will be submitted to the Planning Commission at least a month before the event.

### ***Water Supply and Distribution***

The water supply will be sourced from an on-site well and we project estimated water use of 100,000-200,000 gallons throughout the month of the festival including showers, drinking water, irrigation, domestic and vendor water use.

The on-site water system will be tested before and after the event and the water sample result will be included with the Community Event Permit Application. Water quality sampling and testing will continue to be conducted by the event coordinators. The large water on-site distribution system runs throughout the site. There is a 3 inch line for irrigation and fire suppression, and a 2 inch line for drinking, showers, and for vendor use. Fire hydrants are available for quick use. For extreme use, there is ready access to a fill up spot at the river or in a 1,000,000 gallon pond.

Potable water is treated in four steps: (1) at the point of service via a sediment filter, (2) a 5-micron carbon block filter, (3) a UV filter and (4) a 1 micron carbon filter, as directed by Mendocino DEH.

### ***Sanitary Facilities***

There will be up to 300 portable toilets (including ADA) placed around the venue by a licensed service provider, maintaining a 40-50 people per facility. Hand wash stations are provided wherever toilets are located with a minimum of one wash station for every 10 toilets. Sewage will be disposed off-site at an approved disposal facility by the service provider. Locations of sanitary facilities can be seen in Exhibit B.

### ***Solid Waste Disposal and Recycling***

A "Green Crew" will roam the event area and periodically empty the barrels at each station and take materials to the recycling area to sort and store them for disposal. Forty yard dumpsters will be used for trash and large totes for recyclables and transferred to a permitted waste disposal facility or recycling center by a commercial hauler. Waste stations and recycling containers will be placed in strategic locations to discourage littering. The location of the waste stations can be found in Figure 5.



The "Green Crew" remains on-site for up to two weeks following the event, sorting recyclables from solid waste, picking up "microtrash" from the entire site, including the full length of the river bar and swimming areas.

### ***Wastewater Disposal***

Liquid waste is collected and stored on-site before being hauled off-site to an approved waste water facility.

### ***Craft Booths***

There will be approximately 20-30 craft booths located around the perimeter of performance and other high traffic areas.

### ***Food Service***

Food vendors will be provided with hot and cold water by existing water systems. Cooking will be done with propane gas supplied by each vendor. Solid waste will be disposed in general waste receptacles, until a full analysis of composting regulations is completed. Liquid waste is planned to be collected and stored on-site before being hauled off-site until the system has been approved by County and State agencies.

### ***Alcohol Service***

Alcohol will be served at specific booths and managed by a professional concessions team. All ABC rules and regulations will apply and will be enforced. Attendees will not be allowed to bring their own alcoholic beverages into the concert area. As per Northern Nights Music Group procedure, all attendees who wish to purchase or consume alcohol will be required to show ID at an "ID Check" Booth to demonstrate age over 21. The ID

check book will be separate from general ticketing and be located near the music/stage area. Consumers will then need to purchase “drink tickets” at an adjacent booth, where 21+ wristbands will be checked again in order to receive drink tickets. Only then, with a drink ticket and wristband, will alcohol be served to festival participants.

### ***Cannabis Service***

Cannabis will be served at specific booths and managed by a professional cannabis event organizer. All DCC rules and regulations will apply and will be enforced. Details are provide in Exhibit C.

### ***Environmental Monitoring***

The proposed project incorporates mitigation measures in the project design to minimize environmental impacts. Aspects of the Environmental Monitoring program will continue to include:

- Vehicles will be subjected to an “Impact Check” when arriving to look for leaking fluids, fireworks, and other prohibited items.
- Water quality (potable and river) will be monitored before, during and after the event.
- Noise levels will be monitored throughout the event.
- Dust will be controlled through the use of a water truck as necessary.
- No significant vegetation removal is required or proposed, other than for fire safety.
- No camping will be permitted within 30 ft of the river and no parking permitted within 100 ft of the river.

### ***Event Cancellation Protocol***

This is in case of a cancellation of event for any reasons such as fire, earthquake, or any other occurrence that may harm the public. In case of event cancellation, there will be several methods used for notifying the public that the event is cancelled and not to arrive at the festival grounds.

Notification techniques include:

- Posting on event website and social media outlets notifying public of cancellation.
- Computerized message boards on Highway 101 notifying regional travelers of cancellation
- Targeted emails to all ticketholders with notification of cancelled event.
- Local newspaper and radio advertisements.

### ***Commitment to Local Schools, Non-Profit Organizations and Economic Boost***

Non-profit and community organizations that benefit directly from Northern Nights Music Festival include Piercy Volunteer Fire Department, Southern Humboldt and Northern Mendocino school districts, The Eel River Recovery Project, Salmonid Restoration Federation, EPIC, The Eel River Clean-up Project, Friends of the Eel River, KMUD Community Radio, Southern Humboldt Community Park, the Surfrider Foundation and Healthy Planet US. In 2015, a detailed Economic Impact Analysis was conducted and demonstrated that Northern Nights increased local economic impact of over \$2,000,000 in Mendocino and Humboldt Counties.

### ***Conclusion***

Northern Nights Music Festival is produced by an experienced and professional production company, with a mission to ensure high quality events that showcase the region to new audiences, facilitate positive and enlightening experiences rooted in art and music, and demonstrate ways to act sustainably. Northern Nights meets goals by implementing measures that ensure public safety, stimulate Humboldt and Mendocino economies, provide financial support to local school districts, public service providers,

non-profits and charities, and protect the local environment and quality of life.

The Applicants have proven for seven consecutive years that they can successfully manage large events in the Cook's Valley area. Positive feedback has been received from both Mendocino and Humboldt County officials, law enforcement agencies, local fire departments, service providers, press outlets, and the local community. The Applicants continue to review, improve, and refine event management practices in order to produce a safe event, abide by permit regulations, and continue dialogue with the local community on how to best stimulate local business and promote tourism into the area.

## EXHIBIT C – CANNABIS SERVICE

Since the previous modification to this CUP, two new sets of regulations have been introduced and updated by the State of California and Mendocino County that allow for the on-site sales and consumption of cannabis at temporary events.

To gain local authorization, Mendocino County Code requires that cannabis sales and consumption be subject to a Use Permit and that all proposed vendors be licensed, that consumption not be visible to the public or to those under 21 and that they cannot occur concurrently in the same premise that tobacco or alcohol is consumed.

To gain state authorization, the Department of Cannabis Controls allows for a licensed “Cannabis Event Organizer” to work with licensed retailers and distributors to provide cannabis sales and consumption at temporary events, so long as venue has been granted express approval by the local jurisdiction and that the event is limited to no more than 4 consecutive days.

The area(s) in which Cannabis shall be sold, “the Premise(s)”, will be composed of four types of licensed participants:

**Cannabis Event Organizer** – responsible for organization, coordination and compliance within the Premise(s).

**Retailer** – may sell cannabis goods to retail customers within the Premise(s).

**Distributors** – may transport cannabis goods to and from the Premise(s) and may also distribute cannabis goods to the Retailer within the Premise(s).

**Exhibitors** – all other preapproved licensed entities who may exhibit cannabis goods demonstrations within the Premise(s), however, are prohibited from selling or distributing Cannabis goods within the Premise(s).

The Cannabis Event Organizer will comply with all Rules and Regulations mandated by the State of California and Mendocino County. The Event Organizer will provide a Standard Operating Procedures Agreement, which will be provided to retailers,

distributors and exhibitors prior to the event. All licensed participants, including their staff, must read, adhere to and sign the Standard Operating Procedures Agreement.

Cannabis sales and consumption will be designated and strictly limited to the secured e “Premises” as shown on the Site Plan. There are four main components to each Premise – the Retail Area (A), the Distribution Areas (B), the Consumption Area (C) and the Distribution Receiving Area (D).

### ***Licensed Participants***

A State of California licensed Cannabis Event Organizer shall manage and coordinate the Premise(s), a separate secured and fenced area within the Northern Nights Music Festival.

