

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.gov www.mendocinocounty.org/pbs

September 20, 2024

Department of Transportation Environmental Health - Ukiah Building Inspection - Ukiah Assessor MC Cannabis Agriculture Commissioner

CASE#: AP_2024-0022 DATE FILED: 6/27/2024 OWNER: Dina Fratis APPLICANT: Scott McKinney AGENT: Lily Gross Forestry Advisor Air Quality Management Sonoma State University Department of Forestry/ CalFire -Land Use Department of Fish and Wildlife Regional Water Quality Control Board Laytonville Municipal Advisory Council Cloverdale Rancheria Redwood Valley Rancheria Sherwood Valley Band of Pomo Indians

REQUEST: Administrative Permit for a 10,000 square foot mixed light cannabis cultivation operation (Permit Type 2B) within the Forest Land zoning district.

LOCATION: 7.4± miles northwest of Dos Rios town center, on the northeast side of Simmerly Road, 2.5± miles east-southeast of its intersection with Iron Creek Road, located at 8250 Simmerly Rd, Laytonville. SUPERVISORIAL DISTRICT: 3 STAFF PLANNER: ROB FITZSIMMONS

RESPONSE DUE DATE: October 04, 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 <u>pbs@mendocinocounty.org</u>. Please note the case number and name of the project coordinator with all correspondence to this department.

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

□ No comment at this time.

Recommend conditional approval (attached).

Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)

Recommend denial (Attach reasons for recommending denial).

Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).

Other comments (attach as necessary).

REVIEWED BY:

Signature _____

Department _____

Date ____

CASE: AP_2024-0022

OWNER:	Dina Fratis
APPLICANT:	Scott McKinney
AGENT:	Lily Gross
REQUEST:	Administrative Permit for a 10,000 square foot mixed light cannabis cultivation operation (Permit Type 2B) within the Forest Land zoning district.
LOCATION:	7.4± miles northwest of Dos Rios town center, on the northeast side of Simmerly Road, 2.5± miles east-southeast of its intersection with Iron Creek Road, located at 8250 Simmerly Rd, Laytonville.
APN:	033-040-55
PARCEL SIZE:	52± acres
GENERAL PLAN:	Rangelands (RL)
ZONING:	Forest Land (FL)
EXISTING USES:	Commercial Cannabis Cultivation
DISTRICT:	3, Haschak
RELATED CASES:	AG_2019-0100

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH	RL	FL	99±	Woodlands
EAST:	FL	RL, TP	44±, 207±	Woodlands
SOUTH:	RMR	UR	42±	Woodlands
WEST:	RMR	UR	43±	Woodlands

REFERRAL AGENCIES				
LOCAL				
Air Quality Management District	🖾 Forestry Advisor	Archeological Commission		
⊠ Assessor's Office	🛛 Laytonville MAC	TRIBAL		
🛛 Building Division Ukiah	🖾 CALFIRE (Land Use)	🖾 Cloverdale Rancheria		
🛛 Cannabis Department	🛛 California Dept. of Fish & Wildlife	🛛 Redwood Valley Rancheria		
Department of Transportation (DOT)	🛛 Regional Water Quality Control Board	Sherwood Valley Band of Pomo Indians		
🛛 Environmental Health (EH)	⊠ CHRIS NWIC			

ADDITIONAL INFORMATION:

Preliminary review suggests there may have been vegetation removal/tree clearing in the vicinity of the north cultivation site.

STAFF PLANNER: ROB FITZSIMMONS

DATE: 9/20/2024

ENVIRONMENTAL DATA

1. MAC: GIS

Laytonville MAC

2. FIRE HAZARD SEVERITY ZONE: CALFIRE FRAP maps/GIS High

3. FIRE RESPONSIBILITY AREA: CALFIRE FRAP maps/GIS SRA (State Responsibility Area)

4. FARMLAND CLASSIFICATION:

Grazing Land (G)

5. FLOOD ZONE CLASSIFICATION: FEMA Flood Insurance Rate Maps (FIRM) None

6. COASTAL GROUNDWATER RESOURCE AREA: Coastal Groundwater Study/GIS N/A

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part 200 – Shortyork-Yorkville-Witherell complex, 30-50% slopes 208 – Updegraff-Speaker-Neuns complex, 30-50% slopes 111 – Casabonne-Wohly-Pardaloe complex, 50-75% 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 NO

11. WETLANDS CLASSIFICATION:

Fluvial Natural

GIS

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 *YES*

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:	-
CalFire No:	
Cultivation No:	
Fee:	-
Receipt No:	
Received By:	
Date Filed:	
	Office use only

Application for Cannabis Administrative Permit

ADMINISTRATIVE PERMIT (AP)

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

Acreage (3.5 Acres-4.9 Acres: Type 1, 1B, 4) Acreage (7.0 Acres-9.9 Acres: Type 2, 2B)

APPLICANT(S) Name: SCOTT MCKIN Mailing Address: 21881 Peto City: Fort Bragg	1	Phone: 650-219	1-1433 ++@gmail.com	
Mailing	etaluma Ave. State/Zip: CA	Phone: (050-210	7. 1433	
AGENT Name: Lily Gross Mailing Address: 95 Sout City: Will As	5 <u>h Maîn Street</u> State/Zip: CA 95490	Phone: 435-669 email: 197 Lily GR	9-9671 2055@gmail.com	
Parcel Size: 52acres				
Address of Property: 8250 Simmerly Rd, Laytonville, CA 95454				
Assessor Parcel Number(s): 033-040-5500				
		IVATION PERMIT:		
Size \checkmark Type of Permit \rightarrow	OUTDOOR	INDOOR	MIXED LIGHT	
Small: (≤2500 ft ²)	C C	 □ C-A (≤500 ft²) □ C-A (501 - 2500 ft²) 	С-в	
Medium: (2501 – 5000 ft ²)	1	□ 1-A	□ 1-B	

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.

