



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
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FAX: 707-463-5709
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www.mendocinocounty.org/pbs

November 05, 2024

Department of Transportation
Environmental Health - Ukiah
Building Inspection - Ukiah
Assessor
Cannabis Department
Air Quality Management

Archaeological Commission
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

CASE#: AP_2023-0027

DATE FILED: 6/23/2023

OWNER/APPLICANT: WHITING PAMELA

REQUEST: Administrative Permit for a 10,000 square foot outdoor cannabis cultivation operation (Permit Type 2) in the Timberland Production Zone.

LOCATION: 10.2± miles north-northeast of Laytonville town center, on the northwest side of Simmerly Ranch Rd (Private), 2.2± miles northeast of its intersection with Simmerly Road (Private), located 8000 Simmerly Ranch Road, Laytonville; APNs 032-125-26, 032-125-28, 032-125-32.

SUPERVISORIAL DISTRICT: 3

STAFF PLANNER: ROB FITZSIMMONS

RESPONSE DUE DATE: November 19, 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 _____

CASE: AP_2023-0027

OWNER: Pamela Whiting

APPLICANT: Talking Frog Farms

AGENT: Javier Rau

REQUEST: Administrative Permit for a 10,000 square foot outdoor cannabis cultivation operation (Permit Type 2) in the Timberland Production Zone.

LOCATION: 10.2± miles north-northeast of Laytonville town center, on the northwest side of Simmerly Ranch Rd (Private), 2.2± miles northeast of its intersection with Simmerly Road (Private), located 8000 Simmerly Ranch Road, Laytonville.

APN: 032-125-26, 032-125-28, 032-125-32

PARCEL SIZE: 149± acres

GENERAL PLAN: Forest Lands (FL)

ZONING: Timberland Production (T-P)

EXISTING USES: Commercial Cannabis Cultivation

DISTRICT: 3, Haschak

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
NORTH:	RL	RL	10±	Timberland
EAST:	FL	RL	10±, 20±, 70±	Timberland
SOUTH:	RL	RL	10±, 200±	Timberland
WEST:	FL	T-P	4±, 4.5±, 42±, 105±	Timberland

REFERRAL AGENCIES

LOCAL

- Air Quality Management District
- Archaeological Commission
- Assessor's Office
- Building Division Ukiah
- Cannabis Department
- Department of Transportation (DOT)

- Environmental Health (EH)
 - Laytonville MAC
 - Sonoma State University
- ### STATE
- CALFIRE (Land Use)
 - California Dept. of Fish & Wildlife

- Regional Water Quality Control Board
- ### TRIBAL
- Cloverdale Rancheria
 - Redwood Valley Rancheria
 - Sherwood Valley Band of Pomo Indians
-

ADDITIONAL INFORMATION:

This operation grows cannabis within hoopouses. As they are using no artificial light, it meets the definition for "outdoor" cultivation per State and County regulations.

This operation has received an LSAA (EPIMS-MEN-08545-R1). Several conditions of the LSAA have not been met, including preparation of a Biological Assessment and remediations relating to an onsite pond previously used to support an earlier configuration of this cultivation operation. The applicant applied for an amendment to the LSAA, seeking an extension, on 3/28/2024.

STAFF PLANNER: ROB FITZSIMMONS

DATE: 11/5/2024

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:

GIS

Grazing Land (G)

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

N/A

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

N/A

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

226 – Yorktree-Hopland-Woodin complex, 50 to 75% slopes

149 – Hopland-Witherell-Squawrock complex, 30 to 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 (Adjacent)

10. TIMBER PRODUCTION ZONE:

GIS

YES

11. WETLANDS CLASSIFICATION:

GIS

Depressional Perennial Natural Non-vegetated and Fluvial Natural

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

NO

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)

- | | |
|---|--|
| <input type="checkbox"/> Type C-A Cottage Indoor (500 ft ²) | <input type="checkbox"/> Setback Reduction (please clearly identify on your Site Plan) |
| <input type="checkbox"/> Waive RR:10 Housing Requirement | <input checked="" type="checkbox"/> TPZ or FL (Types 1, 1B, 2, 2B, 4) |
| <input type="checkbox"/> Acreage (3.5 Acres-4.9 Acres: Type 1, 1B, 4) | <input type="checkbox"/> RR5 (3.5-4.9 Acres) Waive Sunset |
| <input type="checkbox"/> Acreage (7.0 Acres-9.9 Acres: Type 2, 2B) | |

APPLICANT(S)

Name: Talking Frog Farms Phone: 707-529-9222
 Mailing Address: 1123 S. Cloverdale Blvd. Suite E 311
 City: Cloverdale State/Zip: 95425 email: pgwhiting@aol.com

PROPERTY OWNER

Name: Pamela Whiting Phone: 707-529-9222
 Mailing Address: 1123 S. Cloverdale Blvd. Suite E 311
 City: Cloverdale State/Zip: 95425 email: pgwhiting@aol.com

AGENT

Name: Javier Rau Phone: 707-489-0207
 Mailing Address: 100 North Pine Street
 City: Ukiah State/Zip: 95482 email: javier@rauandassoc.com

Parcel Size: 95 acres
 Address of Property: 8000 Simmerly Ranch Road
 Assessor Parcel Number(s): 032-125-26, 28, 32

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 checked="" type="checkbox"/> 2	<input type="checkbox"/> 2-A	<input 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.

<u>Javier Rau</u>	<u>10/10/2024</u>	<u>Pam Whiting</u>	<u>10/10/2024</u>
Signature of Applicant/Agent	Date	Signature of Owner	Date

CULTIVATION SITE & PROJECT DESCRIPTION QUESTIONNAIRE

<p>1. Does the proposed cultivation site meet the following setbacks? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <ul style="list-style-type: none">1,000 feet from all youth-oriented facilities, schools, parks, churches, or residential treatment facilities. <p><u>FOR OUTDOOR AND MIXED LIGHT CULTIVATION SITES</u></p> <ul style="list-style-type: none">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. <p><u>FOR INDOOR CULTIVATION SITES</u></p> <ul style="list-style-type: none">Any building property line setbacks.
<p>2. Is the cultivation site visible from any public right of way or publically traveled private road? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>3. Please describe the project site. Include improvements such as structures, wells, septic systems, grading, vegetation removal, roads, etc.</p> <p>Ground disturbance is anticipated to be approx. 15K sq feet in size which had occurred 8 years ago.</p>
<p>4. Will the development of the proposed cultivation site be phased? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>If YES, please describe the phases briefly.</p>
<p>5. How will you dispose of hazardous, natural (trimmings), or other (plastics) materials from the cultivation site?</p>
<p>6. Have you constructed in the past, are constructing, or plan to construct any roads? Grading? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>If YES, please complete the following:</p> <p>A. Amount of cut: _____ cubic yards</p> <p>B. Amount of fill: _____ cubic yards</p> <p>C. Maximum height of cut slope: _____ feet</p> <p>D. Maximum height of fill slope: _____ feet</p> <p>E. Amount being imported/exported: _____ cubic yards</p> <p>F. Location of borrow/disposal: <input type="checkbox"/> ON-SITE <input type="checkbox"/> OFF-SITE</p>

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. _____
2. _____
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 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:
- | | |
|---|--|
| <input type="checkbox"/> Construction of a pond | - a total of _____ cubic yards will be moved |
| <input type="checkbox"/> Diking | - a total of _____ cubic yards will be moved |
| <input type="checkbox"/> Filling | - a total of _____ cubic yards will be moved |
| <input type="checkbox"/> Dredging | - a total of _____ cubic yards will be moved |

12. Briefly describe the surrounding properties including vegetation, animals, structures, and/or cultural/historic assets.

13. Please indicate the surrounding land uses.

NORTH

EAST

SOUTH

WEST

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 _____

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.

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

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

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:

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

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

24. Have you recieved 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 recieved 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: _____

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

Pam Whiting
Signature of Applicant/Agent

Date

Pam Whiting
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

AUTHORIZATION OF AGENT

1. I hereby authorize _____ to act as my representative and to bind me in all matters concerning this application.

Pam Whiting

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.

Pam Whiting

Owner/Authorized Agent

_____ Date

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. I, _____, hereby agree to the above Indemnification Agreement.
(Print Name)

Pam Whiting

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 if different from those identified on the **Application for Cannabis Cultivation** page.

Name	Name	Name
Mailing Address	Mailing Address	Mailing Address



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING & BUILDING SVCS.

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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.

