



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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

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pbs@mendocinocounty.gov
www.mendocinocounty.org/pbs

May 22, 2024

Department of Transportation
Environmental Health - Ukiah
Building Inspection - Ukiah
Forestry Advisor
Air Quality Management

Sonoma State University
Caltrans
Department of Forestry/ CalFire
-Land Use
-Resource Management

Department of Fish and Wildlife
Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

CASE#: AP_2023-0043
DATE FILED: 10/11/2023
OWNER: KEVIN PARKER
APPLICANT: BRANDON PARKER
AGENT: LILY GROSS

REQUEST: Administrative Permit Modification to reduce setbacks from mixed light cannabis cultivation to the west property line to 20 feet on a large mixed light/nursery (Type 2B/4) cannabis cultivation in the Timberland Production zoning district.

LOCATION: 6.8± miles east-southeast of Leggett town center, on the north side of Foster Creek Rd. (Private), 0.98± miles west of its intersection with Bell Springs Rd. (CR 324), located at 57586 Foster Creek Rd., Laytonville (APN: 012-690-20).

SUPERVISORIAL DISTRICT: 4
STAFF PLANNER: ROB FITZSIMMONS
RESPONSE DUE DATE: June 5, 2024

PROJECT INFORMATION CAN BE FOUND AT:

www.mendocinocounty.org

Select "Government" from the drop-down; then locate Planning and Building Services/Public Agency Referrals.

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

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

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

REVIEWED BY:

Signature Department Date

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APN/S: 012-690-20

PARCEL SIZE: 40± acres

GENERAL PLAN: FL160:

ZONING: TP:160

EXISTING USES: Cannabis Cultivation

DISTRICT: Supervisorial District 4 (Gjerde)

RELATED CASES: AG_2017-0183; AG_2017-0184; AP_2018-0075

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
NORTH:	FL160	TP	40± acres	Woodlands
EAST:	RMR	UR	60± acres	Woodlands
SOUTH:	FL160	FL	60± acres	Woodlands
WEST:	FL160	FL	40± acres	Woodlands

REFERRAL AGENCIES

LOCAL

- Air Quality Management District
- Building Division - Ukiah
- Environmental Health – Ukiah
- MC Department of Transportation
- Forestry Advisor

- NWIC CHRIS (Sonoma State)

STATE

- CALFIRE (Land Use)
- CALFIRE (Resource Management)
- California Dept. of Fish & Wildlife
- CALTRANS

TRIBAL

- Cloverdale Rancheria
- Redwood Valley Rancheria
- Sherwood Valley Band of Pomo Indians

ADDITIONAL INFORMATION:

This project was already granted AP_2018-0075 to permit a large mixed light commercial cannabis cultivation and nursery (permit types 2B and 4) within the Timberland Production Zone. The applicants have since reconfigured the operation/corrected the original site plan, necessitating the setback reduction posed by this modification.

STAFF PLANNER: ROB FITZSIMMONS

DATE: 5/14/2024

ENVIRONMENTAL DATA

1. MAC:

GIS
NO

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS
High

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS
State Responsibility Area

4. FARMLAND CLASSIFICATION:

GIS
Grazing Land

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)
NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS
NA

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part
*165 - Holohan-Hollowtree-Casabonne
Complex, 30-50% slopes*

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS
NO

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office
NO

10. TIMBER PRODUCTION ZONE:

GIS
YES

11. WETLANDS CLASSIFICATION:

GIS
Riverine

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS
NO

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS
NO

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11
NO

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS
NO

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10
NO

17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44
NO

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34
NO

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS
NO

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS
NO

21. STATE CLEARINGHOUSE REQUIRED:

Policy
NO

22. OAK WOODLAND AREA:

USDA
YES

23. HARBOR DISTRICT:

Sec. 20.512
NO



Department of
Planning and Building
Services

Case No:	AP-2023-0043
CalFire No:	
Cultivation No:	
Fee:	\$1623.00
Receipt No:	PRJ-059154
Received By:	Dink
Date Filed:	10-11-2023
Office use only	

Application for Cannabis Administrative Permit

ADMINISTRATIVE PERMIT (AP)

- Type C-A Cottage Indoor (500 ft²) x
 Waive RR:10 Housing Requirement
 Acreage (3.5 Acres-4.9 Acres: Type 1, 1B, 4)
 Acreage (7.0 Acres-9.9 Acres: Type 2, 2B)
- Setback Reduction (please clearly identify on your Site Plan)
 TPZ or FL (Types 1, 1B, 2, 2B, 4)
 RR5 (3.5-4.9 Acres) Waive Sunset

APPLICANT(S)

Name: Brandon Parker Phone: 707 513 8908
 Mailing Address: 57586 Foster Creek Rd.
 City: Laytonville State/Zip: Ca 95454 email: Original3GF@gmail.com

PROPERTY OWNER

Name: Kevin Parker Phone: 707 972 7060
 Mailing Address: 57586 Foster Creek Rd.
 City: Laytonville State/Zip: Ca, 95454 email: —

AGENT

Name: Lily Gross Phone: ~~707~~ (435) 669-9671
 Mailing Address: 95 S. main St
 City: Willits State/Zip: Ca, 95490 email: 707LilyGross

Parcel Size: 40 acres

Address of Property: 57586 Foster Creek Rd.

Assessor Parcel Number(s): 012-690-20

TYPE OF CULTIVATION PERMIT:

Size ↓	Type of Permit →	OUTDOOR	INDOOR	MIXED LIGHT
Small: (≤2500 ft ²)		<input type="checkbox"/> C	<input type="checkbox"/> C-A (≤500 ft ²) <input type="checkbox"/> C-A (501 – 2500 ft ²)	<input type="checkbox"/> C-B
Medium: (2501 – 5000 ft ²)		<input type="checkbox"/> 1	<input type="checkbox"/> 1-A	<input type="checkbox"/> 1-B
Large: (5001 – 10,000 ft ²)		<input type="checkbox"/> 2	<input type="checkbox"/> 2-A	<input checked="" type="checkbox"/> 2-B
Nursery: (≤22,000 ft ²)		<input type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 4

I certify that the information submitted with this application is true and accurate. I have attached the Consent of Landowner form if I am not the property owner of the parcel on which the cultivation site is located.

[Signature]
Signature of Applicant/Agent Date

[Signature]
Signature of Owner Date

CULTIVATION SITE & PROJECT DESCRIPTION QUESTIONNAIRE

1. Does the proposed cultivation site meet the following setbacks?

YES

NO

- 1,000 feet from all youth-oriented facilities, schools, parks, churches, or residential treatment facilities.

FOR OUTDOOR AND MIXED LIGHT CULTIVATION SITES

- 100 feet from any legal residential structure located on a separate legal parcel.
- 50 feet from any adjoining legal parcel under separate ownership.
- If in mobile home park, 100 feet from an occupied mobile home under separate ownership.

FOR INDOOR CULTIVATION SITES

- Any building property line setbacks.

2. Is the cultivation site visible from any public right of way or publically traveled private road?

YES

NO

3. Please describe the project site. Include improvements such as structures, wells, septic systems, grading, vegetation removal, roads, etc.

The project site is (3) 20x50' Ag exempt hoop house structures. The grow site has been in use for many decades we are a 3rd generation Family Farm. We have removed old structures and built new. At the County recommendations

4. Will the development of the proposed cultivation site be phased?

YES

NO

If YES, please describe the phases briefly.

5. How will you dispose of hazardous, natural (trimmings), or other (plastics) materials from the cultivation site?

We self haul. Save all Receipts.