2-A

4

IC Signature of Applicant/Agent

Large:

Nursery: (≤22,000 ft²)

 $(5001 - 10,000 \text{ ft}^2)$

Date

2

4

Signature of Owner

<u>3 · /S · 24</u> Date

2-B

4

7. In order to develop the proposed cultivation site, will it be necess	sary to:
 A. Remove oak species or commercial tree species? B. Make substantial changes in terrain? C. Connect to existing water district? D. Connect to existing sewer district? E. Install a septic system? F. Connect to existing septic system? G. Install an individual well? 	YES D D D D D D D
	ditional apparaio product, places arrivida a
 Please provide an inventory of the structures on the property. If a separate sheet. Please note improvements may be subject to permi 	additional space is needed, please provide a it requirements. Please include size of structures.
1. IL AG HOOP HOUSE	
2. 2 AG Sheds	
3	
4	
5	
6	
7	
8.	
9.	
10.	
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 previo	
If YES, how much land is being converted?	_ (ft [*] / acres)
11. Will the proposed cultivation site require the construction of a p	ond OR will it involve diking, filling, or dredging?
XNO	
YES, the project will involve: Construction of a pond - a to	otal of cubic yards will be moved
	otal of cubic yards will be moved
	otal of cubic yards will be moved
	otal of cubic yards will be moved
12. Briefly describe the surrounding properties including vegetation	animals, structures, and/or cultural/historic assets.
12. Briefly describe the surrounding properties including vegetation Cannotois Withman, NOV FORST Land	r-developed land,
Forest Land	
13. Please indicate the surrounding land uses.	
FI NORTH EAST	SOUTH WEST
Paraira PL	r cannalas non-developed
Cannabis Cannabi	Pulle the
WHINNIG CUTING	un WITIVATION

CULTIVATION SITE & PROJECT DESCRIPTION QUESTIONNAIRE 1. Does the proposed cultivation site meet the following setbacks? YES -XINO 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. 0 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? **N**NO T YES 3. Please describe the project site. Include improvements such as structures, wells, septic systems, grading, vegetation removal, roads, etc. No further improve more 4 hoop houses for cultivation put in 2017 (north grow are, hoops were combined to 2 in 2021), 3 hoops added to lower garden in 2020, by 2021 total of 9 hoops in lower garden. Lower garden graded in 2020. On Site septic and Well, trees removed in 2017 is accordance to cal fire structure regulations (the barn) 4. Will the development of the proposed cultivation site be phased? □ YES NO NO If YES, please describe the phases briefly. No further development underway 5. How will you dispose of hazardous, natural (trimmings), or other (plastics) materials from the cultivation site? Compost + Self Haul 6. Have you constructed in the past, are constructing, or plan to construct any roads? Grading? **NO** X YES 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

GRADING & DRAINAGE IMPROVEMENTS BU_2020-1099

14. Utilities will be supplied to the site as follows:
A Electricity
A. Electricity Utility Company (existing)
Utility Company (existing)
\mathbb{N} On-Site Generation – Specify $\mathbb{S} \otimes \mathbb{A}$
B. Gas
Utility Company (existing)
Litility Company (planned)
Con-Site Generation - Specify Propane tank
None
C. Water
Community water system – Specify supplier
X Well
Spring
Pond
Other – Specify
D. Sewage
Community sewage system – Specify supplier
Septic Tank Permitted
Other – Specify
15. Will there be any security lighting? YES NO If YES, will the light be cast downward? YES NO
15. Will there be any security lighting? YES X 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.
n 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.)?
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18. If you answered YES to the previous question (17), please describe the activities.
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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: permited cultivation site Permitted with Mendocino county Cannabis in 2019 as legal cultivation, 9 hoop houses permitted with MCPB in 2020, 3 hoop houses and 2 storages permitted with MCPB in 2022 (All 12 hoops on original 2020 map turned in with county cannabis) 22. Describe why the proposed location and operation is the most enviornmentally superior location on the subject property. permitted in 2019, ideal to continue with permitted location. **N**NO 23. Are you aware of any Archeological or Paleontological resources on the subject property? ☐ YES 24. Have you recieved the requisite approvals from CALFIRE or your Local Response Agency? ☐ YES FINO If NO, do you intend to submit this information alongside needed building permits? workin 0n CO 25. Have you recieved site inspections from any of the following agencies with regard to this proposed activity? **NO** ES, following Mendocino Cannabis Dept Date: 0 Date: 20 Water Resources Control Board Date: CA Dept Fish & Wildlife Dept of Cannabis Control Date: I certify that the information submitted with this application is true and accurate: icant/Agent Date S Signature of Owner Date Signature of Applicant/Agent 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: **NO**

	AUTHORIZATION OF AGENT	
1.	I hereby authorize Lily Gross representative and to bind mg in all matters concerning this application.	to act as my
	SM10/2 3.15.24	
	Owner Date	

CERTIFICATION AND SITE VIEW AUTHORIZATION

- 1. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application, and all attached appendices and exhibits, is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the county.
- 2. I hereby grant permission for County, Planning and Building Services staff, and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.

wher Authorized Agent

INDEMNIFICATION AND HOLD HARMLESS

ORDINANCE NO. 3780, adopted by the Board of Supervisors on June 4, 1991, requires applicants for discretionary land use approvals, to sign the following Indemnification Agreement. Failure to Sign this agreement will result in the application being considered incomplete and withheld from further processing.

INDEMNIFICATION AGREEMENT

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County of Mendocino, its agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in Mendocino County Code Section 1.04.120, from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, employees, boards and commissions.