Pam Whiting

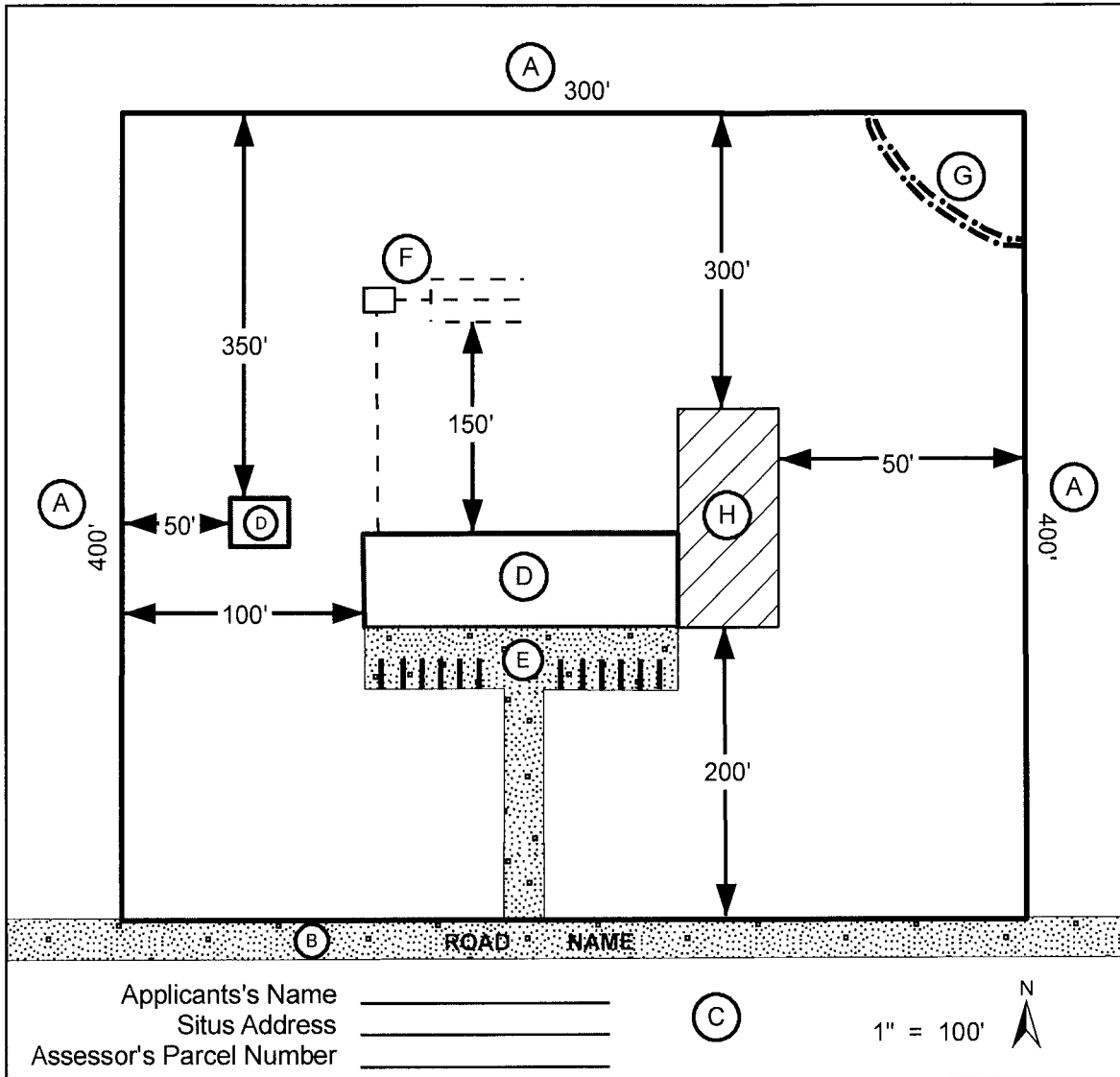
Applicant Signature

Date

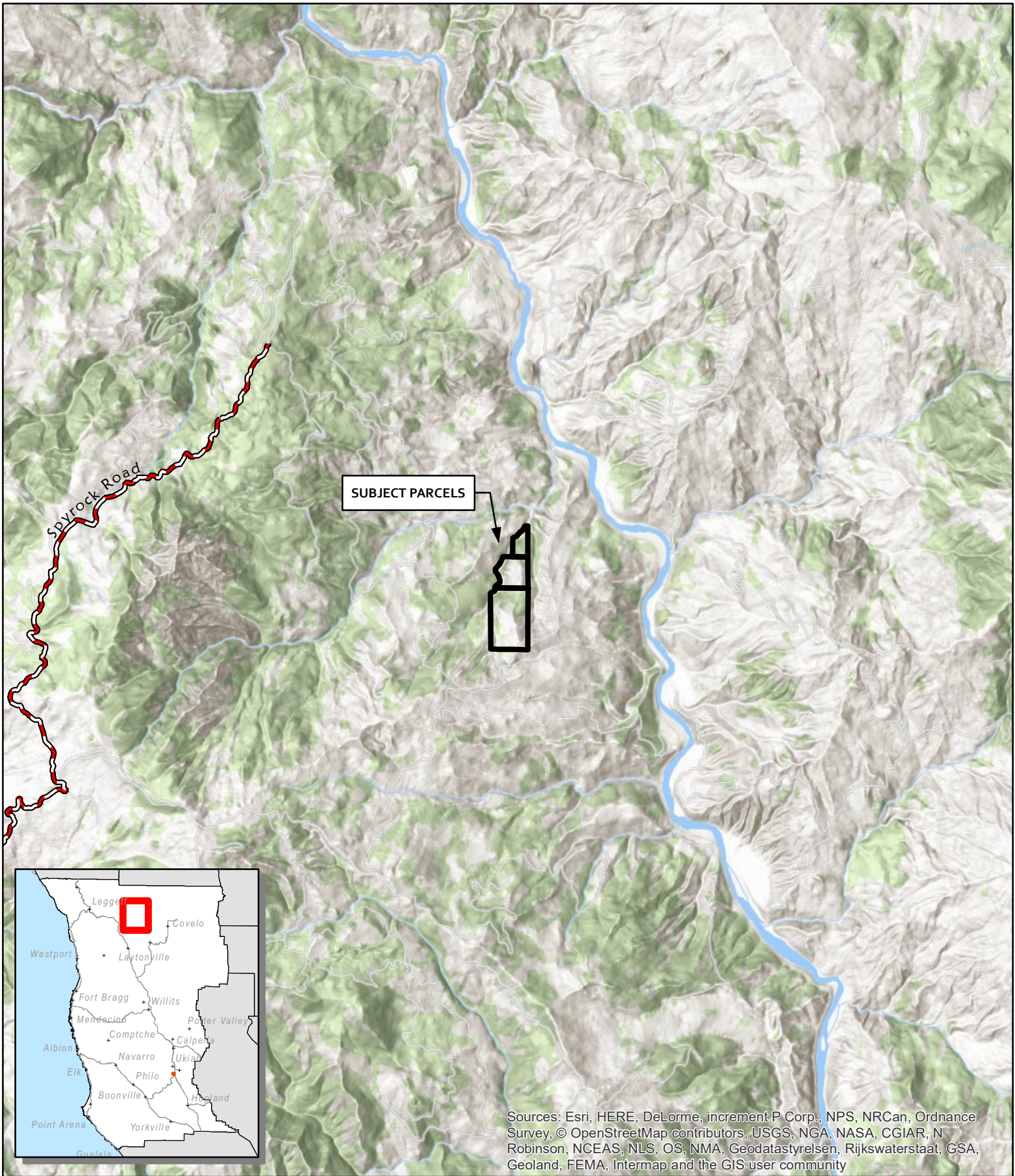
OFFICE USE ONLY:

Project or Permit Number

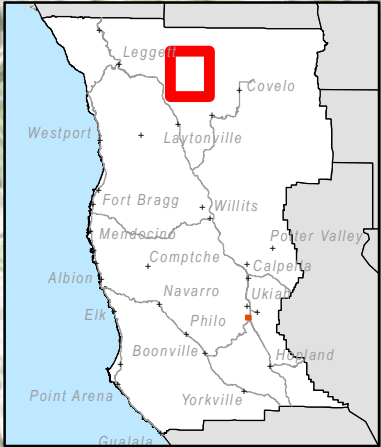
SAMPLE PLOT PLAN



- 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.

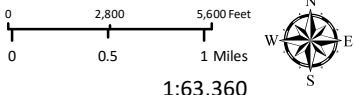


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CASE: AP 2023-0027
OWNER: WHITING, Pamela
APN: 032-125-26, 28, 32
APLCT: Talking Frog Farms
AGENT: Sam Jacobszoon
ADDRESS: 8000 Simmerly Ranch Rd.