6. Have you constructed in the past, are constructing, or plan to construct any roads? Grading?

YES

NO

If YES, please complete the following:

- A. Amount of cut: _____ cubic yards
- B. Amount of fill: _____ cubic yards
- C. Maximum height of cut slope: _____ feet
- D. Maximum height of fill slope: _____ feet
- E. Amount being imported/exported: _____ cubic yards
- F. Location of borrow/disposal: ON-SITE OFF-SITE

7. In order to develop the proposed cultivation site, will it be necessary to:

- | | |
|---|--------------------------|
| | YES |
| A. Remove oak species or commercial tree species? | <input type="checkbox"/> |
| B. Make substantial changes in terrain? | <input type="checkbox"/> |
| C. Connect to existing water district? | <input type="checkbox"/> |
| D. Connect to existing sewer district? | <input type="checkbox"/> |
| E. Install a septic system? | <input type="checkbox"/> |
| F. Connect to existing septic system? | <input type="checkbox"/> |
| G. Install an individual well? | <input type="checkbox"/> |

8. Please provide an inventory of the structures on the property. If additional space is needed, please provide a separate sheet. Please note improvements may be subject to permit requirements. Please include size of structures.

1. ghouse #1 Cargo container #4
2. ghouse #2 Residence (home)
3. ghouse #3 Shed ~~Residence~~ (Residence)
4. Shed #1 (secure ^{cold} storage)
5. shed #2 (Fertilizer)
6. Mother house
7. R/O hoop
8. Cargo Container #1
9. Cargo Container #2 (Residence)
10. Cargo Container #3 (Residence)

9. Are there any contiguous properties and/or projects (unrelated to cannabis) under your ownership? YES NO

10. Will the proposed cultivation site convert land currently or previously used for agriculture? YES NO
 If YES, how much land is being converted? _____ (ft² / acres)

11. Will the proposed cultivation site require the construction of a pond OR will it involve diking, filling, or dredging?
 NO
 YES, the project will involve: Construction of a pond - a total of _____ cubic yards will be moved
 Diking - a total of _____ cubic yards will be moved
 Filling - a total of _____ cubic yards will be moved
 Dredging - a total of _____ cubic yards will be moved

12. Briefly describe the surrounding properties including vegetation, animals, structures, and/or cultural/historic assets.
No Neighbors Live Near, ~~the~~ vegetation is Natural, Biological Assessment & Report by Jacobson has been presented. No Historical or Cultural Assets.

13. Please indicate the surrounding land uses.

	NORTH	EAST	SOUTH	WEST
	<u>Empty (Landlocked)</u>	<u>Cannabis Cultivation</u>	<u>Cannabis Farm</u>	<u>Cannabis Cultivation</u>

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

A. Electricity

Utility Company (existing)

Utility Company (planned)

On-Site Generation – Specify _____

B. Gas

Utility Company (existing)

Utility Company (planned)

On-Site Generation – Specify _____

None

C. Water

Community water system – Specify supplier _____

Well

Spring

Pond

Other – Specify Water preveyor (Self Haul) * Documents on file"

D. Sewage

Community sewage system – Specify supplier _____

Septic Tank

Other – Specify _____

15. Will there be any security lighting? YES NO If YES, will the light be cast downward? YES NO

16. Will you have employees? YES NO

If YES, how many employees will you have? _____

If employees are residing onsite, please indicate the structure in which they will be residing.

17. Will there be any processing of cannabis on site (trimming, leaf removal, curing, drying, etc)? YES NO

18. If you answered YES to the previous question (17), please describe the activities.

We process wet & freeze in cold storage.

19. Have you discussed this proposal with adjacent property owners and other concerned parties?

Yes, the neighbor has no issue his name is ~~XXXXXXXXXX~~ Matt Woodsmall (707) 272 3855
We are all in good standing.

20. Please describe how you intend to mitigate potential nuisances related to the proposed cultivation activities.

I work with all agencies an any arrising issue. We are not growing a larger canopy, nothing is changing. But If a issue comes we will do all in our power to help those affected.

21. Provide an overview of your past cultivation, as well as ancillary activities on this subject property. If 'Relocating' please describe past activities within Mendocino County, as well as past cultivation on this subject parcel, if applicable:

we grow 3,000 sqft canopy hoop house. we have a nursery we breed genetics and propagate new legacy varieties

22. Describe why the proposed location and operation is the most environmentally superior location on the subject property.

(N/A) the only place that is usable to cultivate cannabis responsibly.

23. Are you aware of any Archeological or Paleontological resources on the subject property? YES NO

24. Have you received the requisite approvals from CALFIRE or your Local Response Agency? YES NO

If NO, do you intend to submit this information alongside needed building permits? _____

25. Have you received site inspections from any of the following agencies with regard to this proposed activity?

NO

YES, following

Mendocino Cannabis Dept

Date: _____

Water Resources Control Board

Date: _____

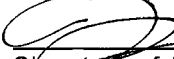
CA Dept Fish & Wildlife


Date: _____

Dept of Cannabis Control

Date: 4/21

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

 8/31
Signature of Applicant/Agent Date

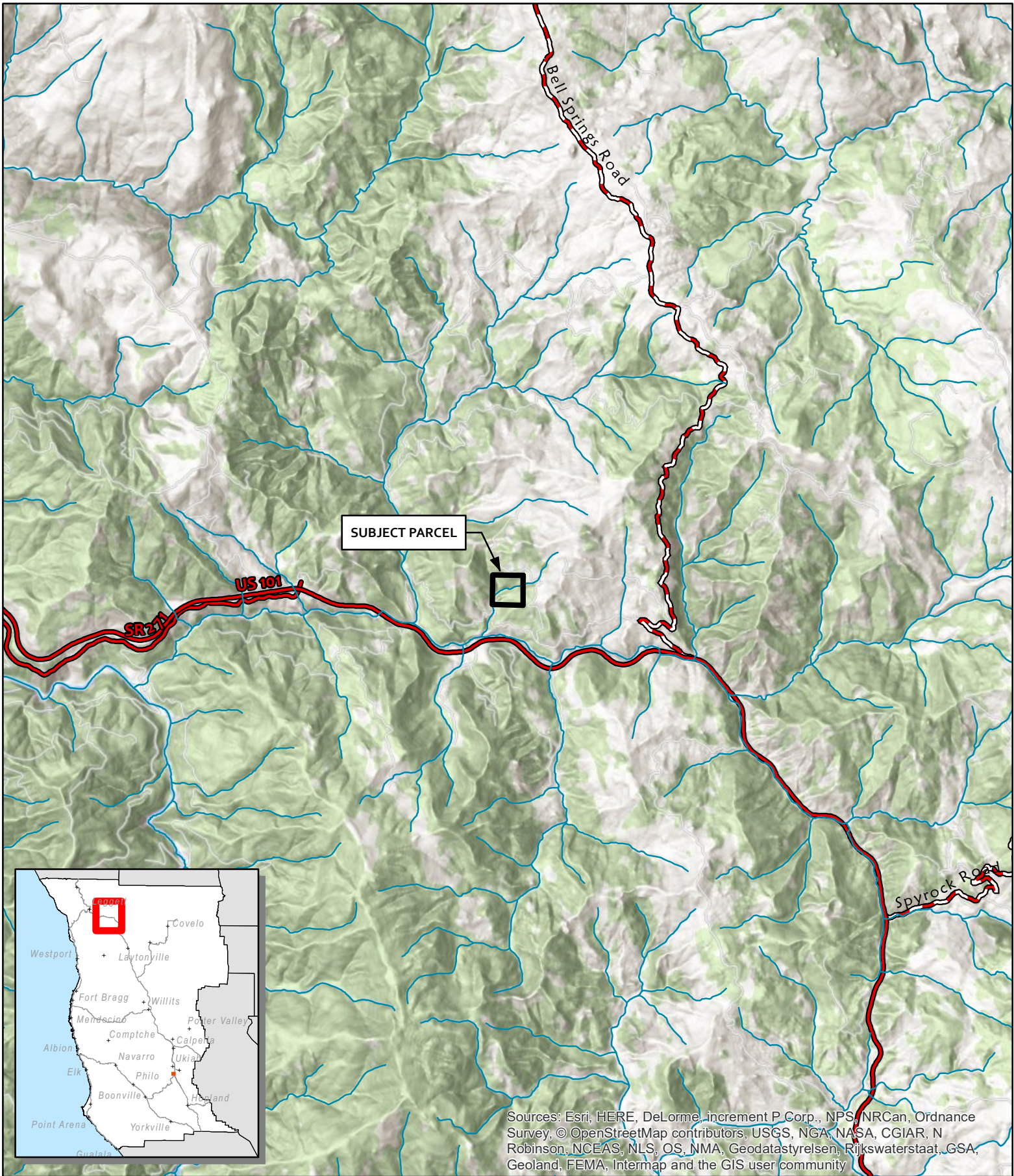
 8/31
Signature of Owner Date

FOR STAFF PURPOSES ONLY

Zoning District: _____



Subject to Sunset Provision [MCC 10A.17.080(B)(2)(b)]? YES NO

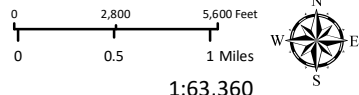
Compliant with Mendocino County Code Chapter 20.242: YES NO



Sources: Esri, HERE, DeLorme, InCREMENT P Corp., NPS, NRCAN, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

CASE: AP 2023-0043
OWNER: PARKER, Kevin
APN: 012-690-20
APLCT: Brandon Parker
AGENT: Lily Gross
ADDRESS: 57586 Foster Creek Rd.