Sales of cannabis goods to retail customers will be conducted by a licensed CA retailer at the central Retail Area located within each Premise and shown on the Premise Diagram.

Transportation of Cannabis goods to and from each Premise will be conducted by a California state licensed distributor within the Distribution Receiving Area(s), shown on the Premise Diagram. The licensed distributor(s) will distribute cannabis goods to the Retail Area(s) via the Distribution Area(s), also shown on the Premise Diagram. All Cannabis goods transported and/or distributed in and out of the Premises shall be accompanied by a manifest.

All exhibitors must prominently display their temporary event location number and state licenses within plain site of the public throughout the duration of the event. Exhibitor employees will wear name badges with photograph identifying employee and employer pursuant to state and local law and will be issued working passes for event access.

The Cannabis Event Organizer will provide Mendocino County and the State of California the list of licensed participants at least 72 hours prior to the event to ensure that all activities are conducted by licensed entities and to verify that all licenses are in good standing.

### ***Access and Consumption***

Access to each Premise will be limited to those patrons that are 21 years of age or older. A valid government issued identification will be required to be provided by the patron to security prior to receiving a 21+ event wristband, which shall be verified by the security staff prior to entry to each Premise. In addition, all retail personnel shall verify the customers government issued ID prior to enacting any sale of cannabis goods to the retail customer. As such, we have a double verification system to ensure compliance with the age restriction.

Consumption of cannabis will be allowed in the Consumption Area(s), which, as stated, will be limited to those patrons 21 years of age and older, shall not be visible to the public or non-age restricted area and in an area where sale or consumption of alcohol or tobacco is prohibited.

### ***Hours of Operation***

The Temporary Cannabis Event shall be operated only during hours that comply with local and state regulations.

### ***Security***

The Cannabis Event Organizer shall hire security and comply with Chapters 11.4 & 11.5 of Business & Professions Code. Exhibitors may not hire private security for the event. The perimeter of each Premise shall be clearly identified and fenced to prevent non-eligible persons from entering each Premise. Signs shall be posted at or near each public entrance to each Premise, stating, "No Persons Under 21 Allowed" in sizes no less than 7" x 11". Fencing will be eight feet in height and opaque to facilitate security, privacy and prevent other event participants from observing sales and consumption activities.

Security personnel will be stationed at the entrance and exits of each Premise, as well as

at the Retail Area(s), Distribution Area(s), Distribution Receiving Area(s) and throughout the Premises.

The Retail Area(s) and Distribution Area(s) will be composed of secured, lockable storage containers equipped with commercial grade locks. The Distribution Receiving Area(s) will be equipped with high resolution cameras that record all cannabis goods transfers in and out of each Premise. Each Distribution Area will have a dedicated security guard 24 hours a day.

Security personnel will monitor and escort all retrievals of cannabis goods to and from secure storage containers.

### ***Inventory Control***

All cannabis goods sold will be subject to all state mandated testing, quality assurance, packaging and labeling requirements and shall be placed in an opaque exit package prior to sale. In addition, all cannabis goods shall be transported by a licensed distributor and all cannabis goods shall be checked and reconciled prior to delivery, to prevent prohibited items from entering the licensed premises.

Point of Sale (POS) and track and trace software will be utilized in order to follow record retention provisions required by the state track and trace regulations as well as to ensure all tax requirements are followed and ensure timely and accurate payments of all applicable taxes.

Cannabis goods may only be displayed within the each Premise. Any cannabis goods removed from the packaging for display or returned by a customer must be destroyed at the end of the event in a manner that is compliant with local and state rules.

All cannabis goods shall be stored in secure, locked containers inaccessible to the public with 24 hour a day security and shall not be left unattended.



### ***Daily Limits***

The Retailer shall not sell more than 28.5 grams of non-concentrated cannabis, 8 grams of concentrated cannabis or 6 immature plants to a single customer in a single day.

### ***Notification of Theft, Loss and Criminal Activity***

The Cannabis Event Organizer will notify the Department of Cannabis Control and local law enforcement within 24 hours of discovery of any of the following situations:

1. A significant discrepancy in inventory due to diversion, theft, loss, or any other criminal activity pertaining to the sale cannabis goods at the Event is discovered.
2. The discovery of unauthorized alteration of inventory records related to the storage or sale of cannabis goods.
3. A breach of security or attempted breach of security by event participants is brought to the attention of the Cannabis Event Organizer's staff.
4. In addition, upon notification from the Department of Cannabis Control or local authorities, security shall immediately expel from the event any person selling cannabis goods without a valid license. Security shall remain with the individual being expelled until he or she vacates the premises.

### ***Free Cannabis Goods Prohibited***

Licensed participants are prohibited from providing free cannabis goods to any person or entity at each Premise.

### ***Cannabis Waste***

All cannabis waste generated at the event shall be stored in the designated cannabis

waste area within each Premise and shall be destroyed and documented in compliance with all applicable local and State rules and regulations.

***Customer Return of Cannabis Goods***

Customer returns of cannabis goods shall be accepted only with goods that were purchased at each Premise.

Customer returns of cannabis goods that were sold to a customer prior to, or outside of, any Premise is prohibited.

All defective cannabis goods shall be destroyed and stored as noted above.

***Advertising & Marketing***

All signage, advertising & marketing must comply with applicable regulations.

A B C D E F G H I J K L M N O



# NORTHERN NIGHTS MUSIC FESTIVAL 2019

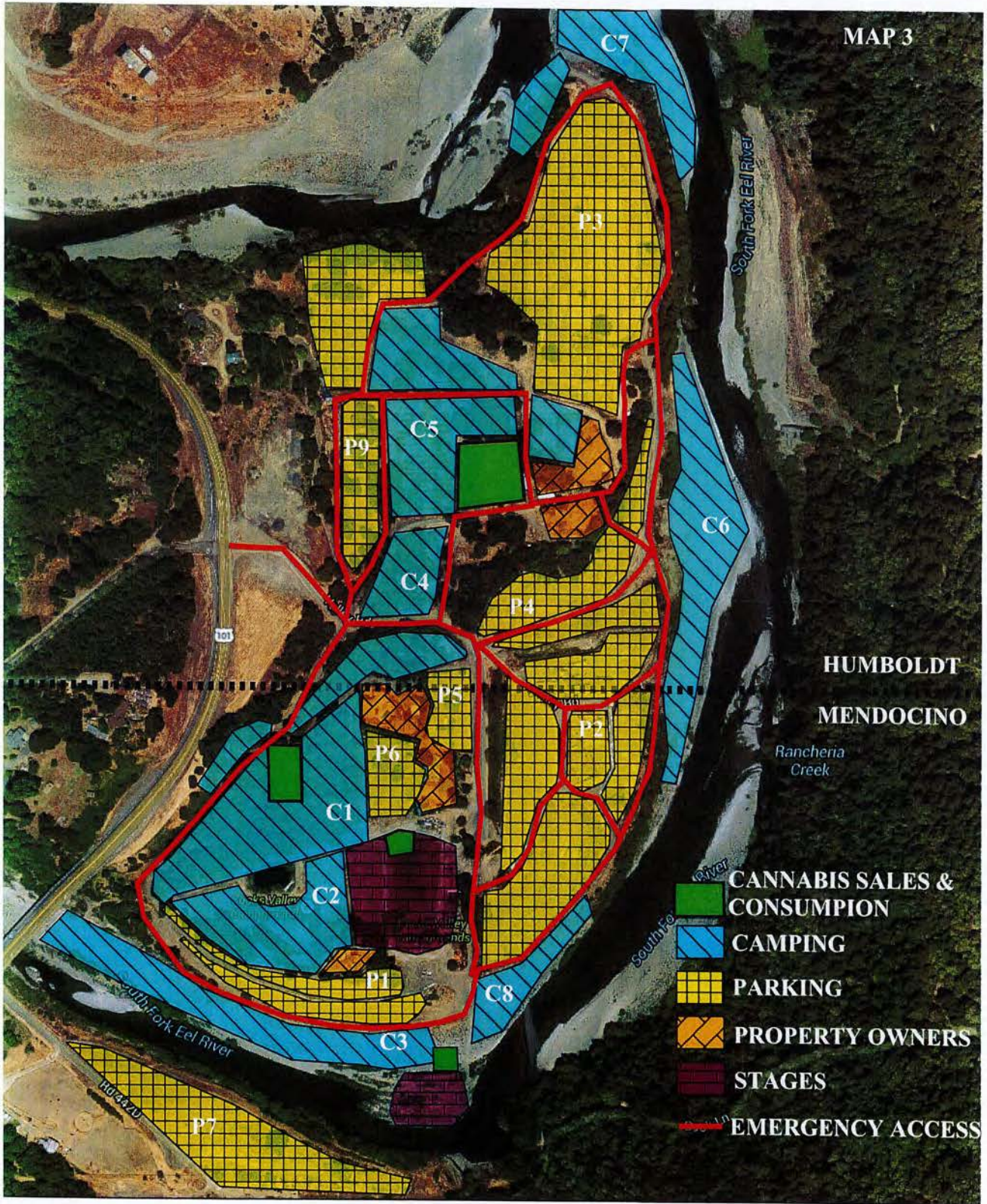
3	EARTH	
4	GRASS/ FORREST	
4	BAR	
4	PARKING	
4	CAMPING	
4	CAR CAMPING	
5	ARTIST CAMPING	
5	SPECIAL CAMPING	
6	STAGE	
6	BAR ZONES	
6	BUILDINGS	
6	ART GALLERY	
7	WATER STATION	
7	MEDICAL	
7	FIRE DEPT.	
8	PARKING STAFF	
8	NON-PROFITS	
8	SECURITY ZONE	
8	SECURITY	
9	SECURITY 21+	
9	SECURITY CC	
9	GENERATOR	
10	SHORE POWER	
10	LIGHT SOLAR	
10	LIGHT GAS	
10	TOP SHELF LIGHT	
11	ART INSTALLS	
11	PROD TRAILERS	
11	FENCE	
12	CANNABIS SALES & CONSUMPTION	