 Major Roads



1:63,360

LOCATION

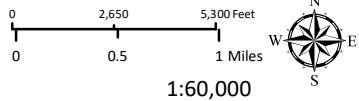
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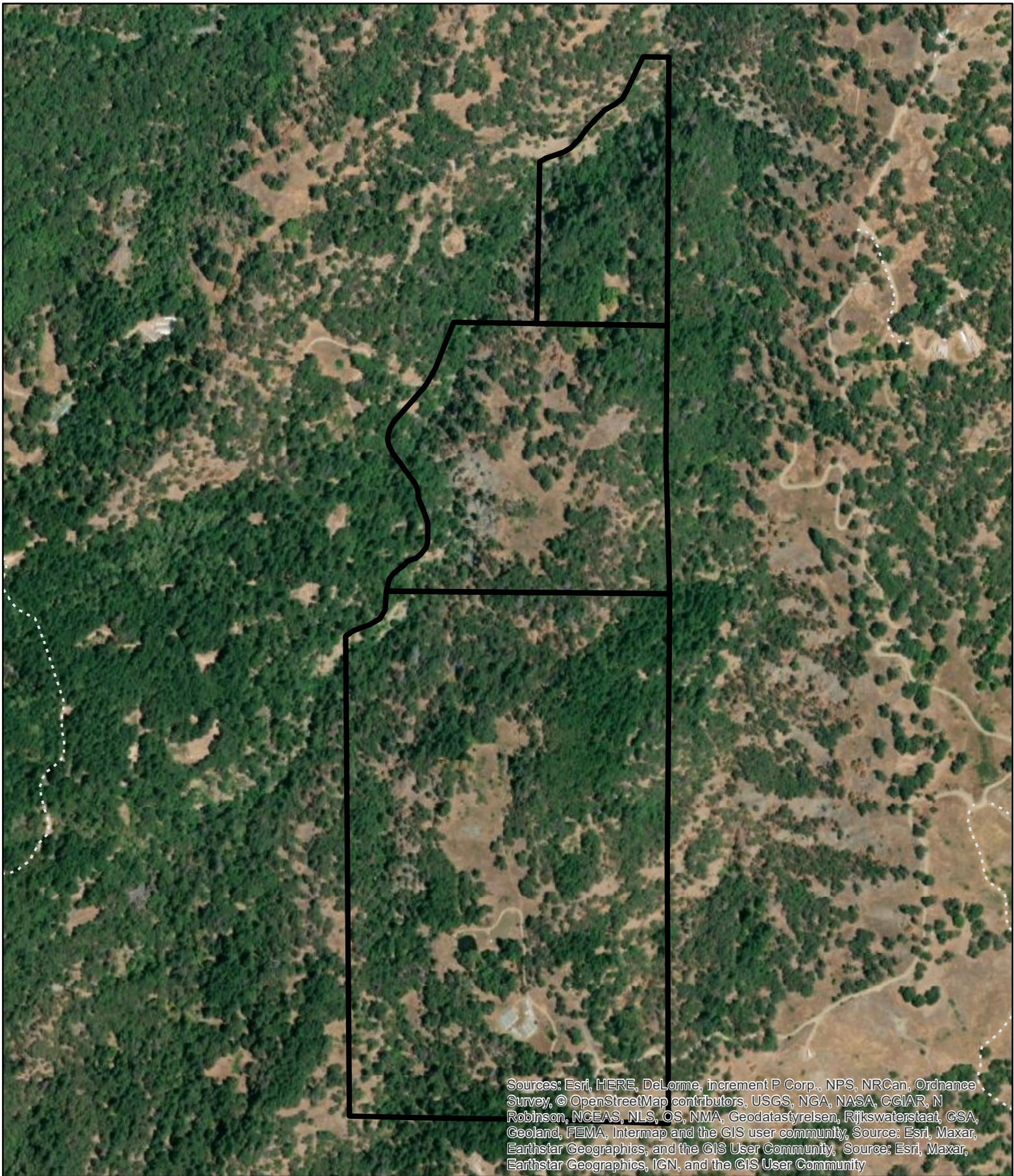
CASE: AP 2023-0027
OWNER: WHITING, Pamela
APN: 032-125-26, 28, 32
APLCT: Talking Frog Farms
AGENT: Sam Jacobszoon
ADDRESS: 8000 Simmerly Ranch Rd.

 Major Roads



1:60,000
AERIAL IMAGERY

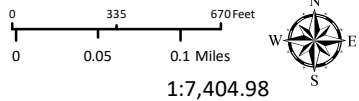
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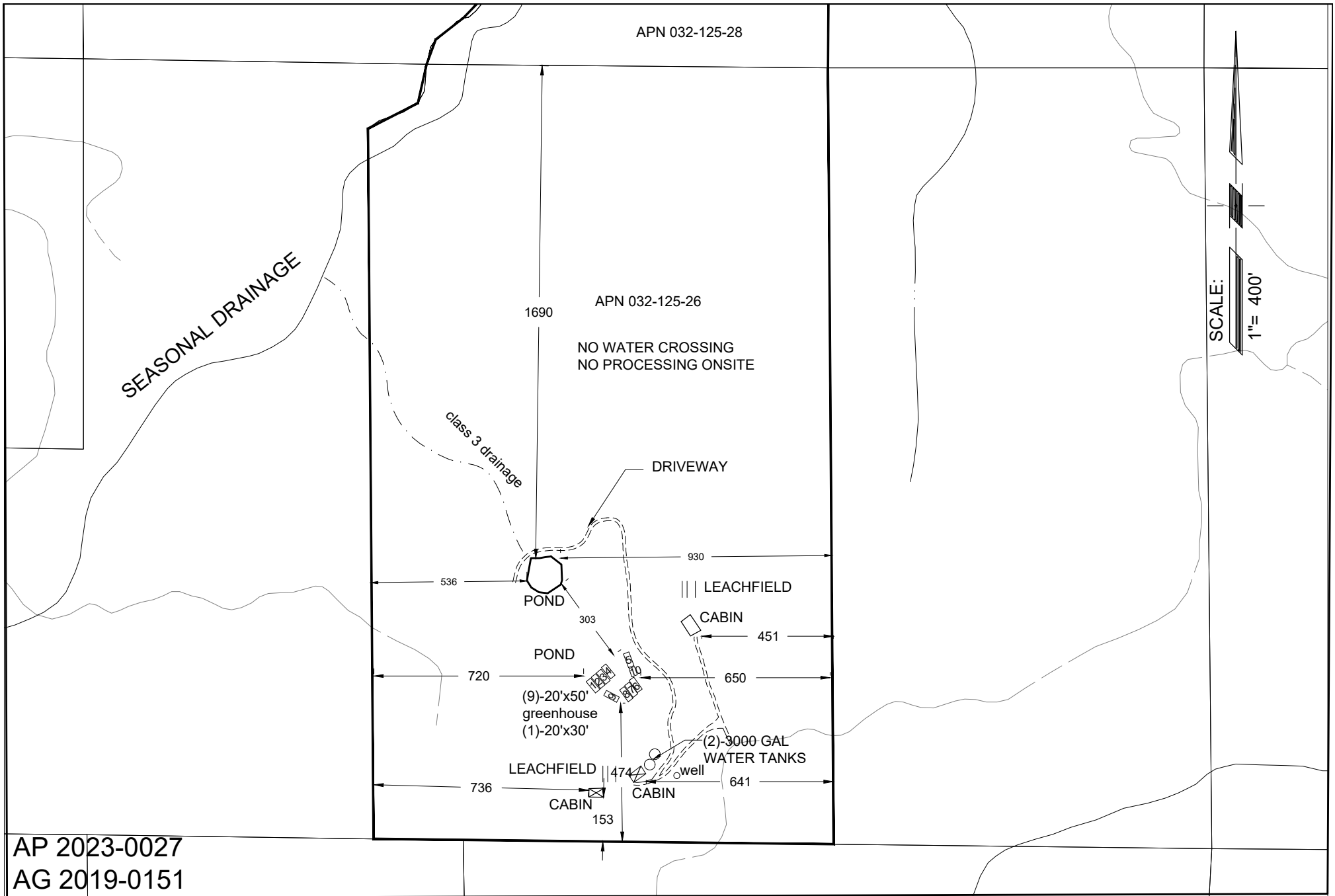
----- Driveways/Unnamed Roads