1. 1. Lily Gross	_, hereby agree to the above Indemnification Agreement.
P (Print Name)	C.74.74
Owner/Authorized Agent	Date

To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence mailed to <u>if different from those identified on the **Application for Cannabis Cultivation** page.</u>

Name	Name	Name	
Mailing Address	Mailing Address	Mailing Address	



COUNTY OF MENDOCINO DEPARTMENT OF PLANNING & BUILDING SVCS. FB PHONE: 707-964-5379

860 NORTH BUSH STREET • UKIAH, CALIFORNIA 95482 120 West Fir Street • Fort Bragg, California 95437

JULIA KROG, DIRECTOR PHONE: 707-234-6650 FB FAX: 707-961-2427 pbs@mendocinocounty.gov www.mendocinocounty.org/pbs

ACKNOWLEDGEMENT OF DEPOSIT/HOURLY FEE

By signing below, the applicant acknowledges that the staff at Planning and Building Services has discussed the potential for collection of a deposit fee for the projects listed below (as adopted by the Board of Supervisors Resolution No.'s 11-072, 16-150, 18-122, 19-170, 21-194 and 23-190)

- 1. Division of Land Project
- 2. General Plan Project
- 3. Coastal Project
- 4. Zoning Project
- 5. Administrative Project
- 6. Cannabis Project
- 7. Private Road Naming

Once an application has been submitted and the processing costs approach 80% of the application fee, additional staff processing time will be billed at \$98.00/hour. Staff will notify the applicant/owner that a deposit equal to 50% of the initial filing fee is required for further processing, and more than one deposit may be required depending on the complexity of the project and the staff time necessary to complete application processing.

I acknowledge that I was advised of the deposit fee for continued processing after the initial application fee has been expended.

Applicant Signature

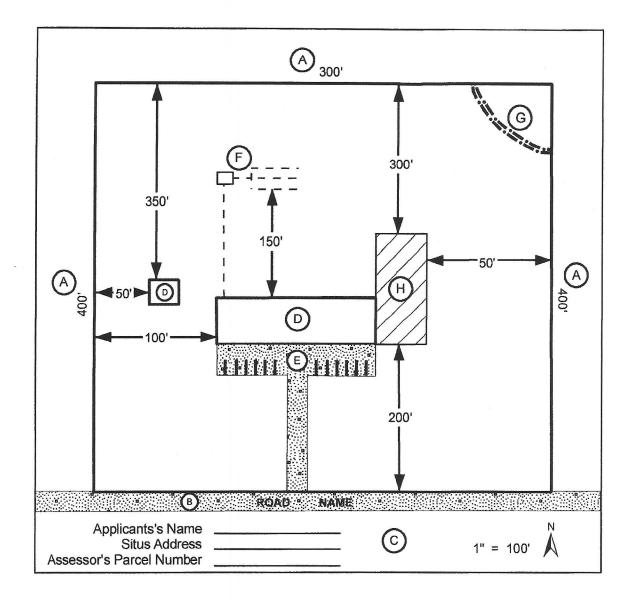
3.15.24 Data

OFFICE USE ONLY:

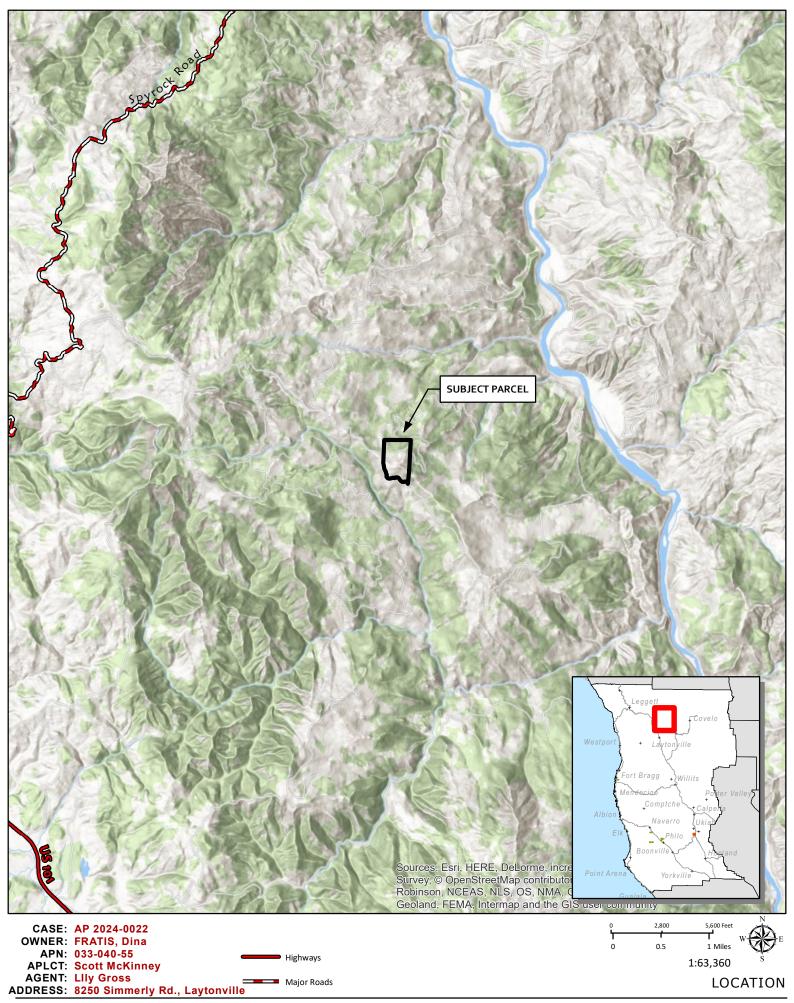
Project or Permit Number

S:\Planning And Building\Share\0.APPLICATIONS (Master File)\Original Word Documents\Cost Recovery Form 2-5-24.Docx