-  Hydrology
-  Highways
-  Major Roads



1:63,360

LOCATION

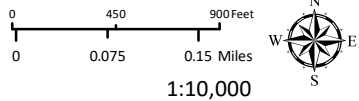
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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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- Hydrology
- Highways (2017)
- Public Roads
- - - Private Roads
- - - Driveways/Unnamed Roads



1:10,000




AERIAL IMAGERY

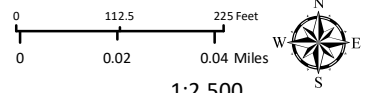
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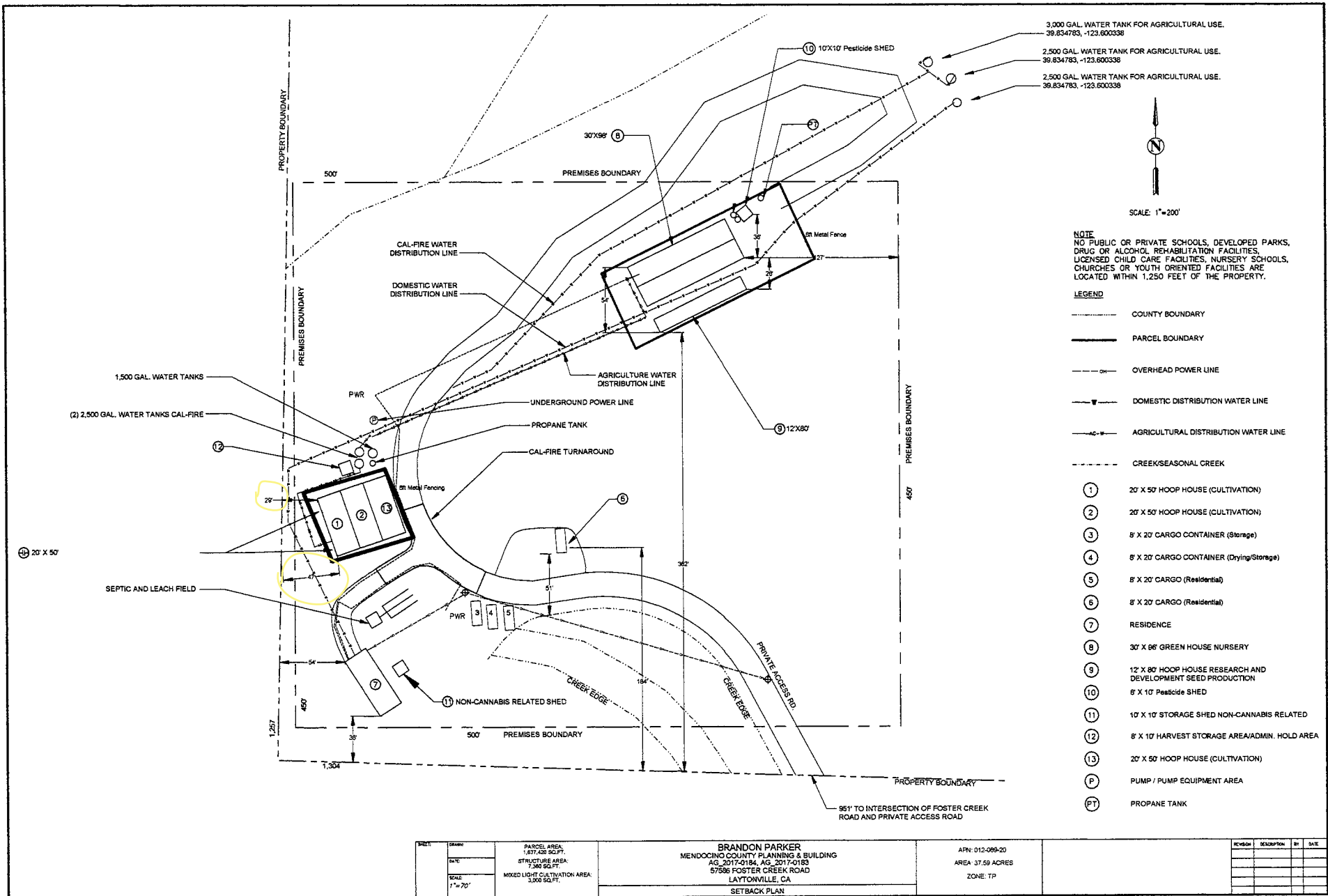
-  Hydrology
-  Private Roads
-  Driveways/Unnamed Roads



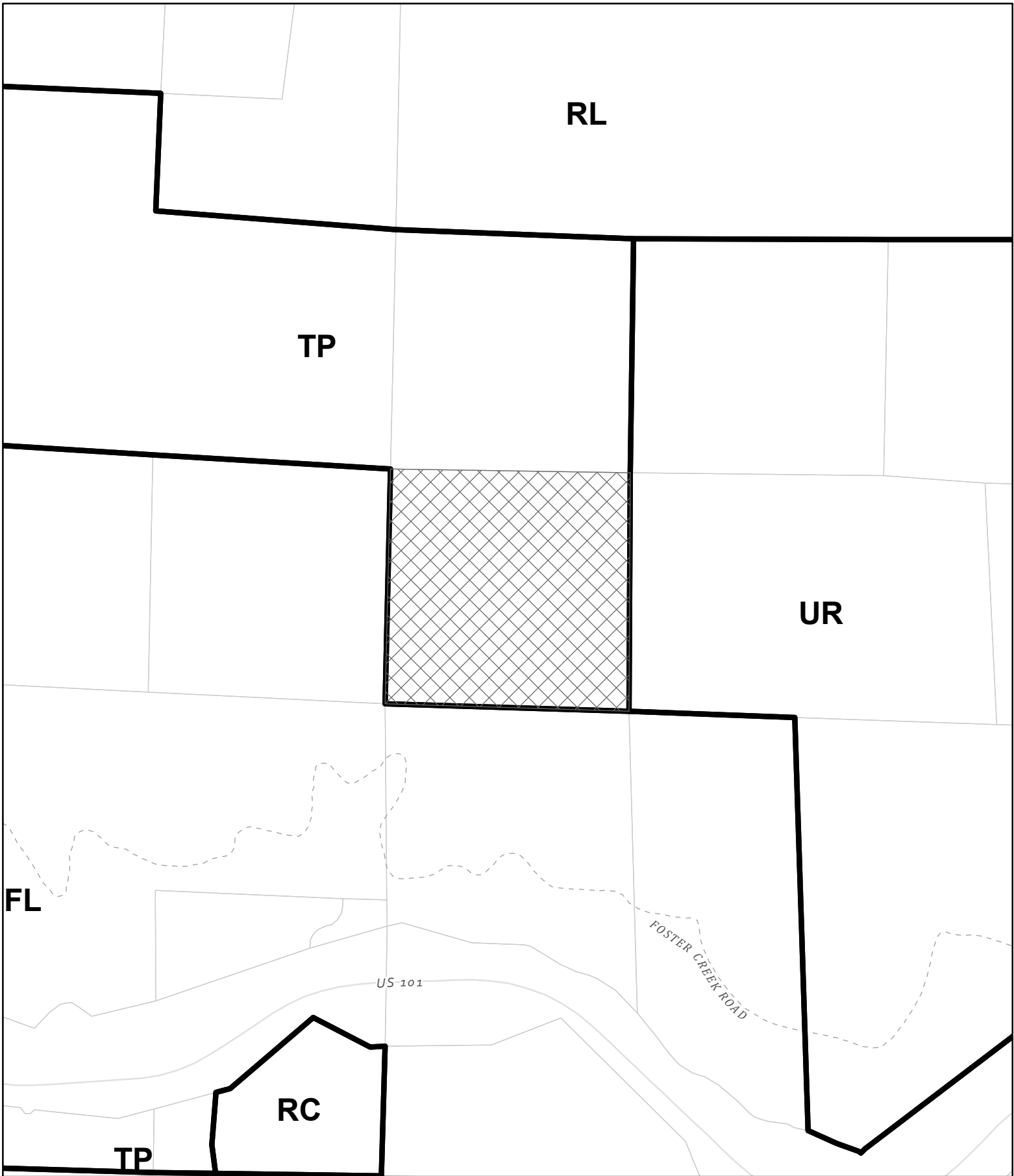
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AERIAL IMAGERY