1:7,404.98

AERIAL IMAGERY

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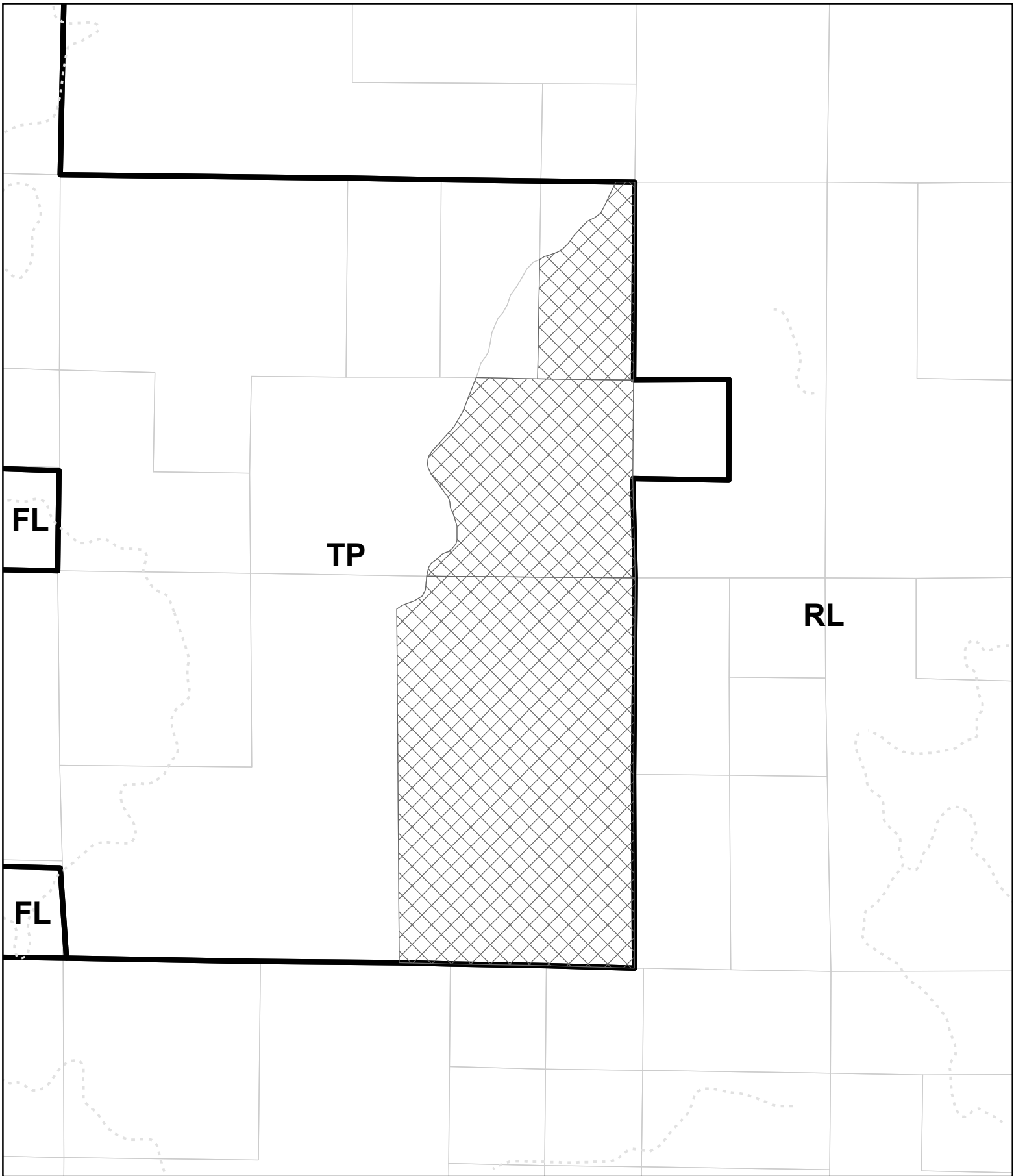


AP 2023-0027
AG 2019-0151




ZONING: SPLIT TP & FL
242 ACRES
AUG. 2024

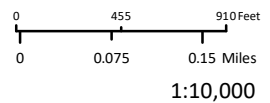
SITE PLAN-
8000 SIMMERLY ROAD
LAYTONVILLE

OWNER: PAM WHITING
APPLICANT: GABE BARRAGAN
APN: 032-125-26,28,32



CASE: AP 2023-0027
OWNER: WHITING, Pamela
APN: 032-125-26, 28, 32
APLCT: Talking Frog Farms
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ADDRESS: 8000 Simmerly Ranch Rd.

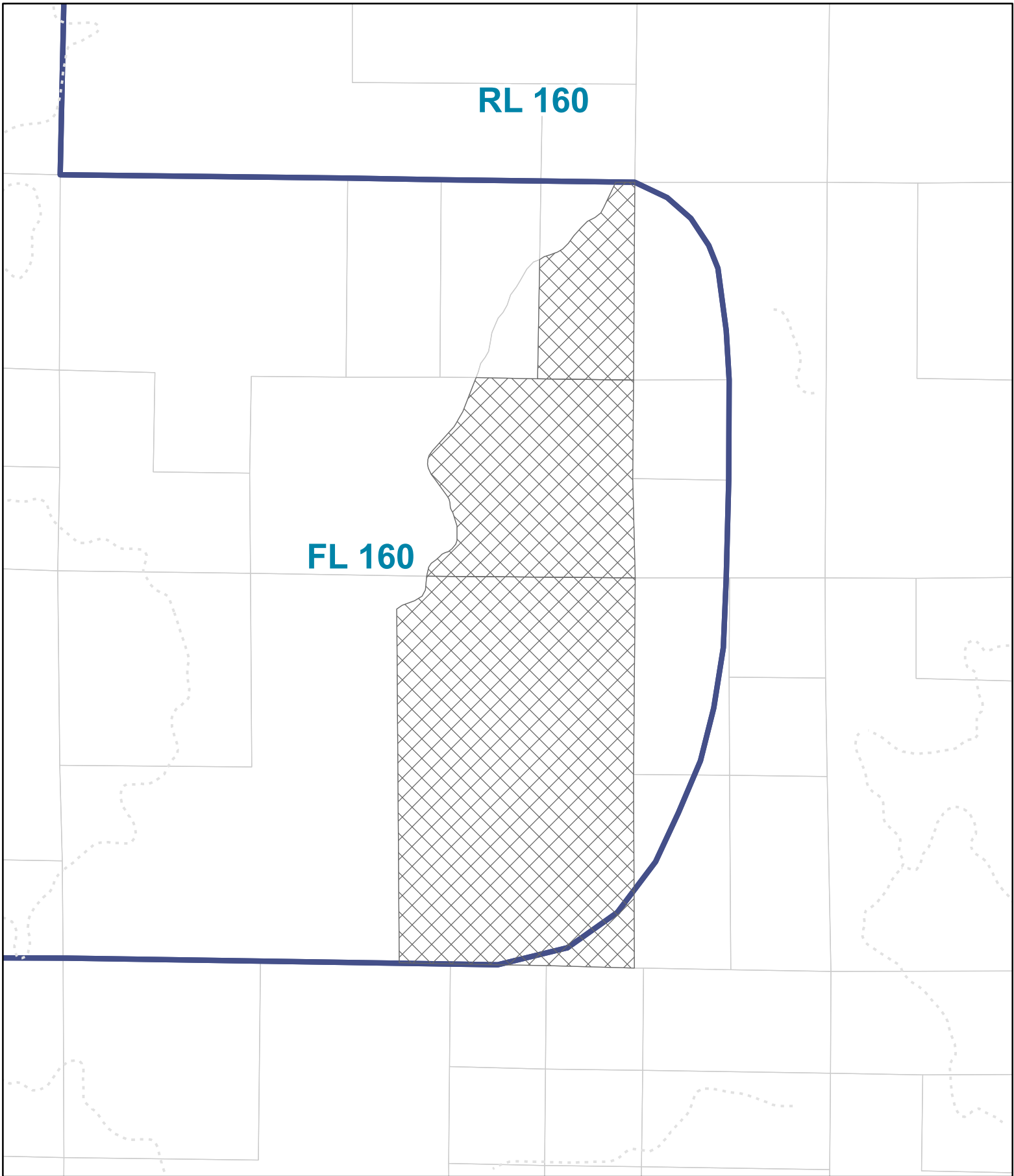
-  Driveways/Unnamed Roads
-  Zoning Districts
-  Assessors Parcels



1:10,000

ZONING

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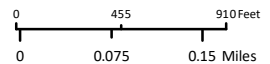
RL 160

FL 160

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OWNER: WHITING, Pamela
APN: 032-125-26, 28, 32
APLCT: Talking Frog Farms
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----- Driveways/Unnamed Roads