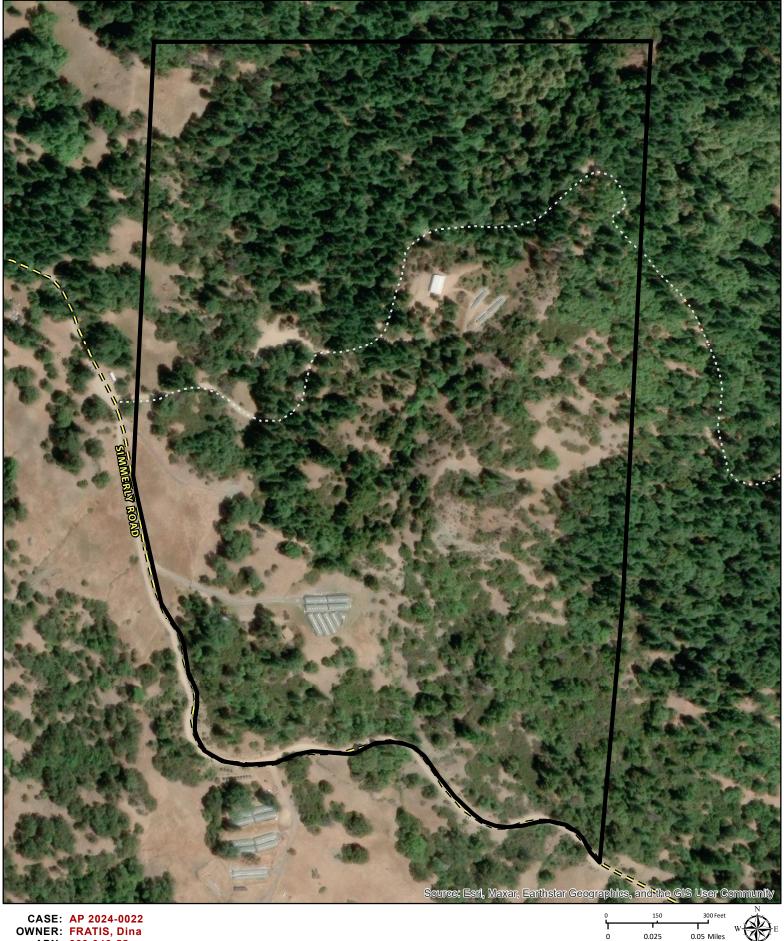
SAMPLE PLOT PLAN



- A. Parcel Shape and Dimensions.
- B. Adjacent Streets.
- C. North Arrow and Scale.
- D. Existing Buildings including distance from property lines.
- E. Driveways, Parking and Loading Areas.
- F. Existing and proposed septic system and wells including distances from structures.
- G. Easements and Utility Lines (power, sewer, water, etc.).
- H. Proposed structure or addition including distance from property lines.