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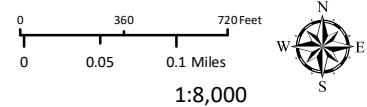


PROJECT	DATE	PARCEL AREA: 1,871,420 SQ.FT. STRUCTURE AREA: 7,300 SQ.FT. MIXED LIGHT CULTIVATION AREA: 3,000 SQ.FT.	BRANDON PARKER MENDOCINO COUNTY PLANNING & BUILDING AG_2017-0184, AG_2017-0183 57586 FOSTER CREEK ROAD LAYTONVILLE, CA SETBACK PLAN	APN: 012-099-20 AREA 37.59 ACRES ZONE: TP	REVISION	DESCRIPTION	BY	DATE
SCALE: 1"=70'								



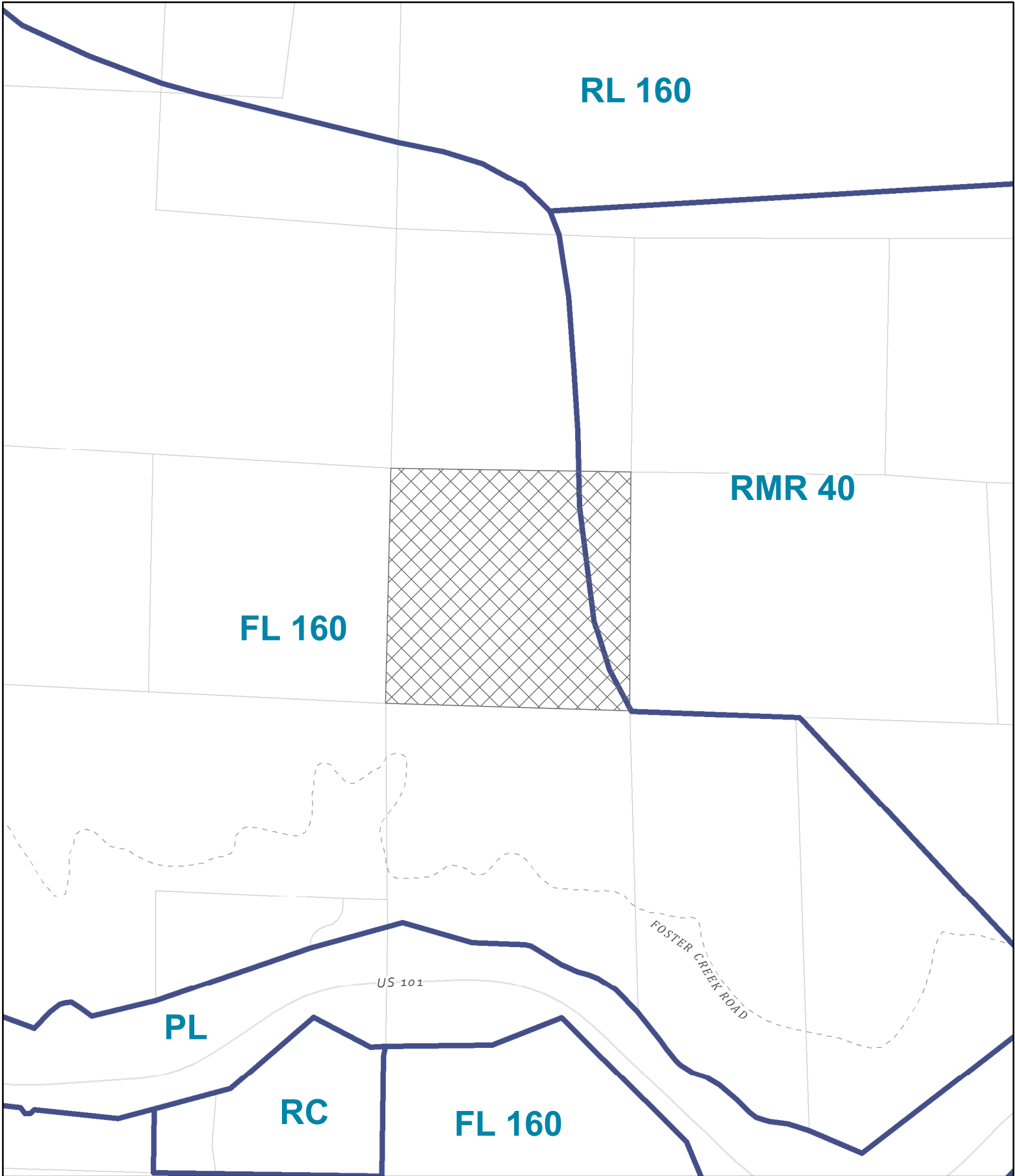
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-  Zoning Districts
-  Assessors Parcels
-  Public Roads
-  Private Roads