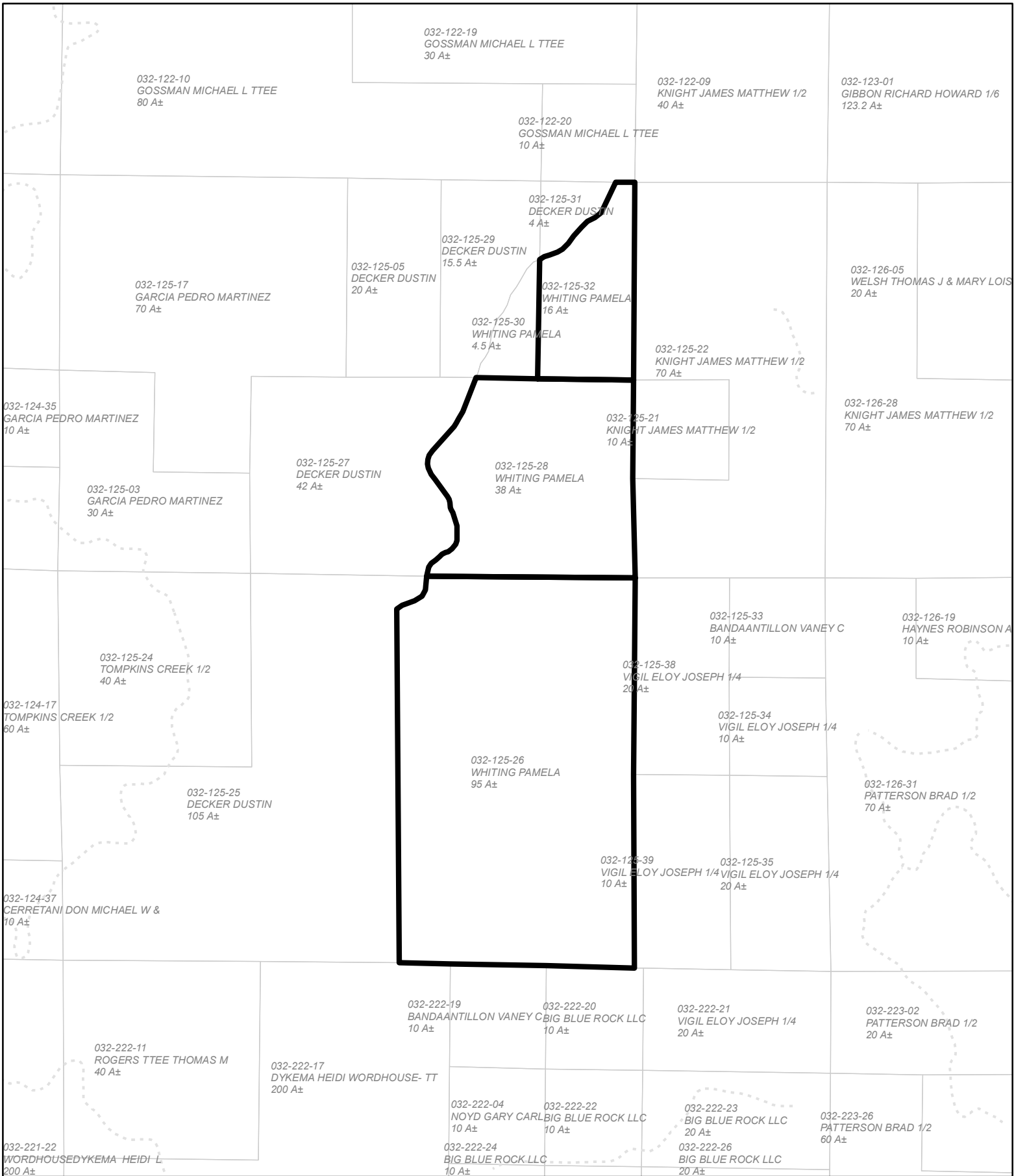
□ Assessors Parcels



1:10,000

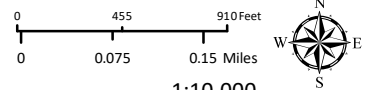
GENERAL PLAN

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CASE: AP 2023-0027
OWNER: WHITING, Pamela
APN: 032-125-26, 28, 32
APLCT: Talking Frog Farms
AGENT: Sam Jacobszoon
ADDRESS: 8000 Simmerly Ranch Rd.

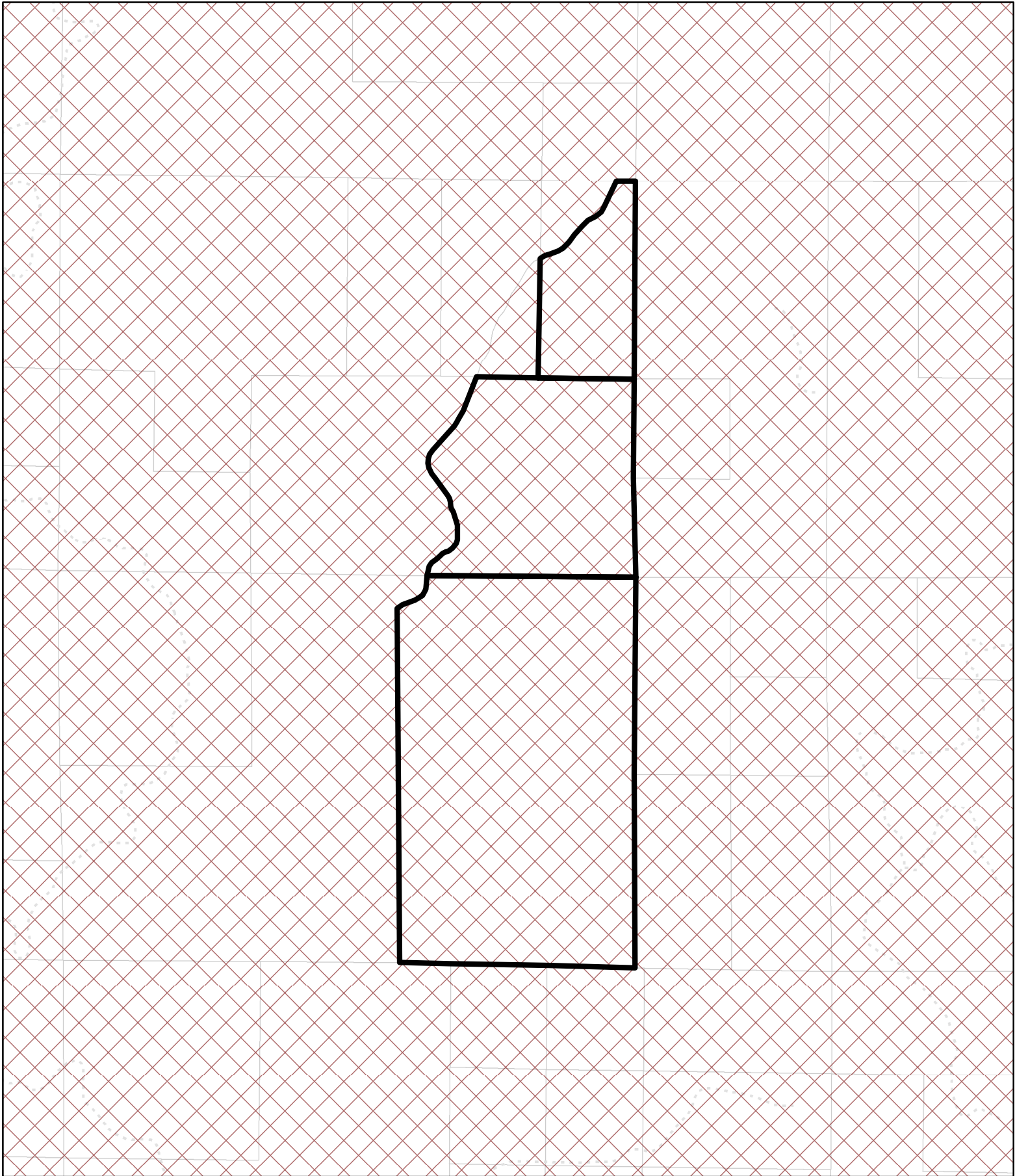
----- Driveways/Unnamed Roads
 □ Assessors Parcels






1:10,000

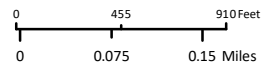
ADJACENT PARCELS

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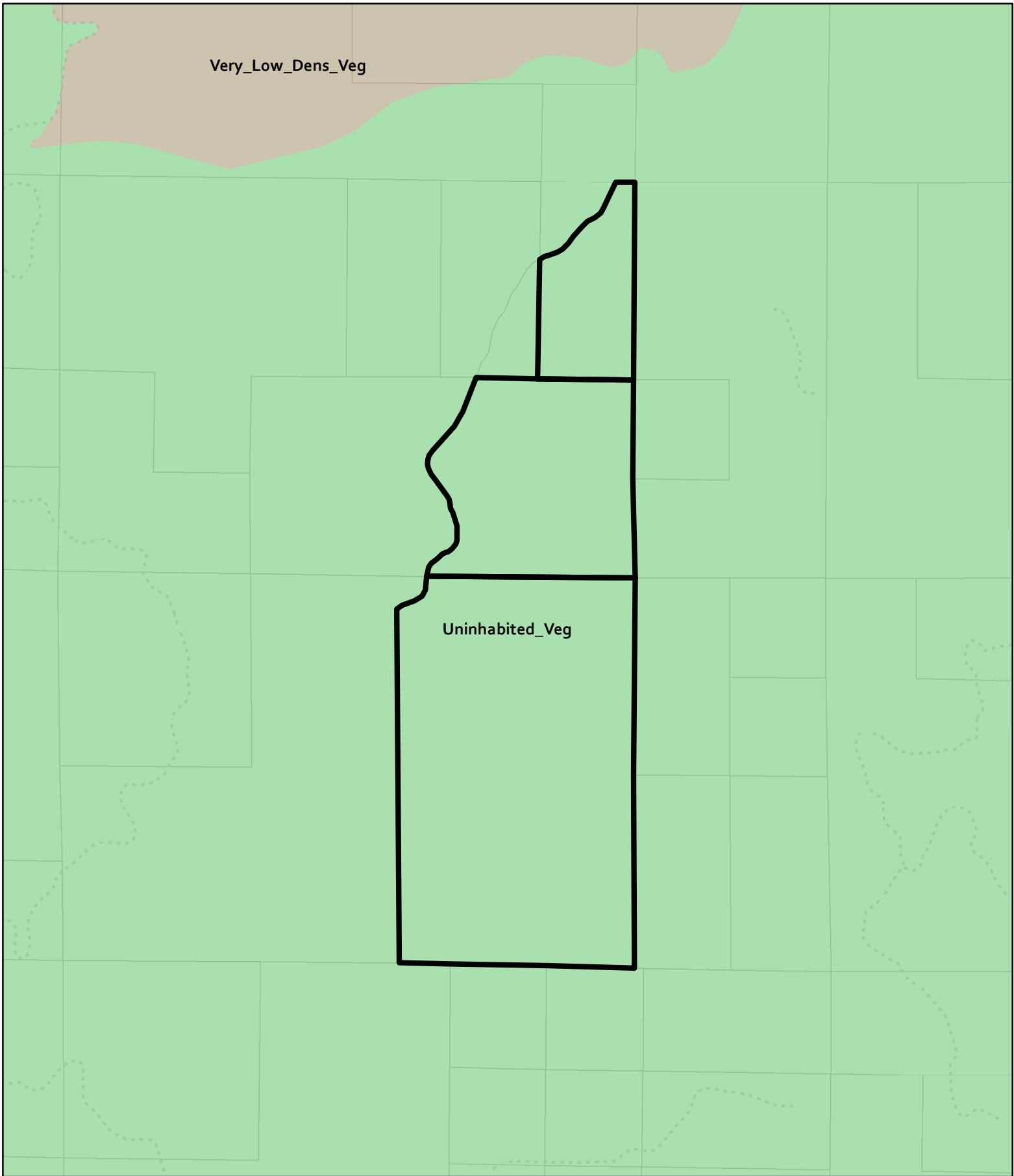
-  High Fire Hazard
-  Driveways/Unnamed Roads
-  Assessors Parcels