HUMBOLDT  
MENDOCINO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

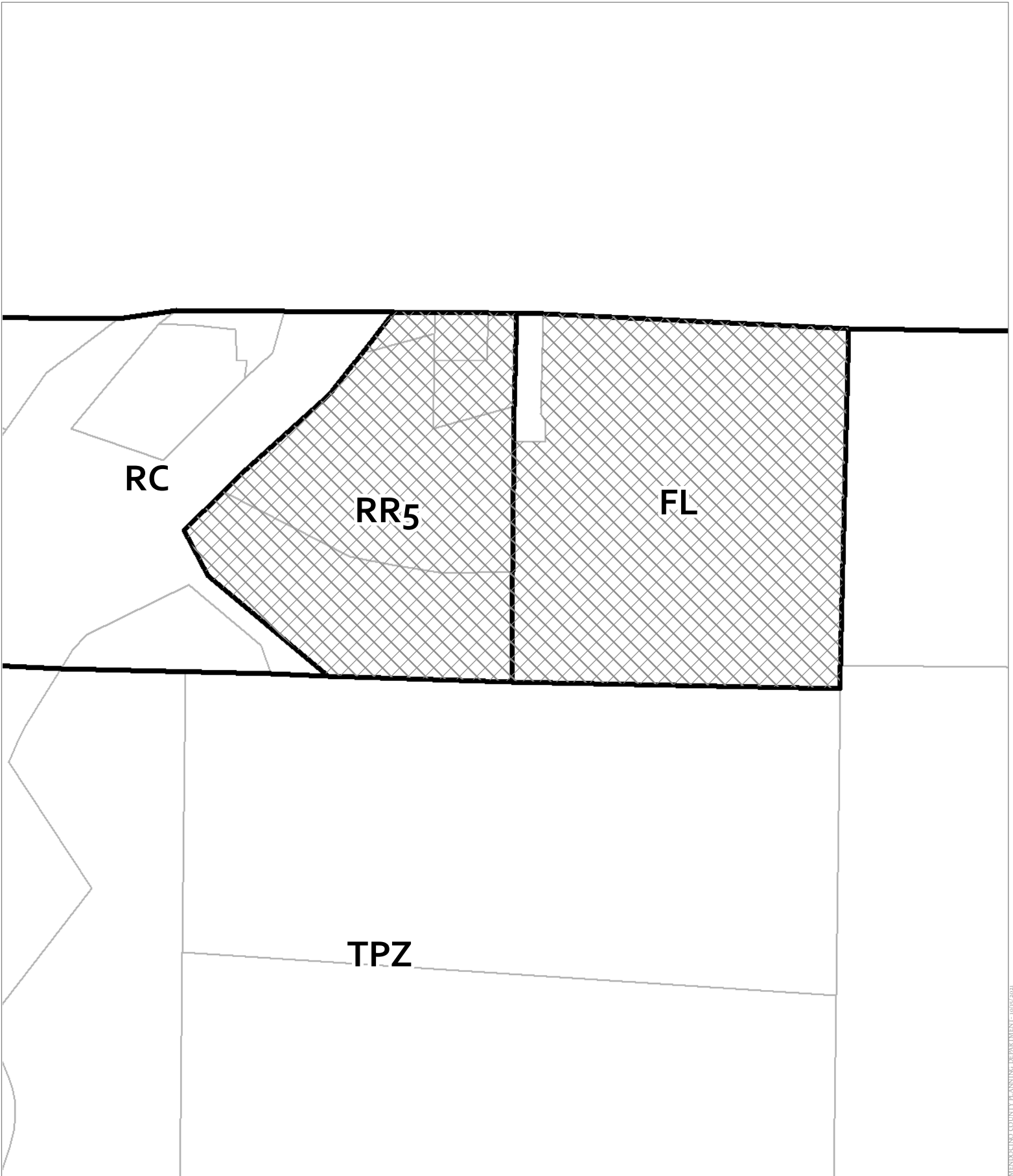
MAP 3



HUMBOLDT  
MENDOCINO

Rancheria  
Creek

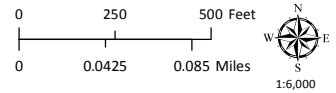
-  CANNABIS SALES & CONSUMPTION
-  CAMPING
-  PARKING
-  PROPERTY OWNERS
-  STAGES
-  EMERGENCY ACCESS