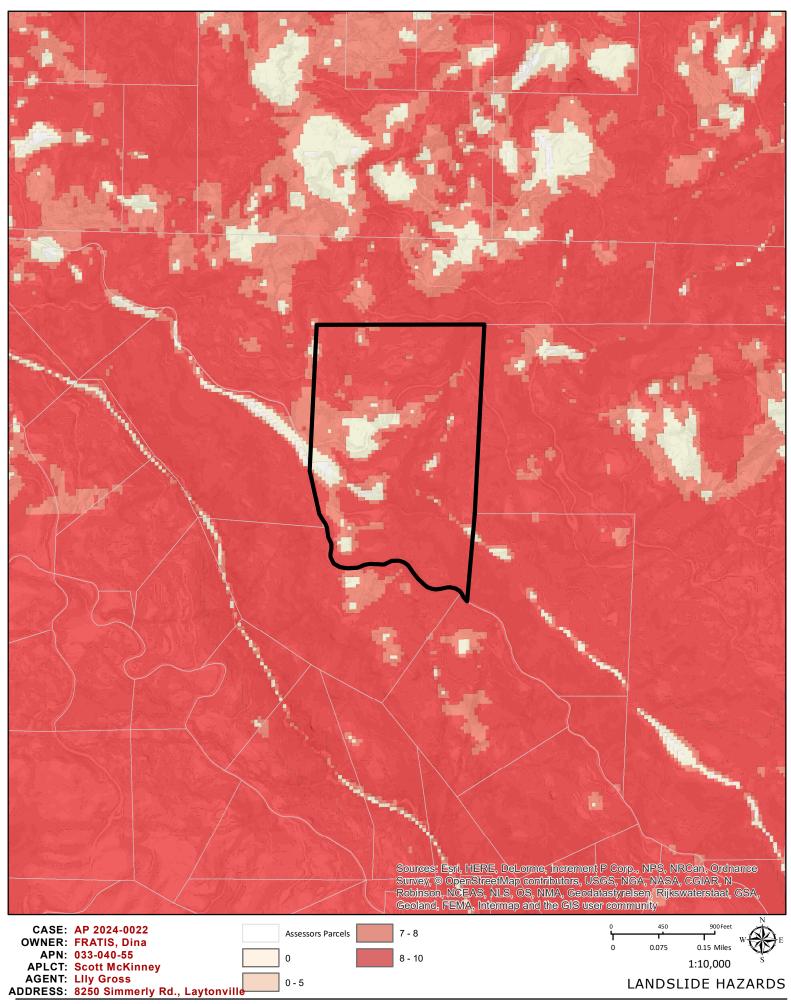
 OWNER:
 FRATIS, Dina

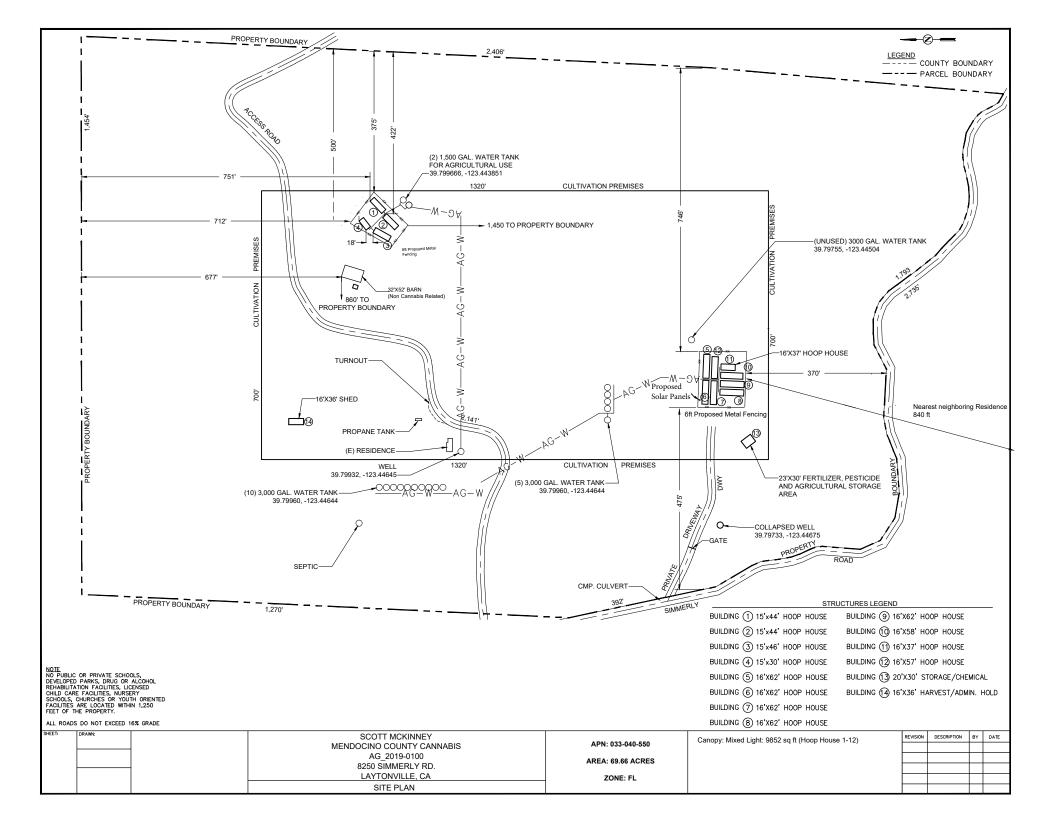
 APN:
 033-040-55

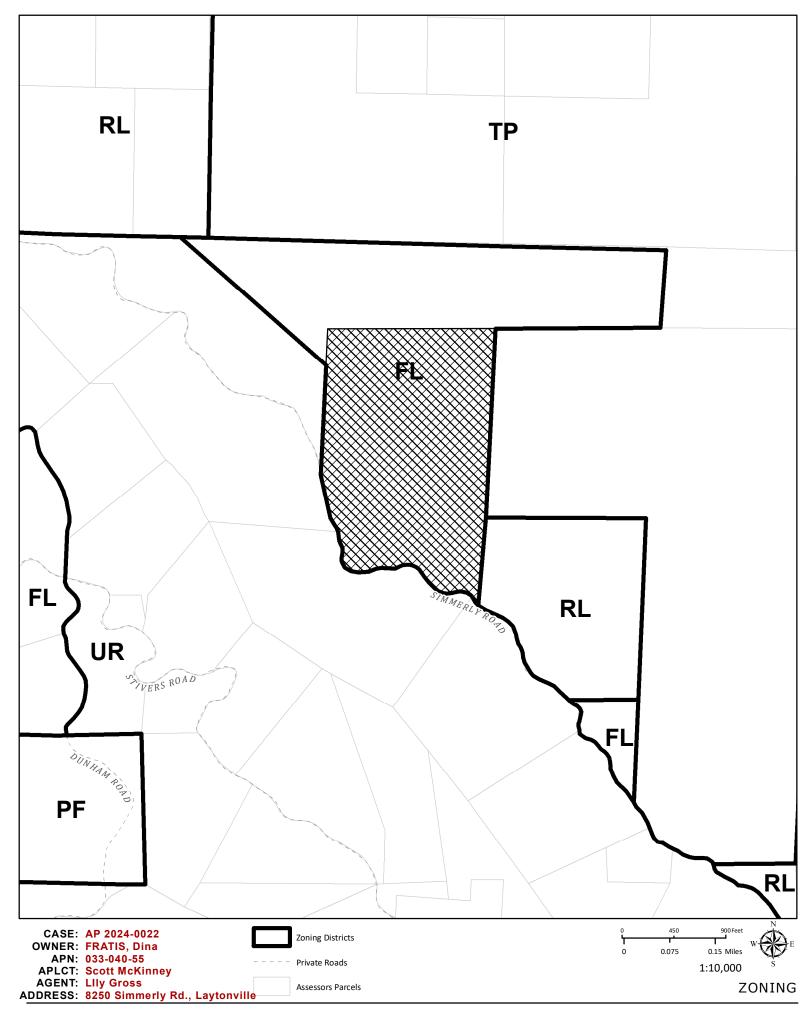