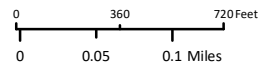
ZONING

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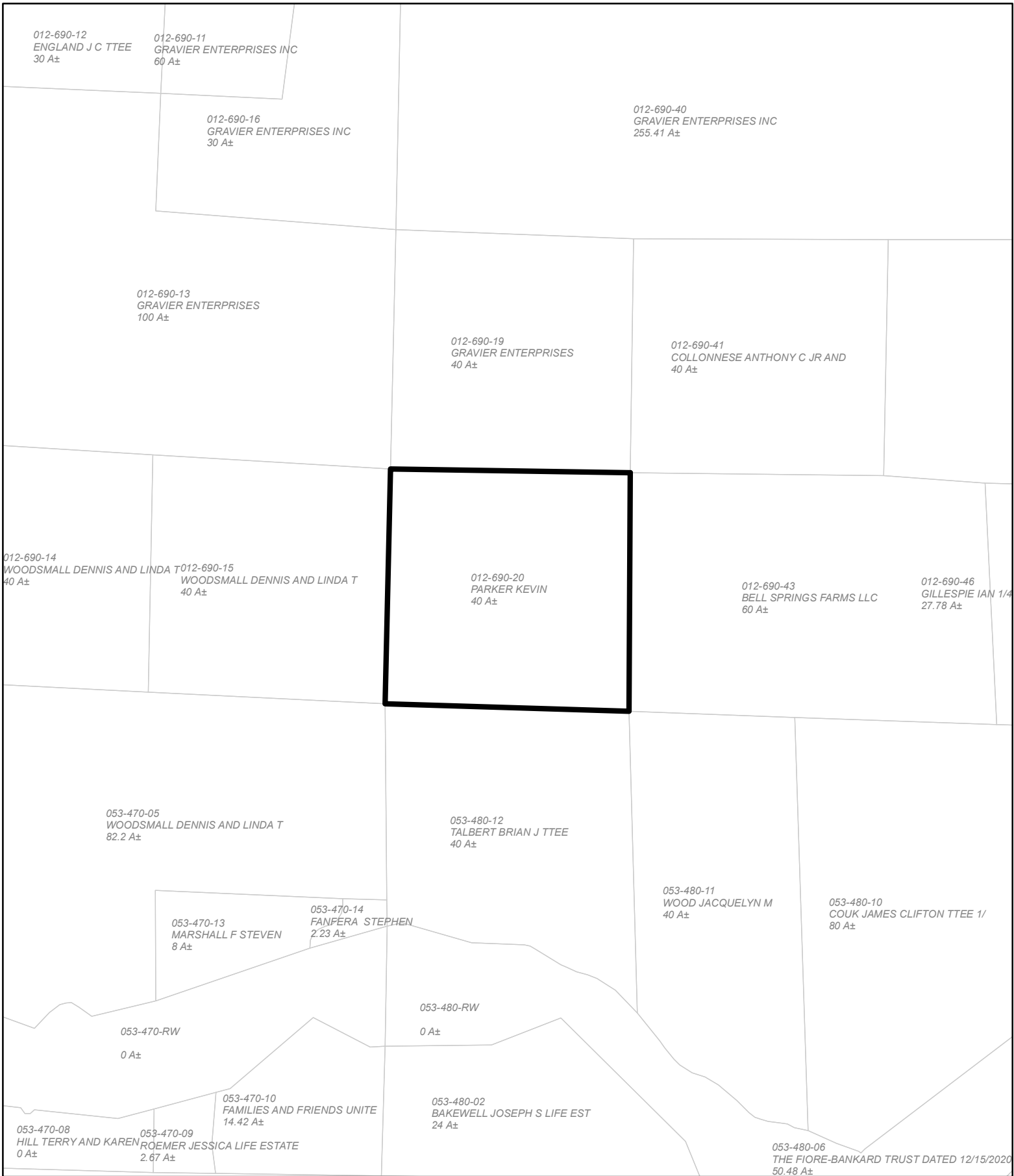
-  Public Roads
-  Private Roads
-  Assessor's Parcels




1:8,000

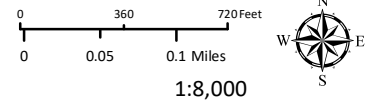
GENERAL PLAN

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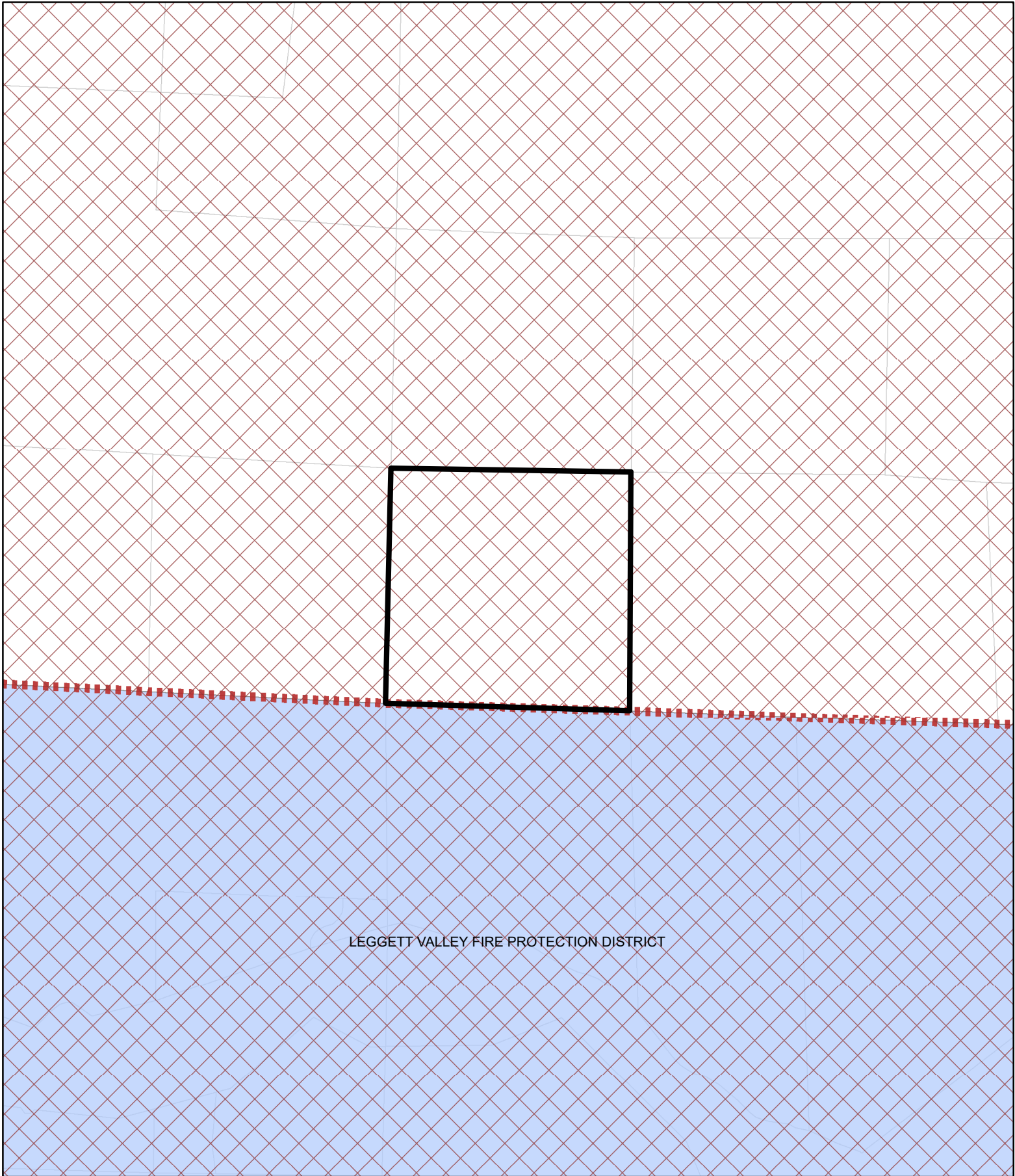
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 Assessors Parcels



1:8,000
ADJACENT PARCELS

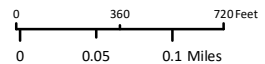
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LEGGETT VALLEY FIRE PROTECTION DISTRICT