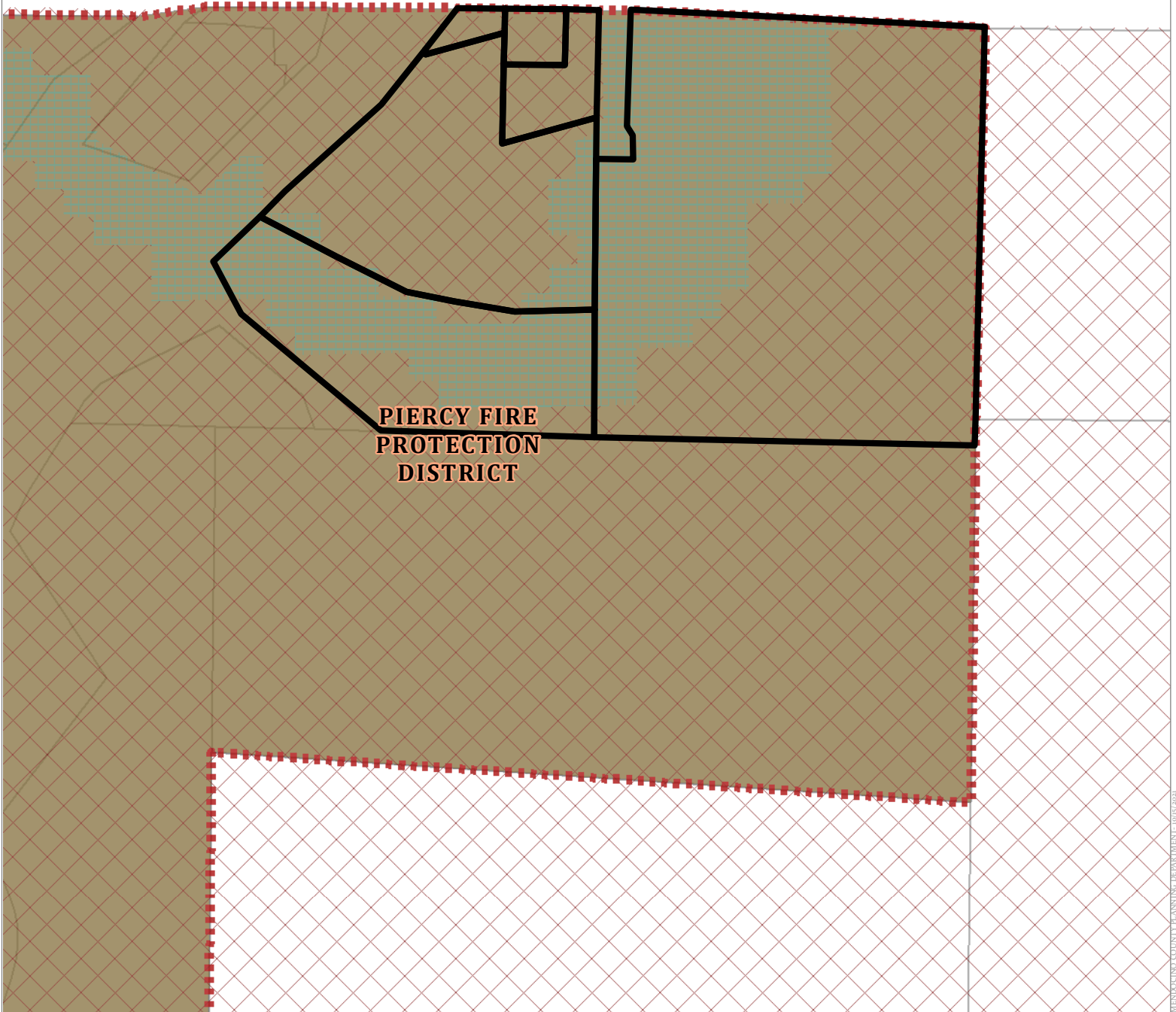
MENDOCINO COUNTY PLANNING DEPARTMENT - 10/15/2021

CASE: UR 2021-0006  
 OWNER: BOWMAN, Conrad & Trudy  
 APN: 053-020-10, 11, 12, 13, 14, 16  
 APLCT: Northern Nights Music Group, LLC  
 AGENT: Peter Huson  
 ADDRESS: 83990 Road 442-E, Piercy




 Zoning Districts

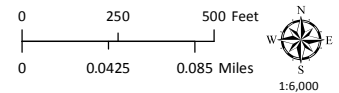


ZONING DISPLAY MAP

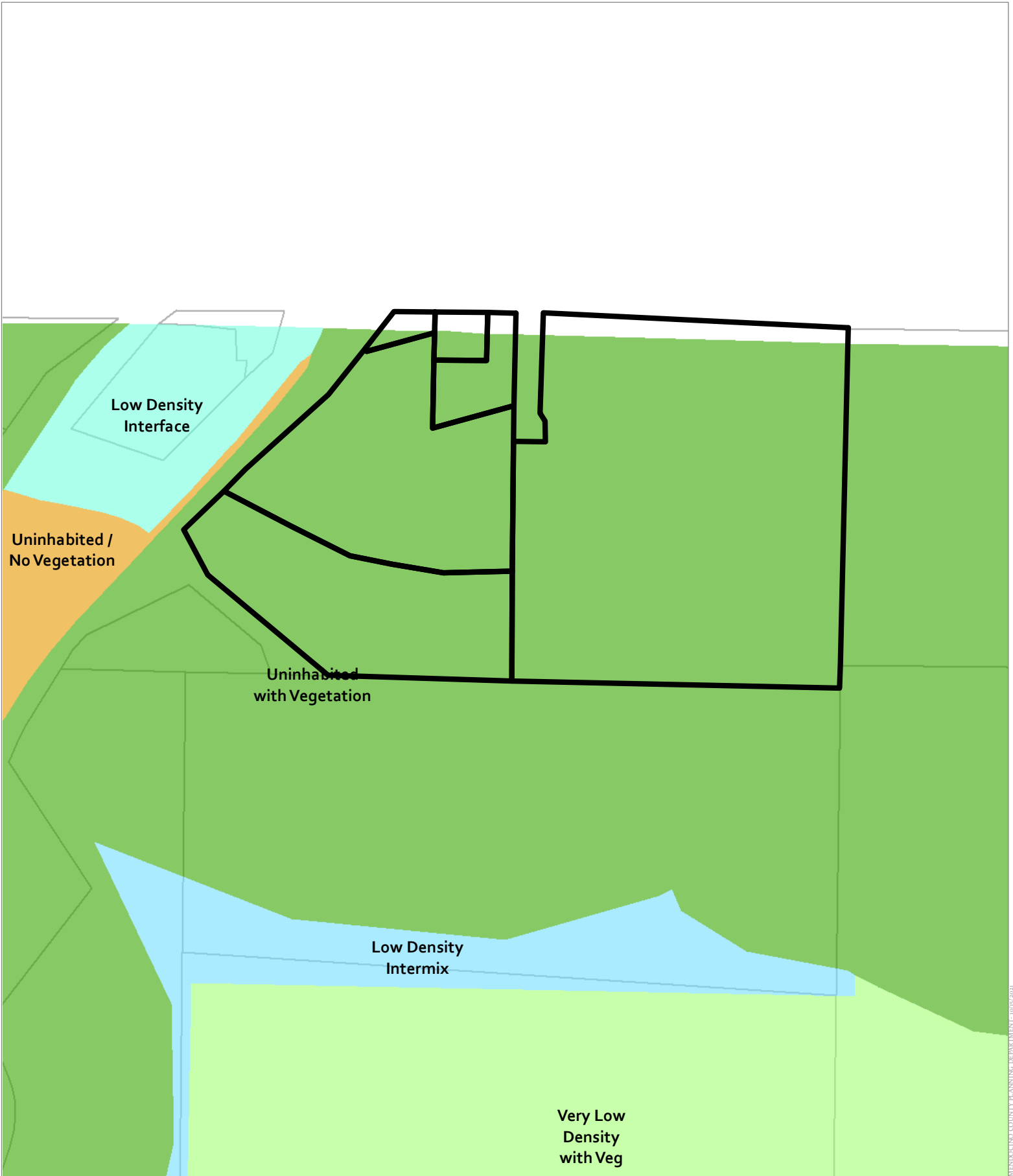


CASE: UR 2021-0006  
 OWNER: BOWMAN, Conrad & Trudy  
 APN: 053-020-10, 11, 12, 13, 14, 16  
 APLCT: Northern Nights Music Group, LLC  
 AGENT: Peter Huson  
 ADDRESS: 83990 Road 442-E, Piercy

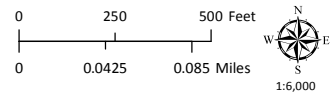
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts