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FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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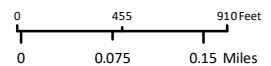
Very_Low_Dens_Veg

Uninhabited_Veg

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----- Driveways/Unnamed Roads

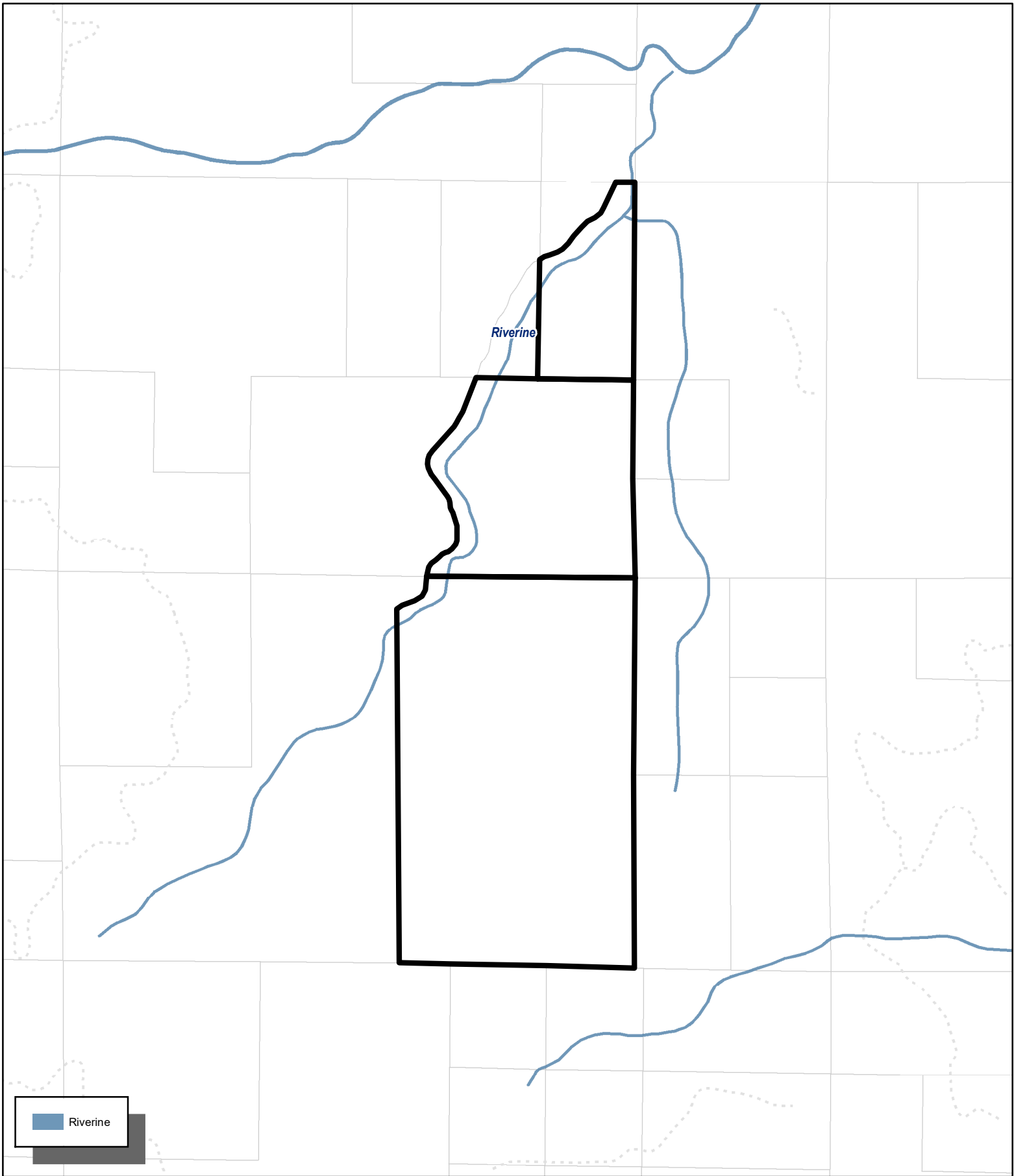
□ Assessors Parcels



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WILDLAND-URBAN INTERFACE

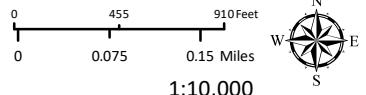
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Riverine

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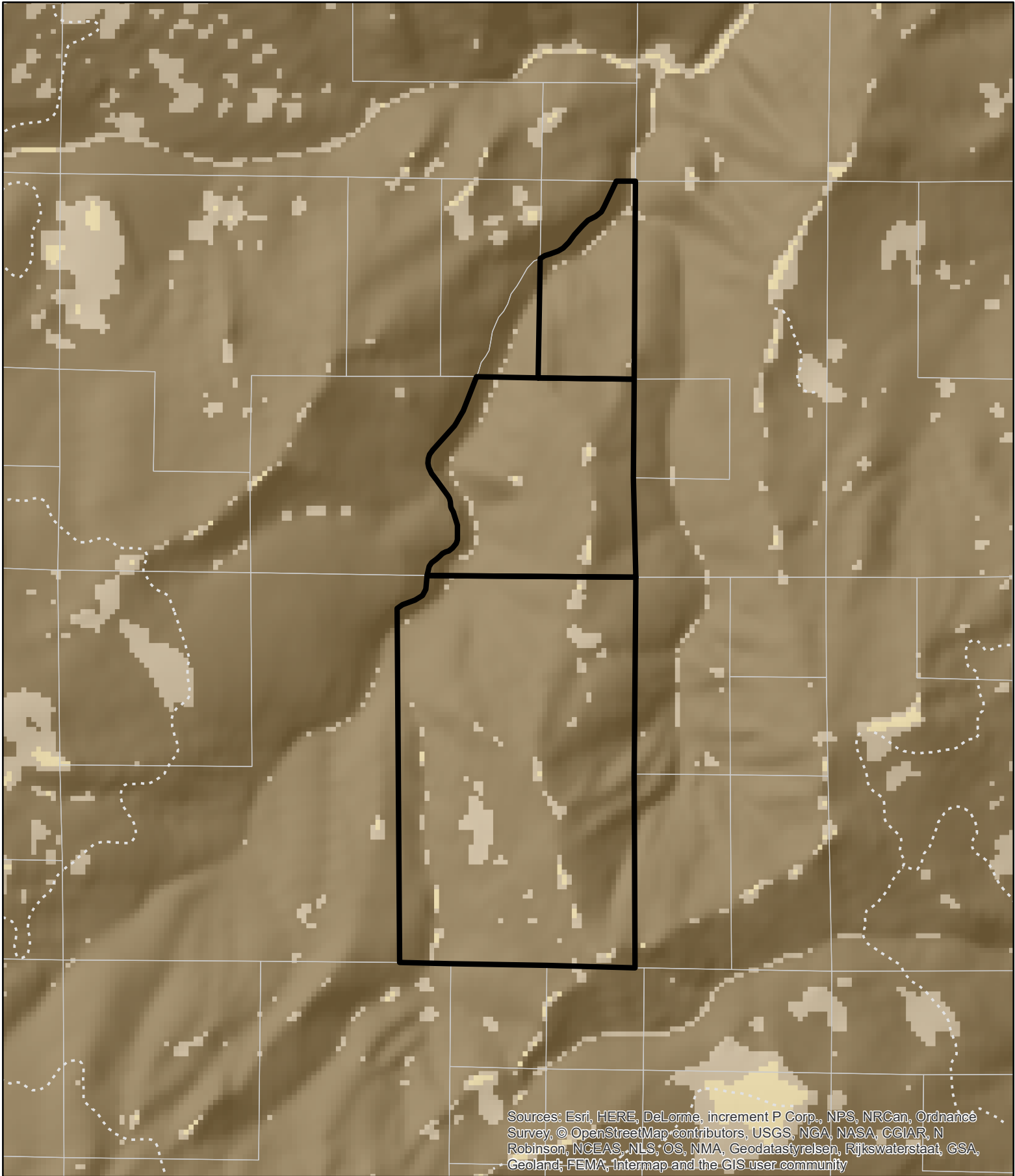
Driveways/Unnamed Roads
 Assessors Parcels