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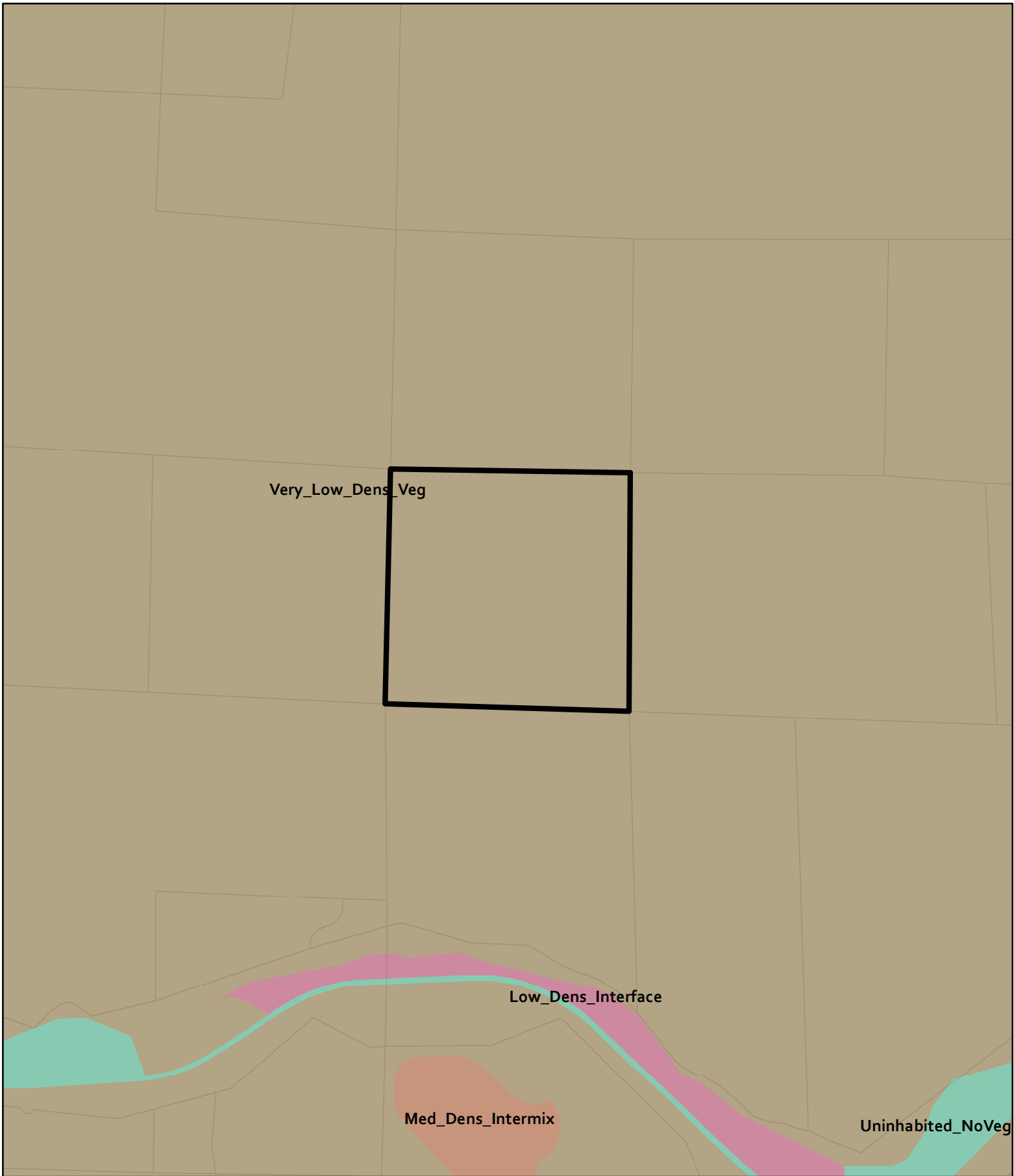
-  High Fire Hazard
-  County Fire Districts
-  Assessors Parcels



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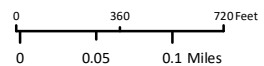
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA

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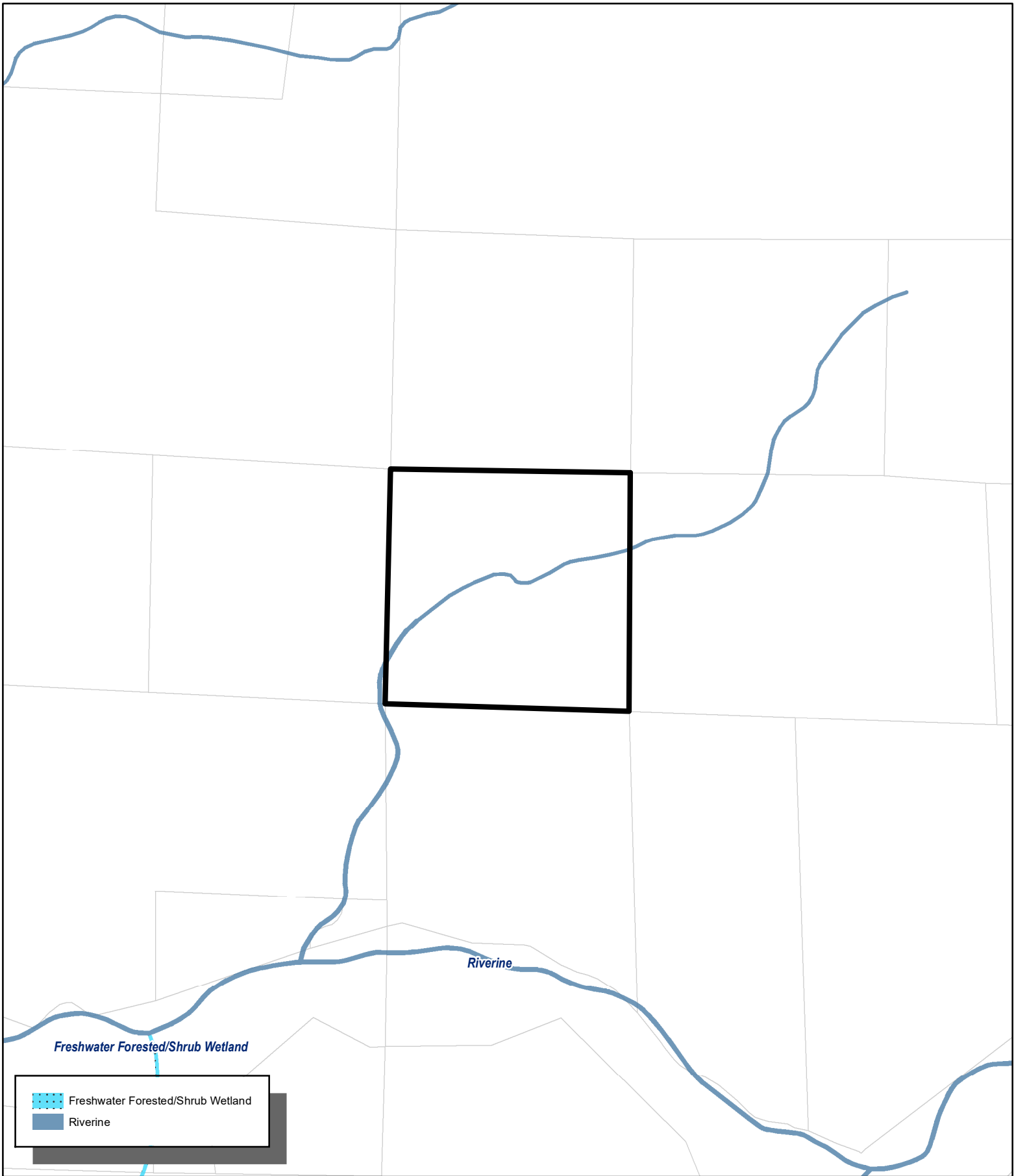
Assessors Parcels






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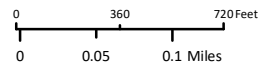
WILDLAND-URBAN INTERFACE

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	Freshwater Forested/Shrub Wetland
	Riverine