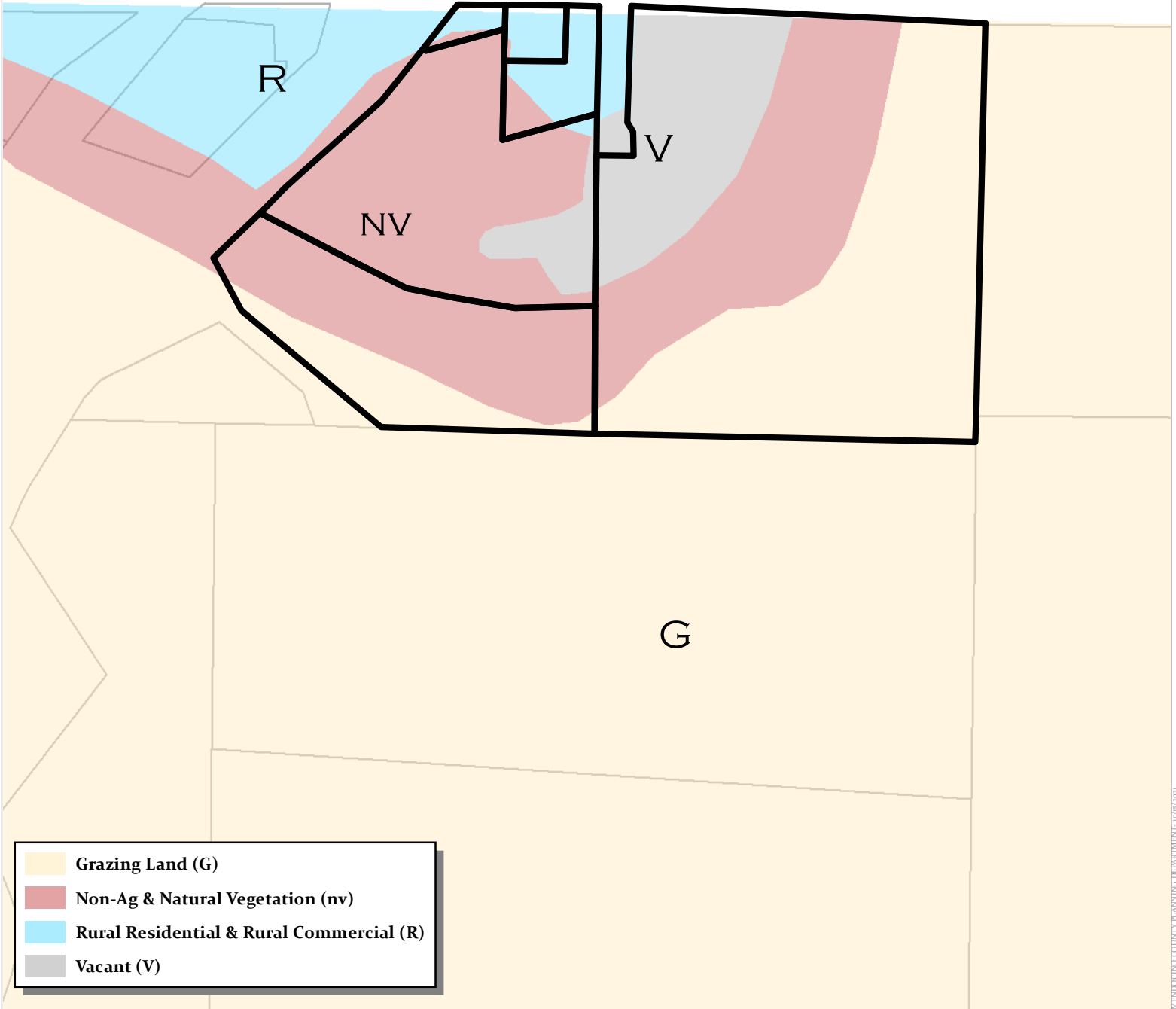


**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA



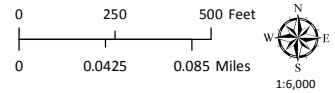
CASE: UR 2021-0006  
 OWNER: BOWMAN, Conrad & Trudy  
 APN: 053-020-10, 11, 12, 13, 14, 16  
 APLCT: Northern Nights Music Group, LLC  
 AGENT: Peter Huson  
 ADDRESS: 83990 Road 442-E, Piercy





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

CASE: UR 2021-0006  
 OWNER: BOWMAN, Conrad & Trudy  
 APN: 053-020-10, 11, 12, 13, 14, 16  
 APLCT: Northern Nights Music Group, LLC  
 AGENT: Peter Huson  
 ADDRESS: 83990 Road 442-E, Piercy