1:10,000

WETLANDS

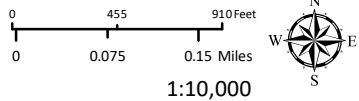
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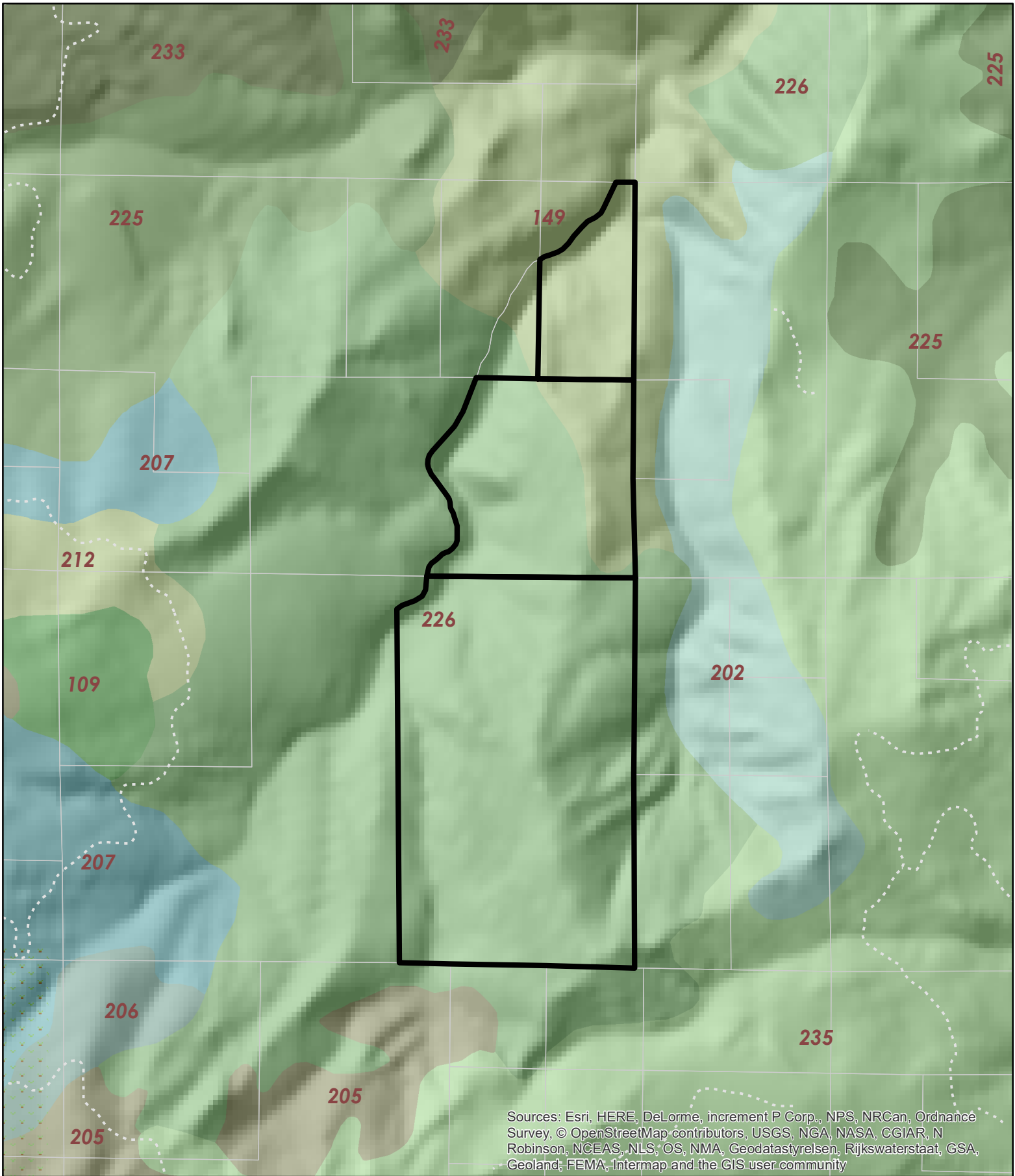
CASE: AP 2023-0027
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- Driveways/Unnamed Roads
- Assessors Parcels
- 0° - 14°
- 15° - 32°
- 33° - 72°



ESTIMATED SLOPE

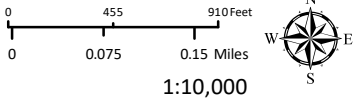
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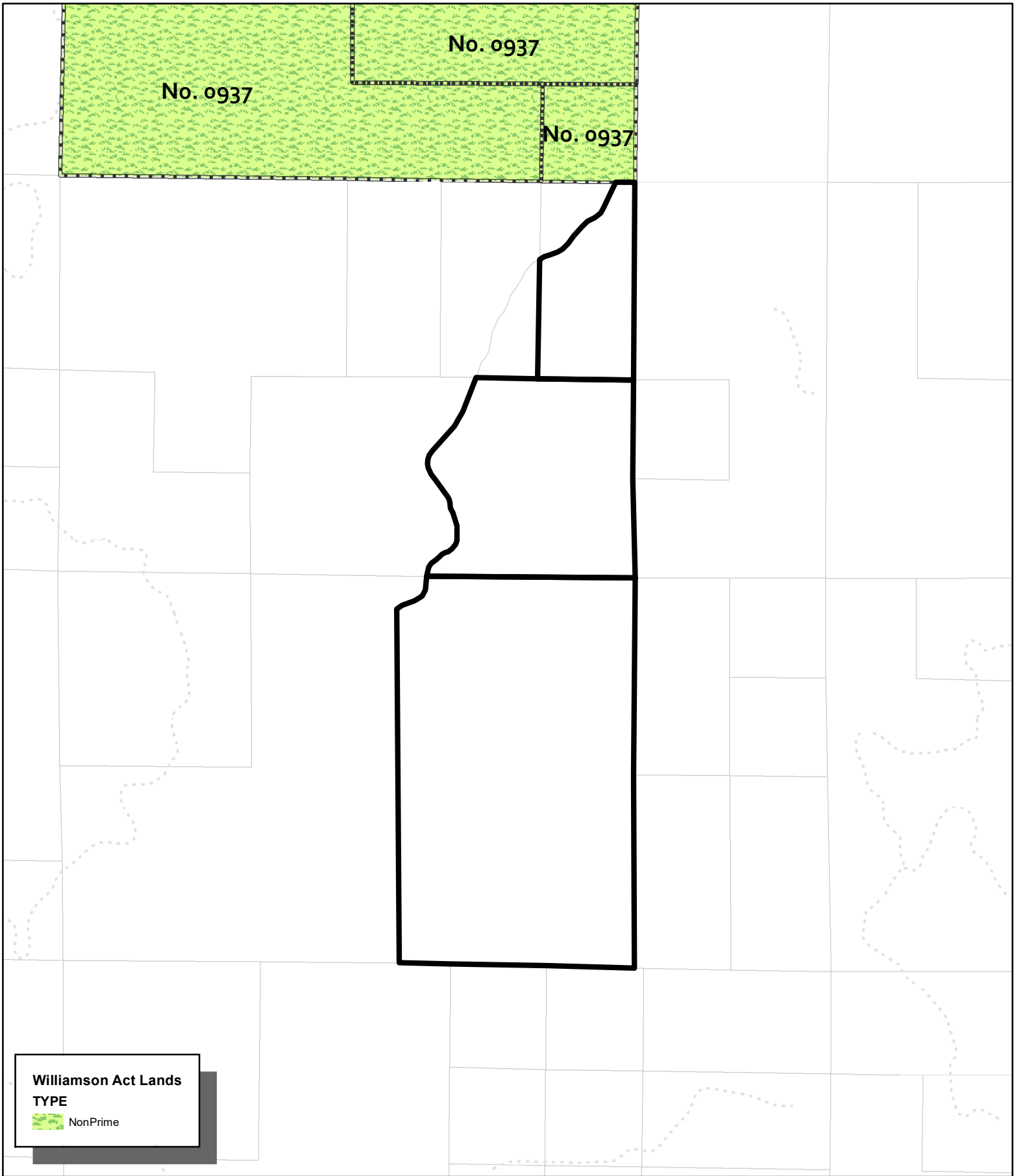
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- Driveways/Unnamed Roads
- Assessors Parcels
- Naturally Occurring Asbestos