 Assessors Parcels

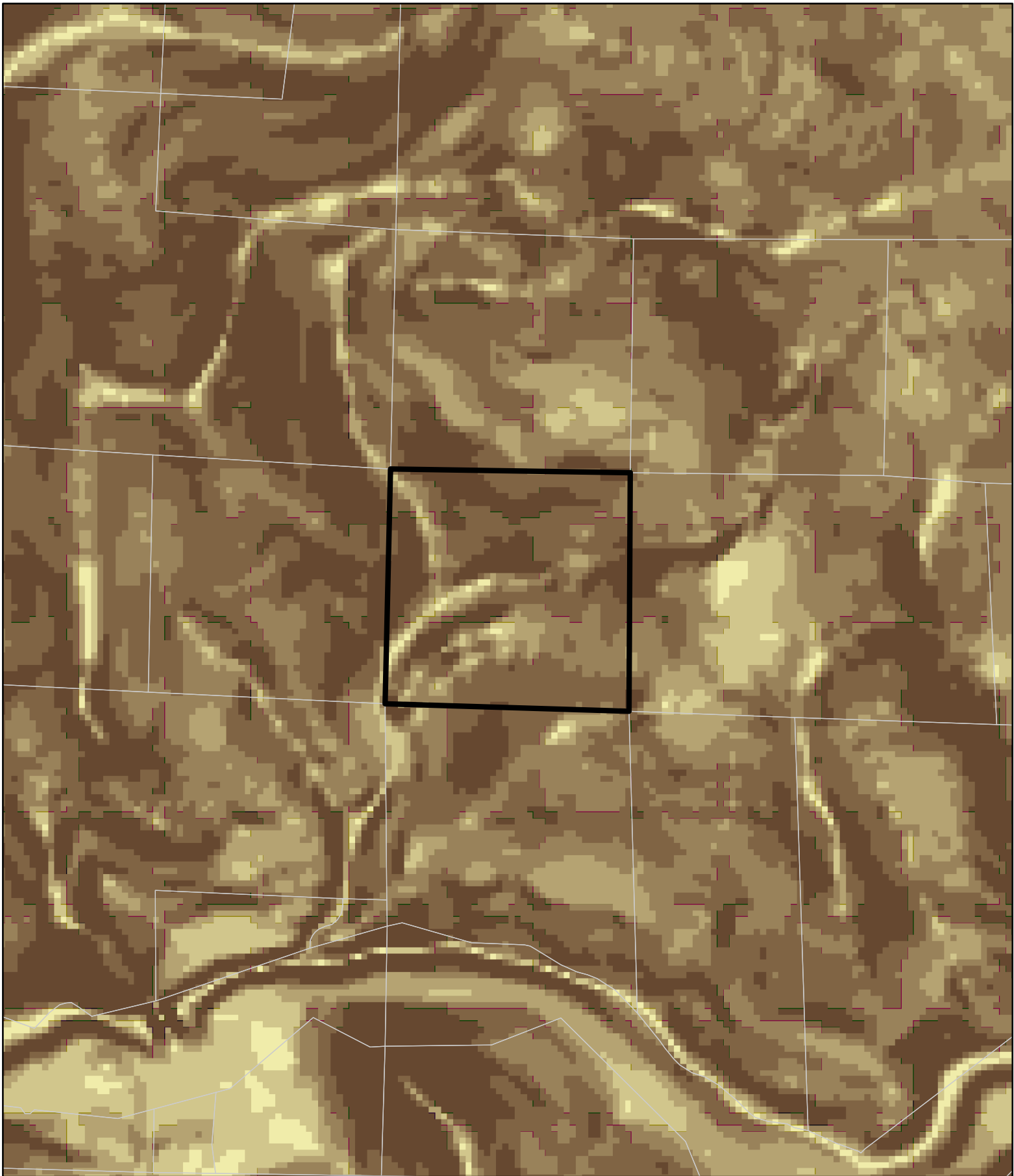


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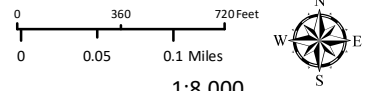
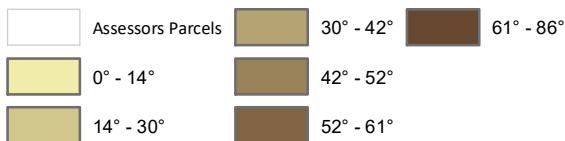
WETLANDS

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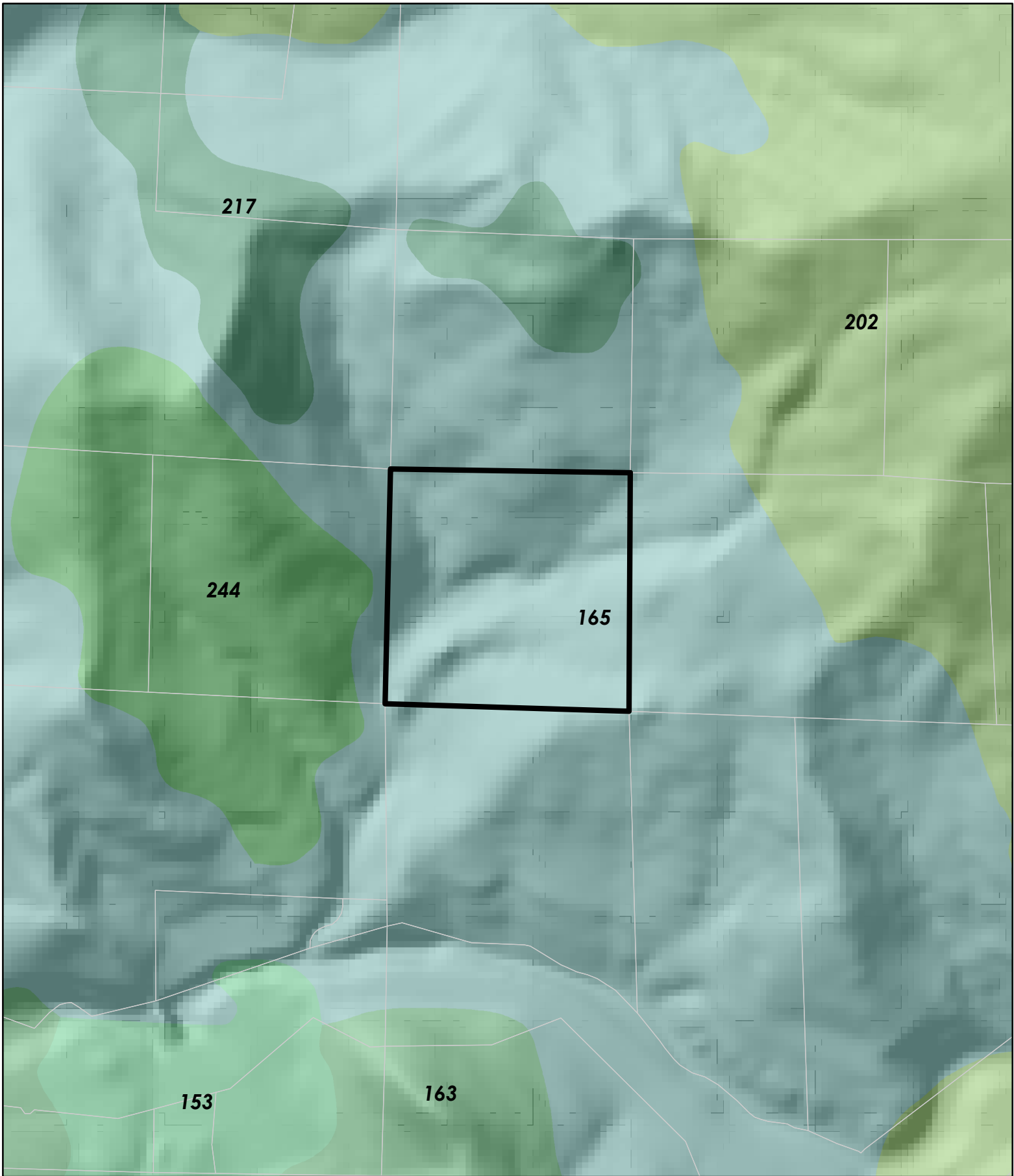


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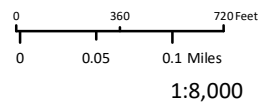
ESTIMATED SLOPE