AREA OF  
MINIMAL FLOOD  
HAZARD *Zone X*

*Zone A*

AREA OF  
MINIMAL FLOOD  
HAZARD *Zone X*

*Zone A*

AREA OF  
MINIMAL FLOOD  
HAZARD *Zone X*

**FLOOD HAZARD AREAS**

1% Annual Chance Flood Hazard

CASE: UR 2021-0006

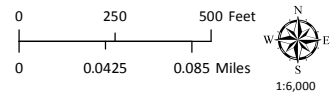
OWNER: BOWMAN, Conrad & Trudy

APN: 053-020-10, 11, 12, 13, 14, 16

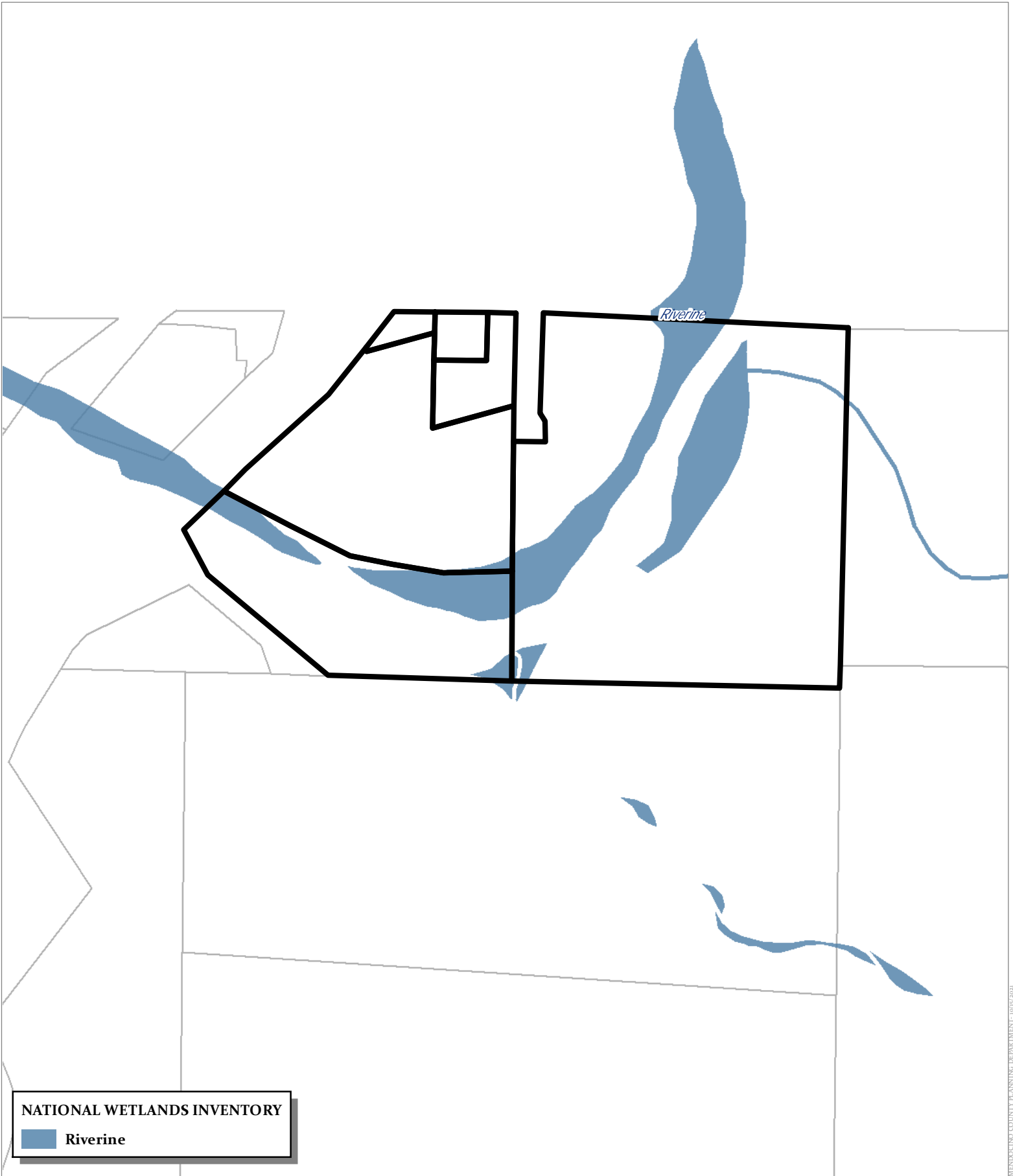
APLCT: Northern Nights Music Group, LLC

AGENT: Peter Huson

ADDRESS: 83990 Road 442-E, Piercy



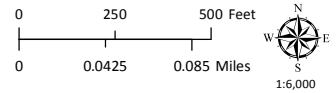
SPECIAL FLOOD HAZARD AREAS



**NATIONAL WETLANDS INVENTORY**

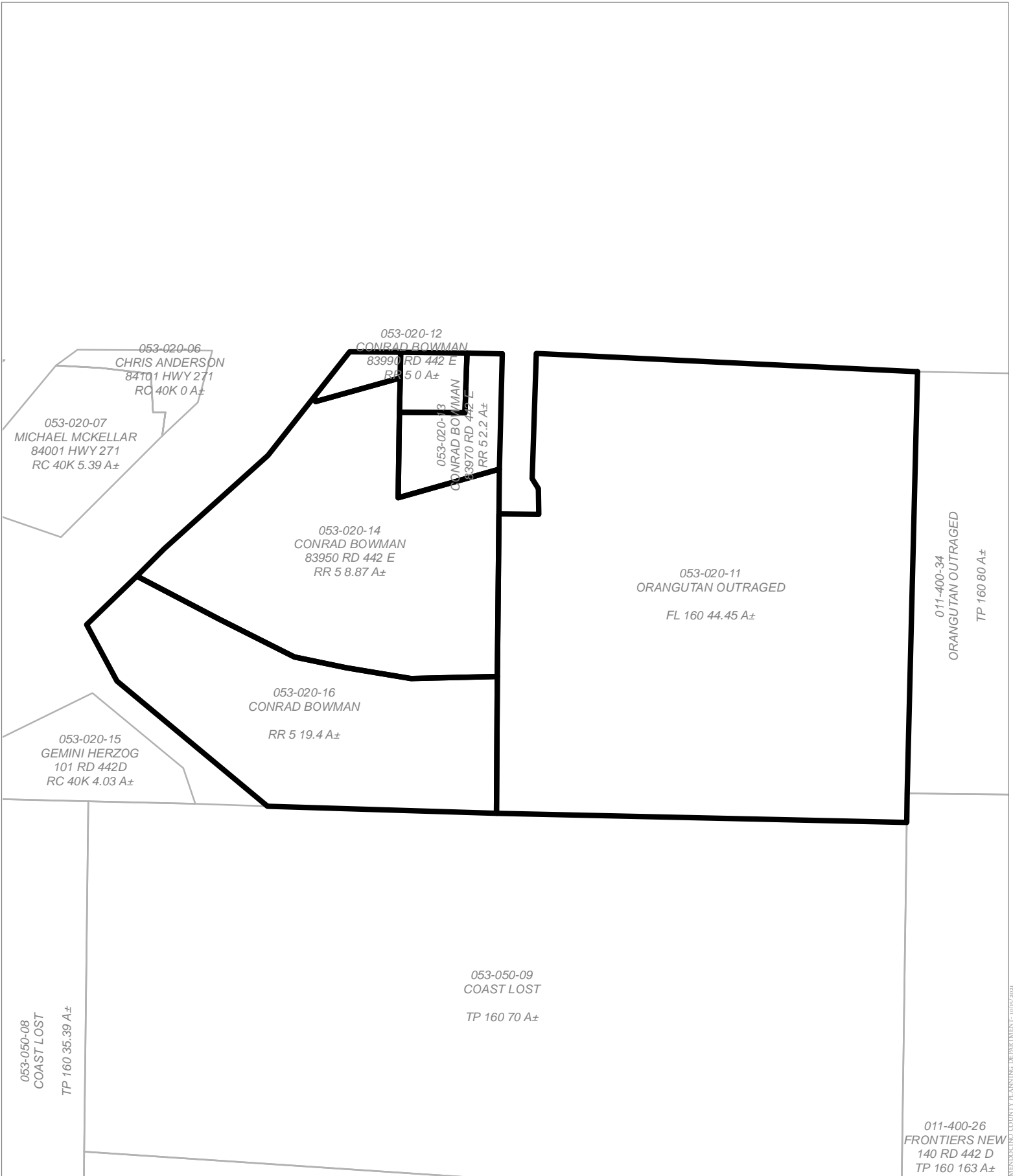
■ Riverine

CASE: UR 2021-0006  
 OWNER: BOWMAN, Conrad & Trudy  
 APN: 053-020-10, 11, 12, 13, 14, 16  
 APLCT: Northern Nights Music Group, LLC  
 AGENT: Peter Huson  
 ADDRESS: 83990 Road 442-E, Piercy

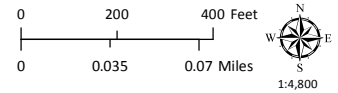


MENDOCINO COUNTY PLANNING DEPARTMENT - 10/19/2021

**WETLANDS**



CASE: UR 2021-0006  
 OWNER: BOWMAN, Conrad & Trudy  
 APN: 053-020-10, 11, 12, 13, 14, 16  
 APLCT: Northern Nights Music Group, LLC  
 AGENT: Peter Huson  
 ADDRESS: 83990 Road 442-E, Piercy



ADJACENT PARCELS

EXHIBIT B

**June 6, 2022**

**Addendum to the previously adopted Mitigated Negative Declaration for Use Permit Modification  
and Renewal UR\_2017-0002**

Use Permit Renewal Modification and Application UR\_2017-0002

Assessor Parcel Numbers: 053-020-10, 11, 12, 13, 14 and 16

Prepared By: Keith Gronendyke Planner III

This Addendum has been prepared in accordance with Section 15164 Article II, Title 14 of the California Code of Regulations (CCR) as required by the California Environmental Quality Act (CEQA) and serves as an Addendum to the previously adopted Mitigated Negative Declaration for Use Permit Modification and Renewal UR\_2017-0002. The County of Mendocino was the lead agency for the environmental review.

### **BACKGROUND**

On June 14, 2018 the Mendocino County Zoning Administrator adopted a mitigated negative declaration and approved a modification and renewal of previous Use Permits U\_2013-0005 and UM\_2014-0011 for an annual event held over the third weekend in July known as the “Northern Nights Music Festival.”

The current project requests to renew UR\_2017-0002 for another three years from 2022 to 2025 along with adding a cannabis sales and consumption area to the other activities associated with the event.

The following changes are proposed:

The modification proposal is to provide for on-site cannabis sales and consumption. The areas in which cannabis would be sold is proposed to be composed of four types of licensed participants, including: Cannabis Event Organizer, Retailer, Distributors and exhibitors.

### **PURPOSE**

Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously adopted Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent MND have occurred. Section 15162 states that when an MND has been adopted for a project, no subsequent MND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- 1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- 2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

No substantial changes are proposed which would require major revisions to the previously approved Mitigated Negative Declaration. None of the proposed changes to the project will increase the severity of previously identified significant effects. The attendance figures are proposed to be the same along with the number of days the event will be held. The only change is the addition of cannabis sales and consumption, which in and of itself will not increase the severity of project impacts a significant amount. The proposed changes will not result in a new environmental effect. No additional mitigation is required.

Explanation of Decision Not to Prepare a Supplemental Mitigated Negative Declaration:

See Purpose section above. In every impact category analyzed in this review, the projected consequences of the proposed modification or extension of time for another three years are either the same or less than significantly increased compared to the project for which the Mitigated Negative Declaration was adopted. Based upon this review, the following findings are supported:

**FINDINGS**

1. For the modified project there are no substantial changes proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

No new significant effects or increase of severity of effects are anticipated. The proposed use permit modification and renewal does not entail substantial changes as the request is to renew the previous use permit for another three years, and to allow the sales and consumption of cannabis products. No additional changes are to occur from this use permit modification and renewal and staff has determined there to be no new significant impacts.