EASTERN SOIL CLASSIFICATIONS

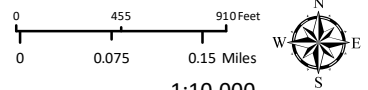
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Williamson Act Lands
TYPE
 NonPrime

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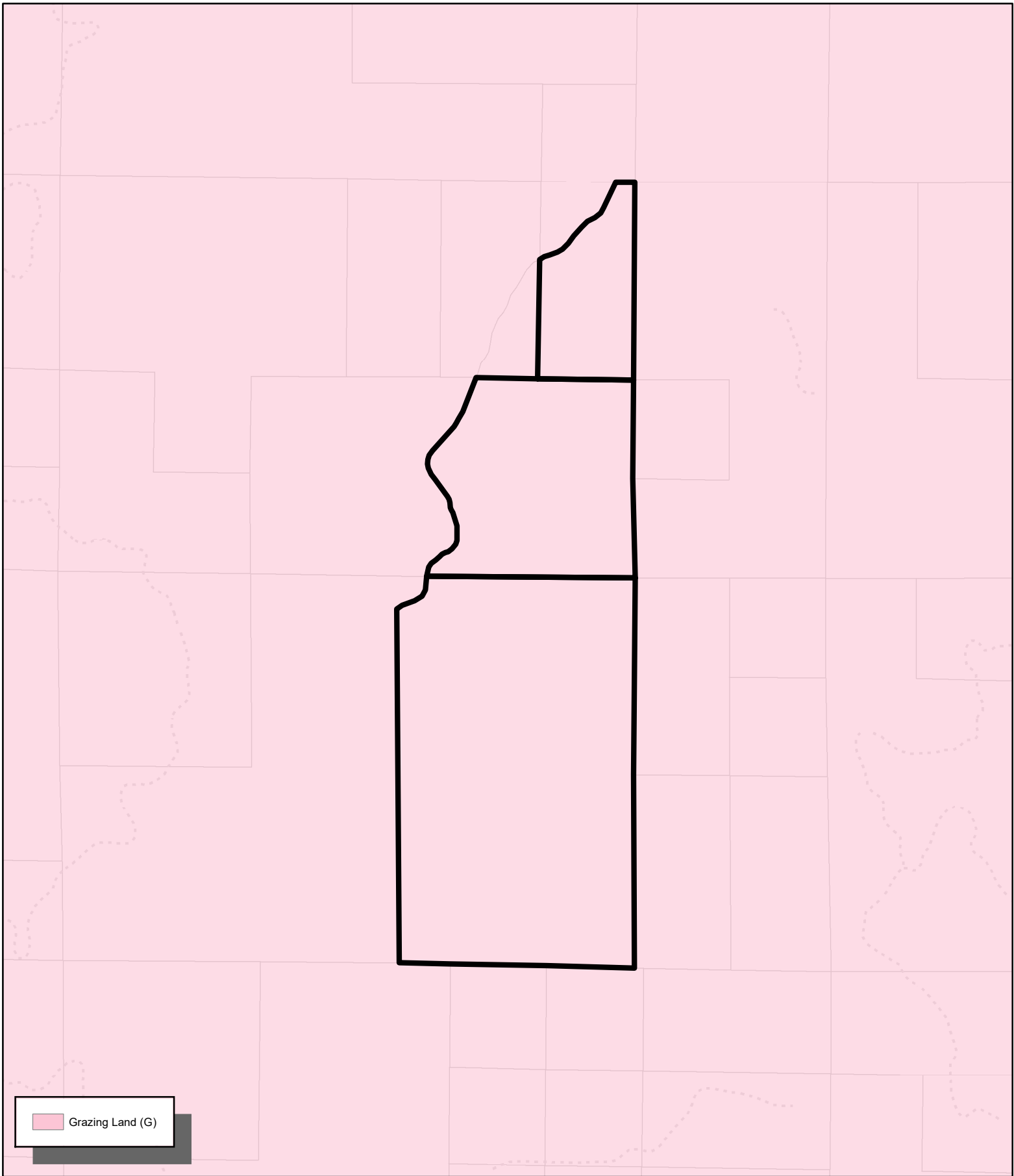
----- Driveways/Unnamed Roads
 □ Assessors Parcels



1:10,000

WILLIAMSON ACT

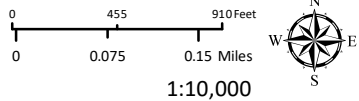
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Grazing Land (G)

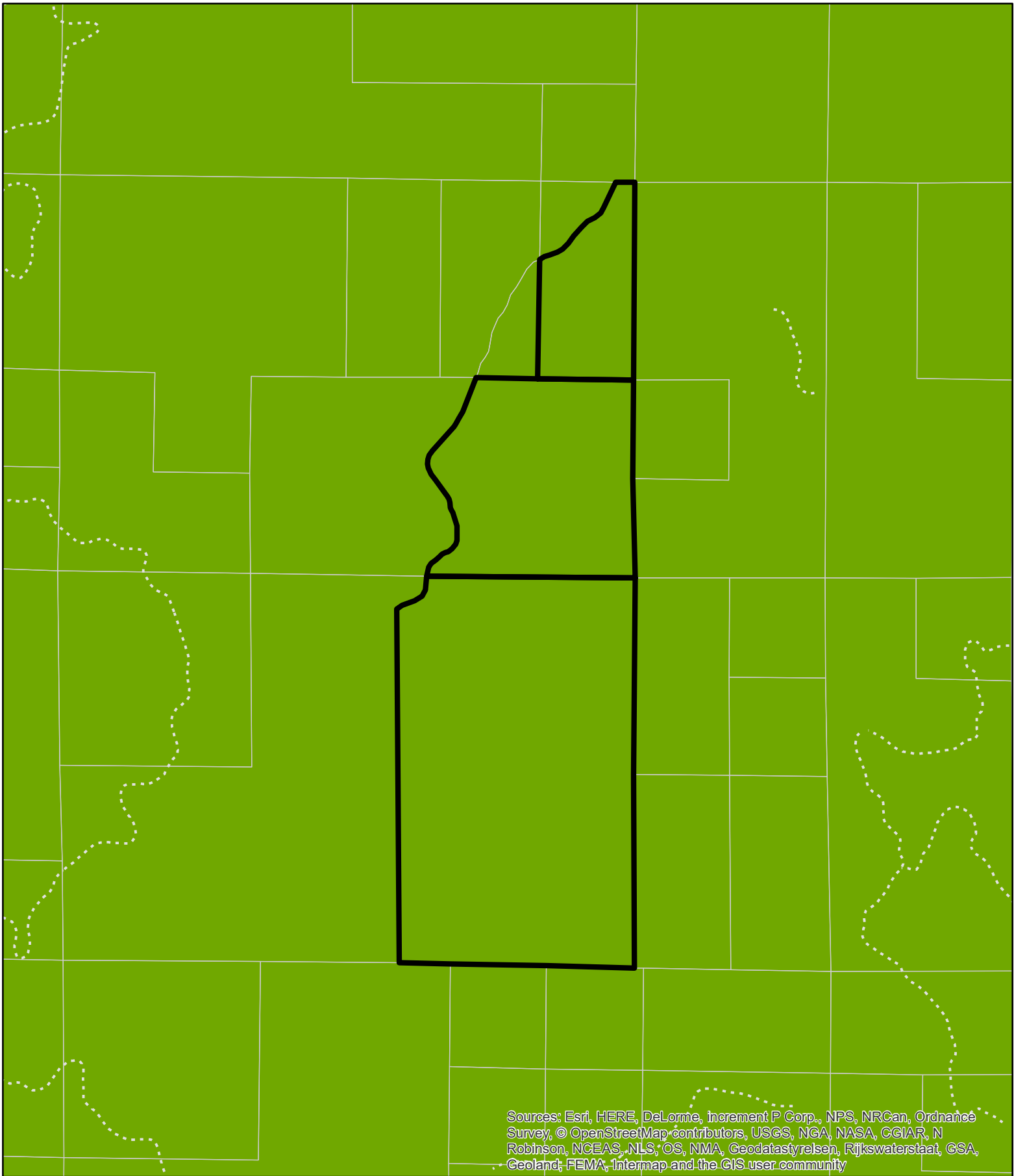
CASE: AP 2023-0027
OWNER: WHITING, Pamela
APN: 032-125-26, 28, 32
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ADDRESS: 8000 Simmerly Ranch Rd.

----- Driveways/Unnamed Roads
□ Assessor's Parcels



IMPORTANT FARMLANDS

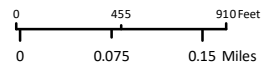
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- Driveways/Unnamed Roads
- Assessors Parcels
- Laytonville MAC



1:10,000

LAYTONVILLE MUNICIPAL ADVISORY COUNCILS

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