 APLCT:
 Scott McKinney

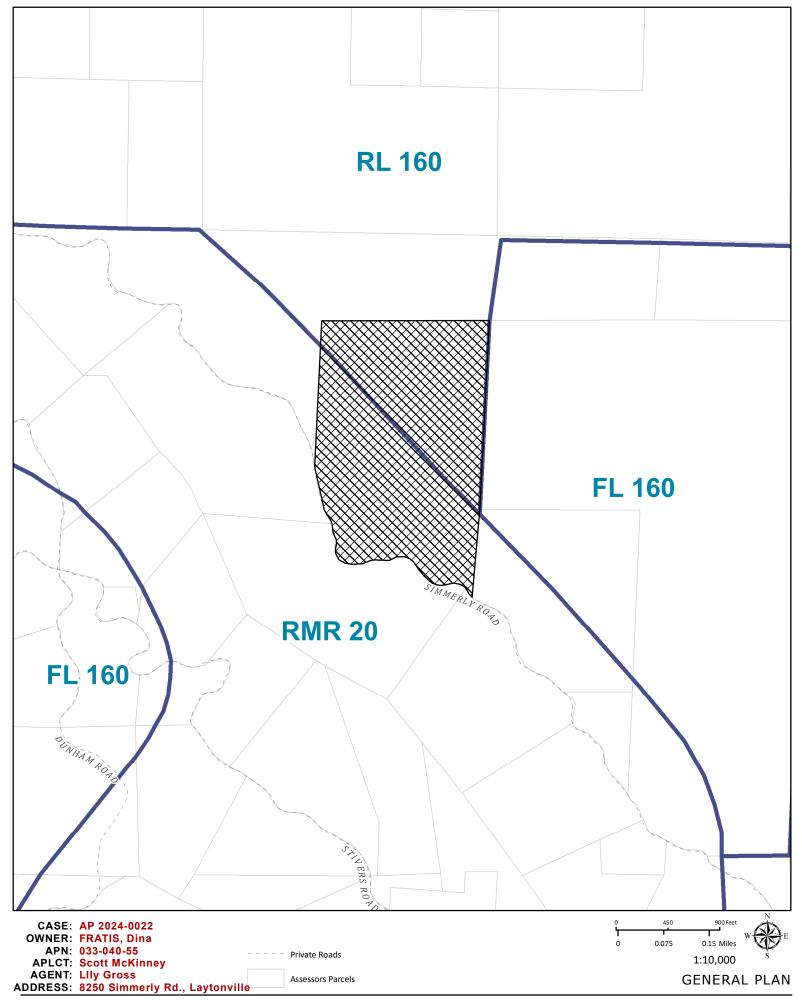
 AGENT:
 Llly Gross

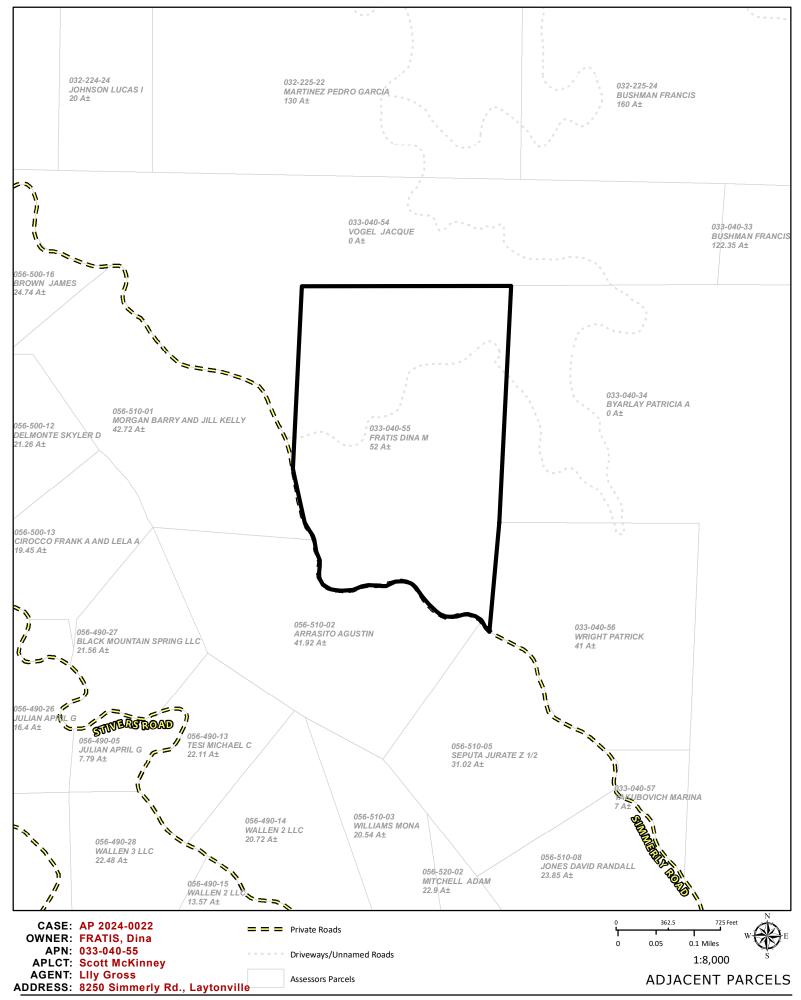
 ADDRESS:
 8250 Simmerly Rd., Laytonville