2. For the modified project no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Based on the discussion in Finding 1, above, no new significant environmental effects resulting from the proposed use permit modification are anticipated. The circumstances under which the project is undertaken remain the same.

3. For the modified project there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

There has been no new information of substantial importance which was not known and could not have been known at the time the previous MND was complete. The baseline conditions describing the overall impacts of the previously approved use permit remain the same.

4. The proposed changes do not constitute a change in the level of significance previously discussed in the original MND. As such, it is concluded that: the current project will not have one or more significant effects not discussed in the previous MND. Furthermore, significant effects previously examined will not be substantially more severe than shown in the previous MND.

There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project.

The proposed use permit modification and renewal does not involve changes to, or analysis of any mitigation measures. No new potential impacts have been identified requiring new mitigation measures to be developed.

5. Finally, there are no mitigation measures or alternatives identified in this analysis which are considerably different from those analyzed in the previous MND, and which would substantially reduce one or more significant effects on the environment.

The proposed use permit modification and renewal does not involve changes to, or analysis of any mitigation measures.

## **CONCLUSION**

Based on these findings it is concluded that an Addendum to the adopted Mitigated Negative Declaration is appropriate to address the requirements under CEQA for the proposed ordinance changes.

County of Mendocino  
Ukiah, California  
June 15, 2022

UR\_2021-0006 - CONRAD K BOWMAN

RESOLUTION OF THE ZONING ADMINISTRATOR, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING AN ADDENDUM TO A PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION AND GRANTING A USE PERMIT MODIFICATION AND RENEWAL.

WHEREAS, the applicant, CONRAD K BOWMAN AND NORTHERN NIGHTS MUSIC GROUP, filed an application for use permit renewal and modification with the Mendocino County Department of Planning and Building Services to authorize a 4 day music and camping event with up to 8,410 attendees, and with the addition of cannabis sales and consumption, 2.5± miles north of Piercy, just south of the Mendocino/Humboldt County line, lying on the east side of Highway 101, south of the Cook's Valley exit, located at 83950 County Road 442E in the Piercy area; APNs: 053-020-10, -11, -12, -13, -14, and -16; General Plan RR5; Zoning RR:5; Supervisorial District 4; (the "Project"); and

WHEREAS an ADDENDUM TO A PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION was prepared for the Project and noticed and made available for agency and public review on June 6, 2022 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 June 15, 2022, at which time the Zoning Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Addendum and the Project. All interested persons were given an opportunity to hear and be heard regarding the Addendum and 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 Addendum and the Project.

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

1. General Plan Findings: The subject properties are classified Rural Residential (RR) under the General Plan. The proposed temporary event is consistent with the General Plan designation for the parcel and does not conflict with the intent of the RR designation and,

Policy DE-173 of the Mendocino County General Plan states: *"Provide open space, parks and recreation opportunities in and around communities"* This event provides a recreation opportunity for not only Mendocino County residents, but also out of county visitors, which could benefit the community of Piercy along with other small communities

2. Zoning Findings: The subject property is zoned Rural Residential, 5 Acre Minimum (RR:5), which allows temporary uses for events as outlined in Section 20.168.020 Entertainment Events or Religious Assembly. As such, the project is consistent with the Temporary Use provisions of the County Code.

3. Use Permit Findings: The Zoning Administrator approves UR\_2021-0006 subject to the conditions of approval recommended by staff, and further finding:

A) Under CEQA guidelines, a Mitigated Negative Declaration was previously filed for the Northern Nights music festival (U\_2013-0005). An Addendum to that MND is being filed for this project to address the increased attendance and the availability of on-site cannabis sales.



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

Access into the properties used to support the event will continue to be provided from U.S. Highway 101 via County Road 442E and private driveways. As described in the staff report and the previously prepared initial study for UR\_2017-0002, temporary bathrooms and wash stations will be provided, consistent with the Division of Environmental Health standards. Water to support the event will continue to be provided by a private on-site well. Food vendors will be provided with hot and cold water.

- B) That the proposed use will not constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in or passing through the 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.

The project has the potential to create a nuisance to off-site residences from noise. The project has previously been conditioned to minimize potential noise impacts and will help ensure noise compatibility with surrounding land uses. The project is subject to applicable noise standards identified in Policy DE-100 of the County General Plan.

Provided the applicant adheres to the conditions placed on previous use permits, which apply to this application as well, staff does not anticipate any issues from the project that would 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.

The project applicant has included in the application materials information on public safety and how the event organizers will contact local law enforcement, fire agencies and emergency response personnel to discuss the event and any emergency procedures. An emergency plan will be finalized in conjunction with the above noted emergency responder agencies and submitted to the Humboldt County Planning Division and Sherriff's office.

An experienced medical service team will be contracted as the on-site medical care provider for the duration of the event. A medical tent is slated to be established and open twenty-four hours during the event.

A helicopter landing area is available for emergency evacuation.

An emergency fire plan will be reviewed by Cal Fire and the Piercy Volunteer Fire Department and written response shall be submitted at least one-month before the event.

An emergency response plan shall be organized prior to the event. This will include designating a Communications Leader who will be responsible for coordinating response efforts.

Security shall be provided by professional on-site security services.

- C) That such use preserves the integrity of the zoning district.

The property is zoned Rural Residential 5-acre minimum (RR-5) The applicant previously obtained an entitlement via Use Permit Renewal and Modification UR\_2017-0002 to increase the annual 3-day "Northern Nights" music festival through 2020 but increase the number of days to 4. This renewal and modification were processed under the Temporary Use provisions of Chapter 20.168 of the County Code. The Code limits the use of the land for a temporary event to 5 days in any 6-month period but does not limit the attendance levels or hours of amplified music that an applicant may request. The project is consistent with the zoning restrictions for the property.

3. Environmental Protection Findings: An addendum to a previously adopted mitigated negative declaration has been prepared.

BE IT FURTHER RESOLVED that the Zoning Administrator hereby adopts the Addendum to a previously adopted Mitigated Negative Declaration and certifies that the Addendum 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 Addendum reflects the independent judgment and analysis of the Zoning Administrator.

BE IT FURTHER RESOLVED that the Zoning Administrator hereby grants the requested Use Permit modification and renewal 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 11<sup>th</sup> 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: BROOKE LARSON  
Secretary to the Planning Commission

By: \_\_\_\_\_

BY: IGNACIO GONZALEZ  
Assistant Director/Zoning Administrator

\_\_\_\_\_

## EXHIBIT A

### CONDITIONS OF APPROVAL UR\_2021-0006 - CONRAD K BOWMAN (NORTHERN NIGHTS MUSIC FESTIVAL)

**APPROVED PROJECT DESCRIPTION:** The applicant is requesting a modification and renewal to their previous entitlements including Use Permit U\_2017-0002, U\_2013-0005 and UM\_2014-0011 for an annual event held over the third weekend in July known as the “Northern Nights Music Festival.” Specifically, the applicant proposes to: Include the sales and consumption of cannabis related products in specially designated areas of the event. The event was previously approved to occur annually from 2018 through 2020 with up to 8,000 total attendees. The projected on-site camping capacity of the event is approximately 8,410 attendees in eight designated camping areas spread over more than twenty-five acres. The on-site parking capacity is approximately 3,144 vehicles and 170 recreational vehicles and trailers in eight designated parking areas. Amplified music is proposed on the following days: 6:00 p.m. to 10:00 p.m. on the Thursday prior to the event, 10:00 a.m. to 2:00 a.m. on the Friday of the event, 10:00 a.m. to 2:00 a.m. on the Saturday of the event and 10:00 a.m. to 12:00 a.m. on the Sunday of the event. The modification of the original Use Permit (UR 2017-0002) would be to allow cannabis sales and consumption. The areas in which cannabis would be sold is proposed to be composed of four types of licensed participants, including: Cannabis Event Organizer, Retailer, Distributors and exhibitors. The applicant has submitted a Plan of Operations (Attachment C) for the event which describes event details.