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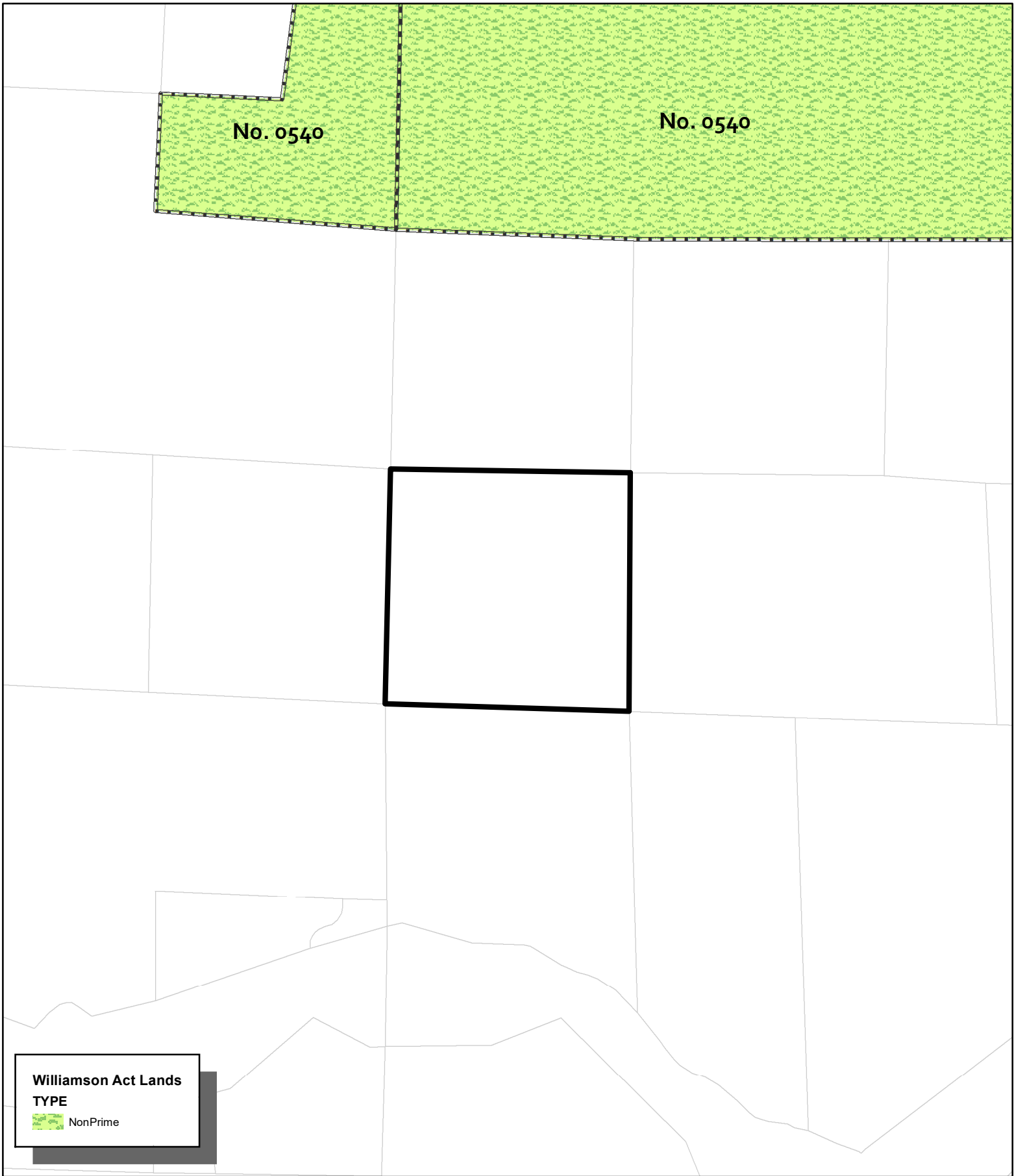
CASE: AP 2023-0043
OWNER: PARKER, Kevin
APN: 012-690-20
APLCT: Brandon Parker
AGENT: Lily Gross
ADDRESS: 57586 Foster Creek Rd.

 Assessors Parcels




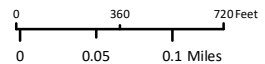
WESTERN SOIL CLASSIFICATIONS

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Williamson Act Lands
TYPE
 NonPrime

 Assessors Parcels

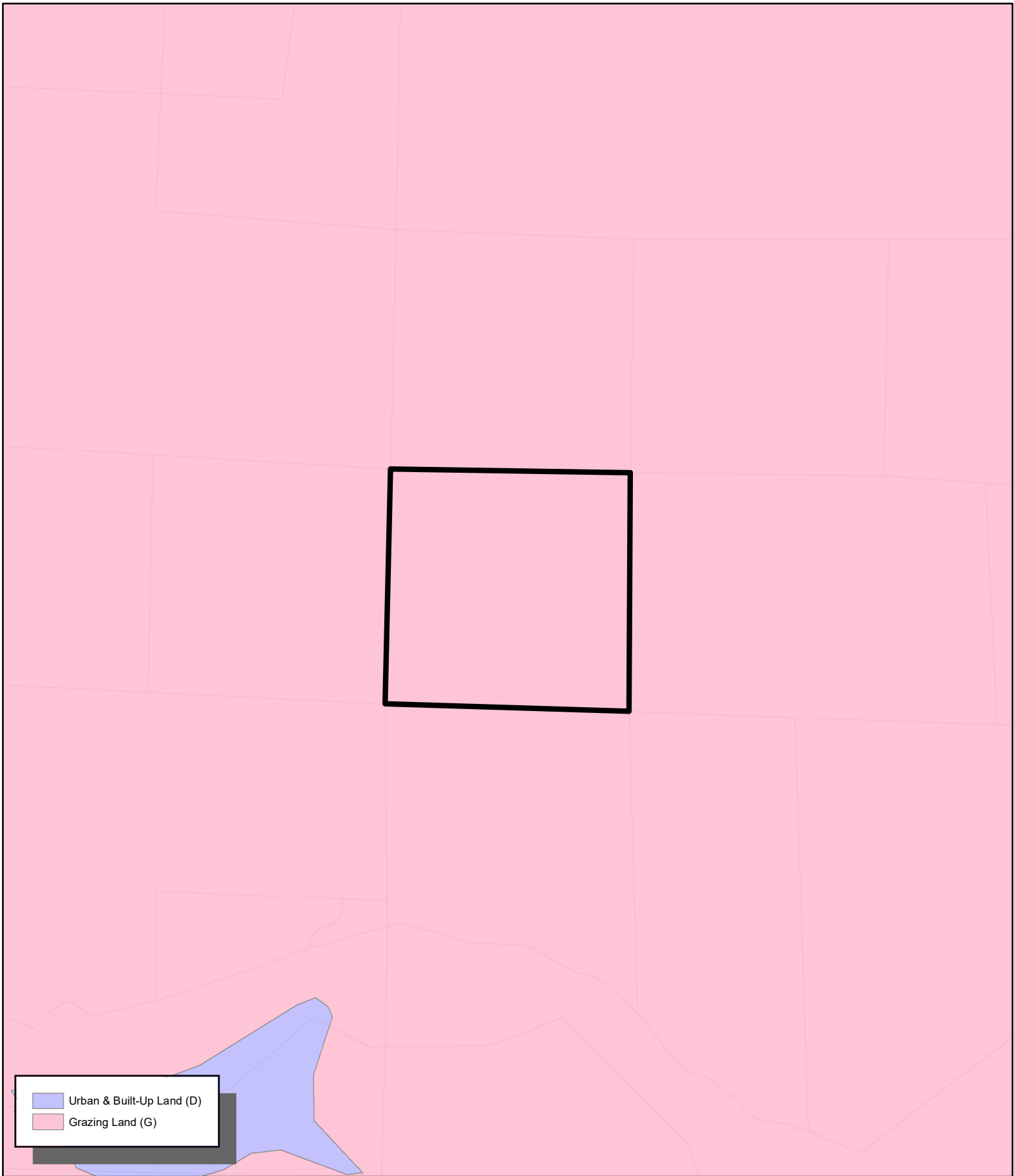


1:8,000

WILLIAMSON ACT

CASE: AP 2023-0043
OWNER: PARKER, Kevin
APN: 012-690-20
APLCT: Brandon Parker
AGENT: Lily Gross
ADDRESS: 57586 Foster Creek Rd.

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

Assessors Parcels

0 360 720 Feet
0 0.05 0.1 Miles



1:8,000


IMPORTANT FARMLANDS

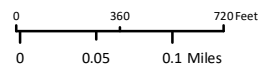
CASE: AP 2023-0043
OWNER: PARKER, Kevin
APN: 012-690-20
APLCT: Brandon Parker
AGENT: Lily Gross
ADDRESS: 57586 Foster Creek Rd.

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Leggett Valley Unified

CASE: AP 2023-0043
OWNER: PARKER, Kevin
APN: 012-690-20
APLCT: Brandon Parker
AGENT: Lily Gross
ADDRESS: 57586 Foster Creek Rd.

 Assessors Parcels



1:8,000

SCHOOL DISTRICT

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