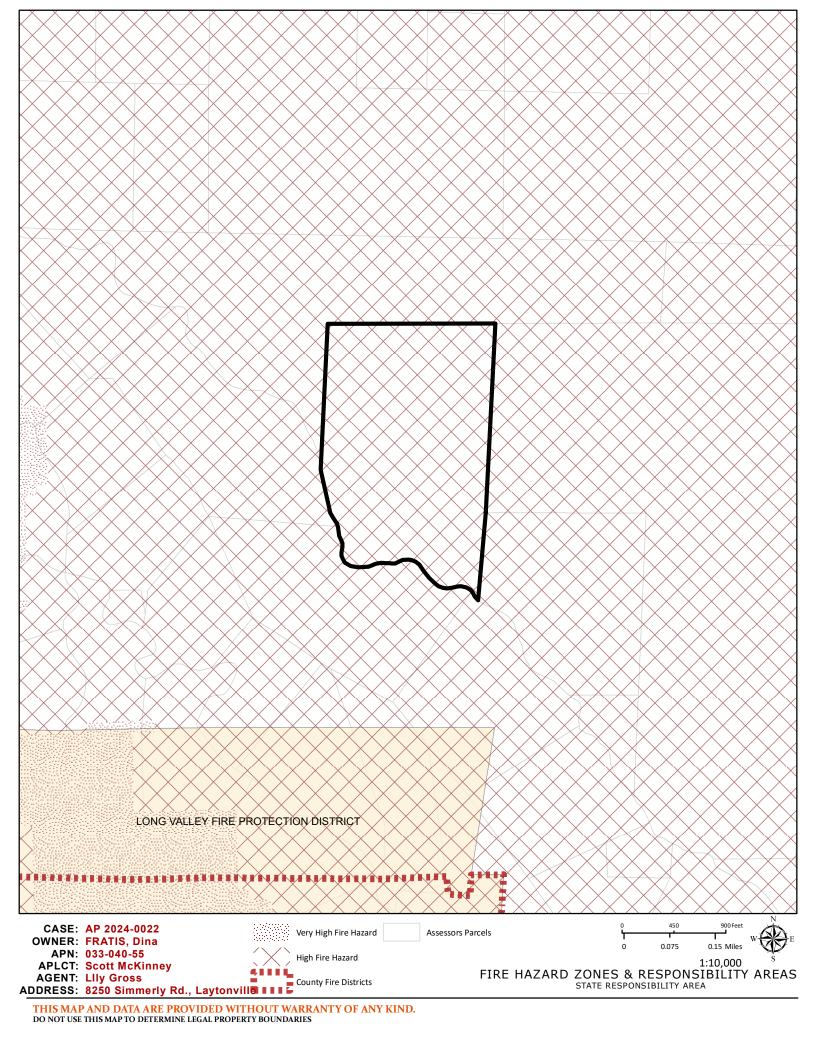


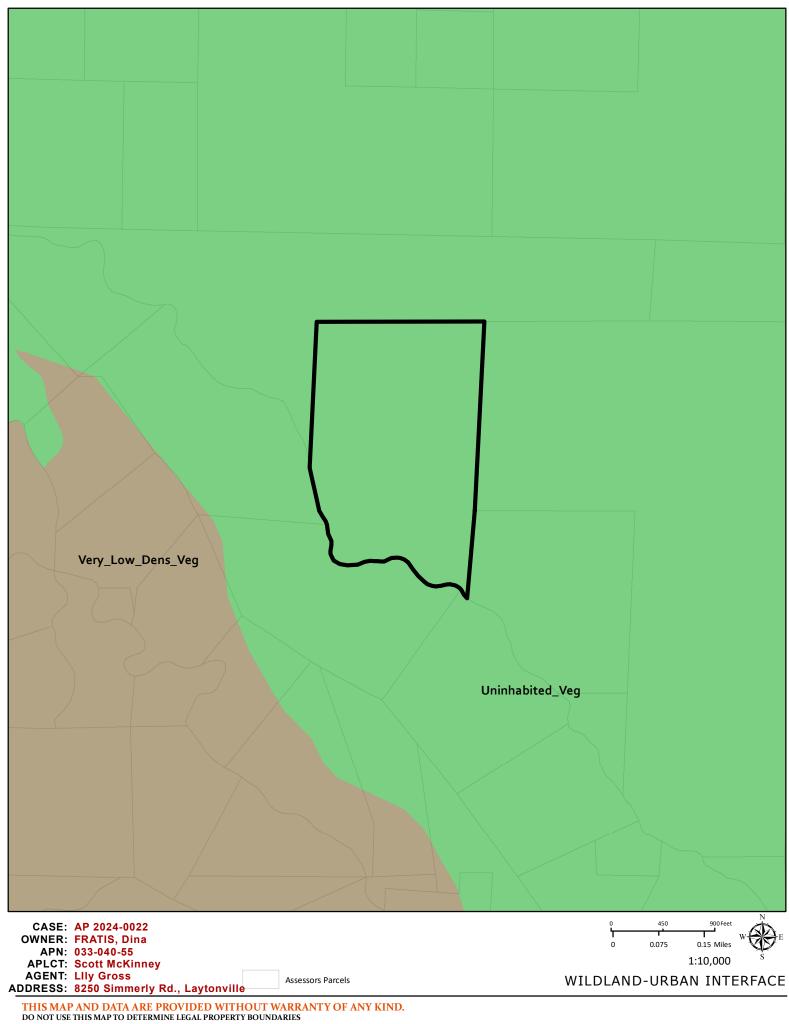


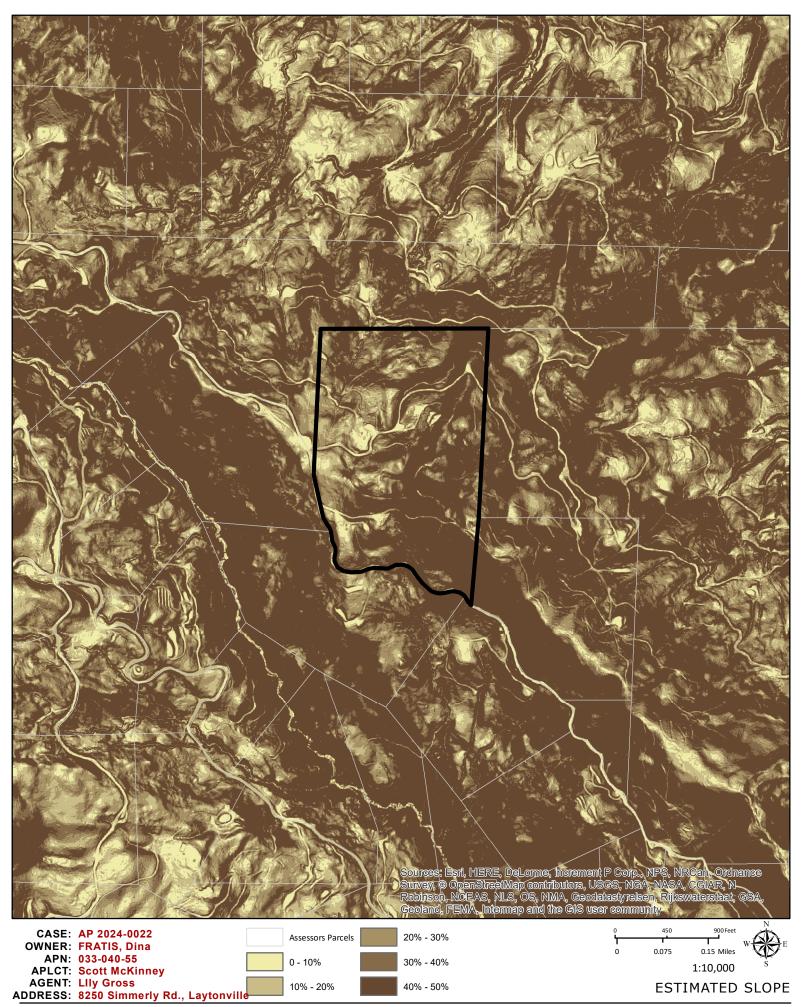


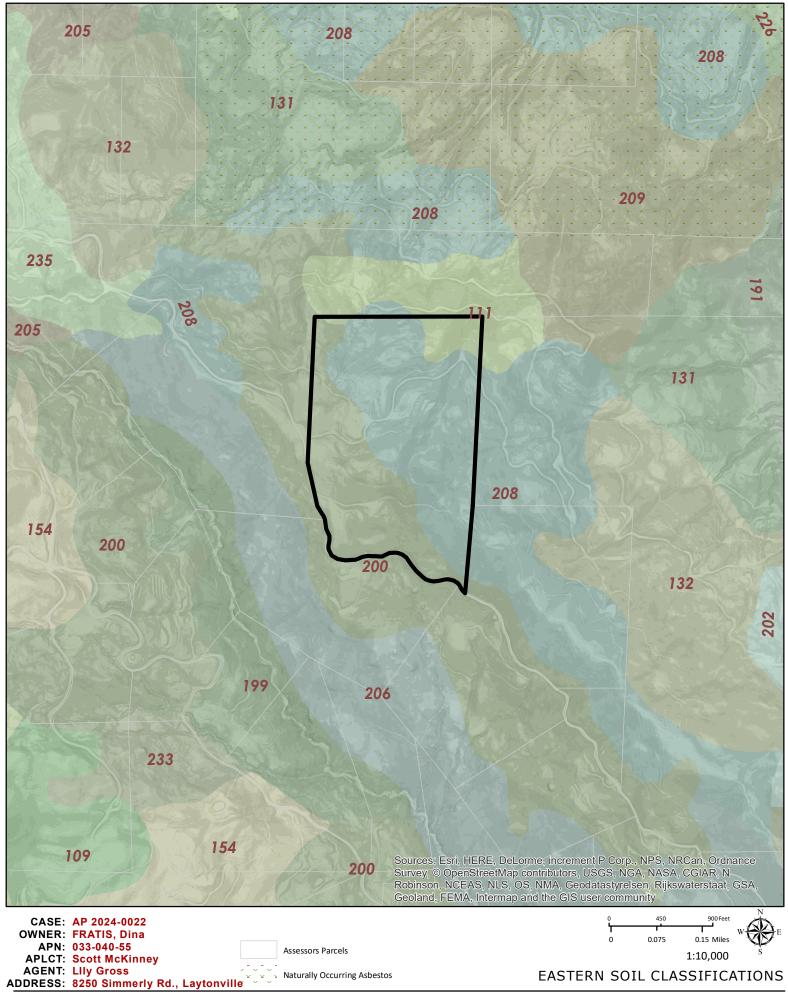


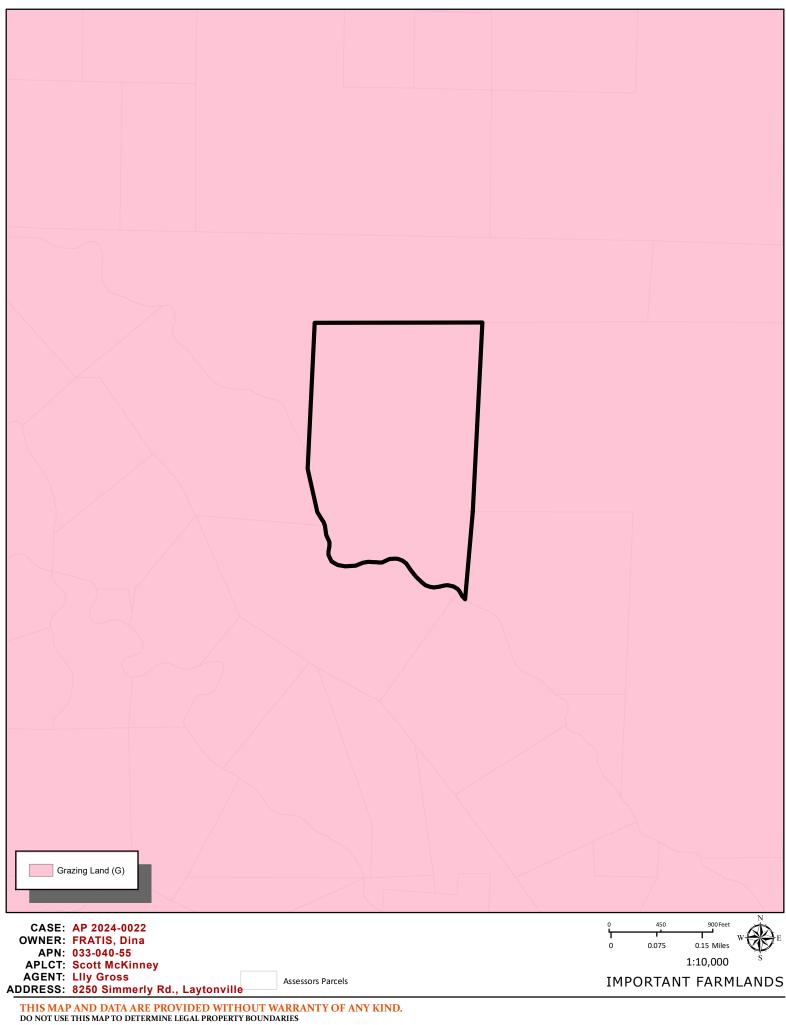












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		Sources: Esrl, HERI Survey, © OpenStre	E, DeLorme, Increment P Corp. etMap contributors, USGS, NG NLS, OS, NMA, Geodetastyrel ermap and the GIS user comm	., NPS, NRCan, Ordnance M, NASA, GGIAR, N
		Robinson, NCEAS, Geoland, FEMA, Int	NLS, OS, NMA, Geodatastyrek ərmap and the GIS user comm	sen, Rijkswaterstaat, GSA, unity
CASE: AP 2024-0022 OWNER: FRATIS, Dina			ں ۲ ٥	450 900Feet 0.075 0.15 Miles
APN: 033-040-55 APLCT: Scott McKinney AGENT: LIIy Gross	Assessors Parcels	ΙΔΥΤΟ		1:10,000 S
ADDRESS: 8250 Simmerly Rd., Laytonvil THIS MAP AND DATA ARE PROVIDED WIT DO NOT USE THIS MAP TO DETERMINE LEGAL PROPER	HOUT WARRANTY OF ANY KI			

Laytonville Unified

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 2024-0022 OWNER: FRATIS, Dina APN: 033-040-55 APLCT: Scott McKinney AGENT: LIIy Gross ADDRESS: 8250 Simmerly Rd., Laytonville

5	450	900 Feet	N
0	0.075	0.15 Miles	W
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	SCH	DOL DIS	STRICT

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND. DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

Assessors Parcels