#### **CONDITIONS OF APPROVAL:**

##### **CONDITIONS OF APPROVAL FOR MINOR USE PERMIT U\_2013-0005:**

1. The term of this entitlement shall be limited to a three-year period starting July 21, 2022, and ending on July 20, 2025.
2. This permit is subject to the previous conditions of approval as set forth in previous governing Use Permit U\_2013-0005 and subsequent modifications: **UM\_2013-0005, UM\_2014-0011 and UM\_2017-0002.**
3. This permit shall authorize a 4-day event (Thursday through Sunday) once per year to include the third full weekend in July. Limitation does not include day following the event, as this day is reserved to begin clean-up operations and is not part of the actual event.
4. Total attendance for the 2022 through 2025 events shall be limited to no more than 8,410 campers/attendees, including staff both paid and unpaid, artists and vendors. Applicant shall submit a post event report within thirty (30) days following each event providing evidence of compliance with each condition of approval. Failure to comply with conditions of approval may result in decreased attendance cap or amplified music hours, or modification/revocation of permit.

#### **Cannabis Sales**

5. All cannabis vendors shall be licensed, consumption of cannabis shall not be visible to the public or to those under 21 years of age and cannabis consumption shall not occur concurrently in the same premises that tobacco or alcohol is consumed.
6. The Cannabis Event Organizer shall comply with all rules and regulations mandated by the State of California and Mendocino County. The event Organizer will provide a Standard Operating Procedures Agreement, which will be provided to retailers, distributors and exhibitors prior to the event. All

licensed staff, including their staff, must read, adhere to and sign the Standard Operating Procedures Agreement.

7. Cannabis sales and consumption will be designated and strictly limited to the secured premises as shown on the site plan labeled as Attachment E of this report. A State of California licensed Cannabis Event Organizer shall manage and coordinate the designated cannabis area, a separate and fenced area within the Northern Nights Music Festival.
8. Sales of cannabis goods to retail customers will be conducted by a licensed California retailer at the central Retail Area as depicted on Attachment C of this report.
9. Transportation of cannabis goods to and from the premises will be conducted by a California State licensed distributor within the Distribution Receiving area as shown on Attachment D of this report. The licensed distributors will distribute cannabis goods to the retail areas via the distribution areas as shown on Attachment D of this report. All cannabis goods transported and/or distributed in and out of the premises shall be accompanied by a manifest.
10. All exhibitors must prominently display their temporary event location number and state licenses within plain sight of the public throughout the duration of the event. Exhibitor employees will wear name badges with photographs identifying employee and employer pursuant to state and local law and will be issued working passes for event access.
11. The Cannabis Event Organizer shall provide the Mendocino County Planning Department and the State of California the list of licensed participants at least seventy-two (72) hours prior to the event to ensure that all activities are conducted by licensed entities and to verify that all licenses are in good standing.
12. Access to each cannabis retailer will be limited to those patrons that are twenty-one (21) years of age or older. A valid government issued identification will be required to be provided by the patron to security prior to receiving a twenty-one plus event wristband, which will be verified by the security staff prior to entry to each premises selling cannabis products. In addition, all retail personnel shall verify the customer's government issued identification prior to enacting any sale of cannabis goods to the retail customer.
13. Consumption of cannabis will be allowed in the consumption area as shown on Attachment E of this report. Consumption of cannabis shall be limited to those patrons twenty-one (21) years of age or older and shall not be visible to the public or non-age restricted area and in an area where sale or consumption of alcohol or tobacco is prohibited.
14. The temporary cannabis event shall only be operated during hours that comply with local and state regulations.
15. The Cannabis Event Organizer shall hire security and comply with Chapters 11.4 and 11.5 of the Business and Professions Code. Exhibitors may not hire private security for the event. The perimeter of each premises shall be clearly identified and fenced to prevent non-eligible persons from entering each premises, stating, "No person under 21 allowed" in sizes no less than 7"X11". Fencing shall be 8 feet in height and opaque to facilitate security, privacy and prevent other event participants from observing sales and consumption activities. Security personnel will be stationed at the entrance and exits of each premises as well as at the retail areas, distribution receiving areas and throughout the premises.
16. All cannabis goods sold will be subject to all state mandated testing, quality assurance, packaging and labeling requirements and shall be placed in an opaque exit package prior to sale. In addition, all cannabis goods shall be transported by a licensed distributor and all cannabis goods shall be checked and reconciled prior to delivery, to prevent prohibited items from entering the licensed premises.

17. Point of sale (POS) and track and trace software will be utilized in order to follow record retention provisions required by the State track and trace regulations as well as to ensure all tax requirements are followed and ensure timely and accurate payments of all applicable taxes.
18. Cannabis goods may only be displayed within each premises. Any cannabis goods removed from the packaging for display or returned by a customer must be destroyed at the end of the event in a manner that is compliant with local and State rules.
19. All cannabis goods shall be stored in secure and locked containers inaccessible to the public with 24 hour a day security and shall not be left unattended.
20. The retailer shall not sell more than 28.5 grams of non-concentrated cannabis, 8 grams of concentrated cannabis or 6 immature plants to a single customer in a single day.
21. The cannabis event organizer will notify the Department of Cannabis Control and local law enforcement within 24 hours of discovery of any of the following situations:
  1. A significant discrepancy in inventory due to diversion, theft, loss or any other criminal activity pertaining to the sale of cannabis goods at the event is discovered.
  2. The discovery of unauthorized alteration of inventory records related to the storage or sale of cannabis goods.
  3. A breach of security or attempted breach of security by event participants is brought to the attention of the cannabis event organizer's staff.
  4. In addition, upon notification from the Department of Cannabis Control or local authorities, security shall immediately expel from the event any person selling cannabis goods without a valid license. Security shall remain with the individual being expelled until he or she vacates the Premises.
22. Licensed participants are prohibited from providing free cannabis goods to any person or entity at each premises.
23. All cannabis waste generated at the event shall be stored in the designated cannabis waste area within each premises and shall be destroyed and documented in compliance with all applicable local and State rules and regulations.
24. Customer returns of cannabis goods shall be accepted only with goods that were purchased at each premises. Customer returns of cannabis goods that were sold to a customer prior to, or outside of, any premises is prohibited. All defective goods shall be destroyed and stored as noted above.
25. All signage advertising and marketing of cannabis goods at the event must comply with applicable regulations of Mendocino County.

#### Caltrans

26. Camping within the Caltrans right-of-way, specifically beneath the Highway 101 bridge crossing the South Fork of the Eel River and along the site boundaries bordering Highway 101 is prohibited. The portion of the site that borders Highway 101 shall be physically marked or temporary fencing shall be installed during the entire time of the event. Event security shall ensure that boundary limits along Highway 101 are observed.
27. An encroachment permit shall be required to conduct traffic control for this event. The deposit required will be \$1,420.00 (10 times the hourly rate of \$142.00). To streamline the permit process,

Caltrans requires the permit holder to arrange and participate in a pre-submittal meeting with the Caltrans encroachment permit staff in Ukiah, prior to submitting a permit application.

Mendocino County Department of Transportation

28. The permit holder shall obtain an encroachment permit from the Mendocino County Department of Transportation for any work within the County rights-of-way.
29. To comply with Organic Waste Collection Services of the Short-Lived Climate Pollutant Regulations (SLCP) (SB 1383), solid waste disposal and recycling shall be in compliance with Article 3, Section 18984 of the SLCP Regulations.
30. The permit holder shall utilize a three-cart waste management system to better consider the collection and disposal of organic waste to keep organics out of the waste stream to landfills.

Mendocino County Building Department

31. All of the State of California Americans with Disability Act (ADA) requirements shall be met by the event organizer.
32. All required building permits for any construction or electrical work shall be obtained from the Mendocino County Building Department.

Mendocino County Environmental Health Department

33. The permit holder shall submit a Community Event Application to the Environmental Health Department at least one month prior to the event.
34. Subsequent to project approval, the permit holder shall submit a check to the Mendocino County Planning and Building Services Department in the amount of \$50.00 and made out to the Mendocino County Recorder to cover the cost of filing an Addendum to a previously approved Mitigated Negative Declaration.