

COUNTY OF MENDOCINO DEPARTMENT OF PLANNING AND BUILDING SERVICES

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

April 24, 2019

Department of Transportation Environmental Health - Ukiah Building Inspection - Ukiah Air Quality Management Sonoma State University CalFire – Prevention
CalFire – Resource Management
Department of Fish and Wildlife
Redwood Valley Water District
Redwood Valley-Calpella Fire District

Cloverdale Rancheria Redwood Valley Rancheria Sherwood Valley Band of Pomo Indians

CASE#: AP_2019-0024 **DATE FILED:** 3/18/2019

OWNER/APPLICANT: LUKE M & EMILY T FREY

REQUEST: Administrative Permit for expansion on acreage per Mendocino County Code Section 20.242.040(B)(2) for a large outdoor cultivation site (Type 2 (10,000 sq. ft.); AG_2017-0596) of no more than 10.000 sq. ft. of capable.

10,000 sq. ft. of canopy.

LOCATION: 2.4± miles northwest of Redwood Valley town center, west side of Foothill Drive (Private), 0.4± miles southwest of its intersection with West Road (CR 237), located at 1889 Foothill Dr., Redwood Valley (APN: 160-140-22)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 1 STAFF PLANNER: MARK CLISER RESPONSE DUE DATE: May 8, 2019

PROJECT INFORMATION CAN BE FOUND AT:

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

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

| We have reviewed the above applica | ation and recommend the follow | ring (please check one): |
|--|---------------------------------|---|
| ☐ No comment at this time. | | |
| ☐ Recommend conditional approva | ıl (attached). | |
| Applicant to submit additional info Planning and Building Services in | | or contact the applicant directly, copying have with the applicant) |
| ☐ Recommend denial (Attach reaso | ons for recommending denial). | |
| ☐ Recommend preparation of an E | nvironmental Impact Report (att | ach reasons why an EIR should be required). |
| Other comments (attach as nece | ssary). | |
| | | |
| | | |
| REVIEWED BY: | | |
| Signature _ | Department | Date |

REPORT FOR: ADMINISTRATIVE PERMIT

OWNER/

APPLICANT: LUKE M & EMILY T FREY

AGENT: N/A

REQUEST: Administrative Permit for expansion on acreage per Mendocino County Code Section 20.242.040(B)(2) for a large

outdoor cultivation site (Type 2 (10,000 sq. ft.); AG_2017-0596) of no more than 10,000 sq. ft. of canopy.

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its intersection with West Road (CR 237), located at 1889 Foothill Dr., Redwood Valley (APN: 160-140-22).

APN/S: 160-140-22-00

PARCEL SIZE: 14.45 acres

GENERAL PLAN: RR:5 **ZONING:** RR:5

EXISTING USES: Residential; Cannabis

DISTRICT: NONE

RELATED CASES: BU_2018-1959 (ADD ROOF OVER PATIO); BU_2018-1525 (REMOVE AND FILL FOR NEW HOUSE PAD); BU_2018-1457 (FIRE-NEW SFR); BU_2018-0790 (OVER EXCAVATION REMEDIATION grading/compaction); AG_2017-0596 (Agriculture); D_2018-0197 (DEBRIS COVER LETTER); PP_2017-0215 (Property Profile); BL_2002-0445 (Sign making vinyl graphics)

| NORTH: EAST: | ADJACENT GENERAL PLAN RR5 RR5 | ADJACENT ZONING RR5 RR5 | ADJACENT LOT SIZES 6± acres; 6.4± acres 6.7± acres; 7.25± acres | ADJACENT USES Residential Residential |
|-----------------|-------------------------------------|-------------------------------|---|---------------------------------------|
| SOUTH: | AG40 | AG40 | 19.9± acres | Agriculture |
| WEST: | UR40 | RMR40 | 40.5± acres | Residential |

REFERRAL AGENCIES

LOCAL

☑ Air Quality Management District

☑ Building Division Ukiah

☑ Environmental Health (EH)

oxtimes Redwood Valley - Calpe Fire District

☑ Redwood Valley Water District

☑ Sonoma State University

STATE

☑ CALFIRE (Prevention)

☑ CALFIRE (Resource Management)☑ California Dept. of Fish & Wildlife

TRIBAL

☑ Cloverdale Rancheria

☑ Redwood Valley Rancheria

☐ Sherwood Valley Band of Pomo Indians

CASE: AP_2019-0024

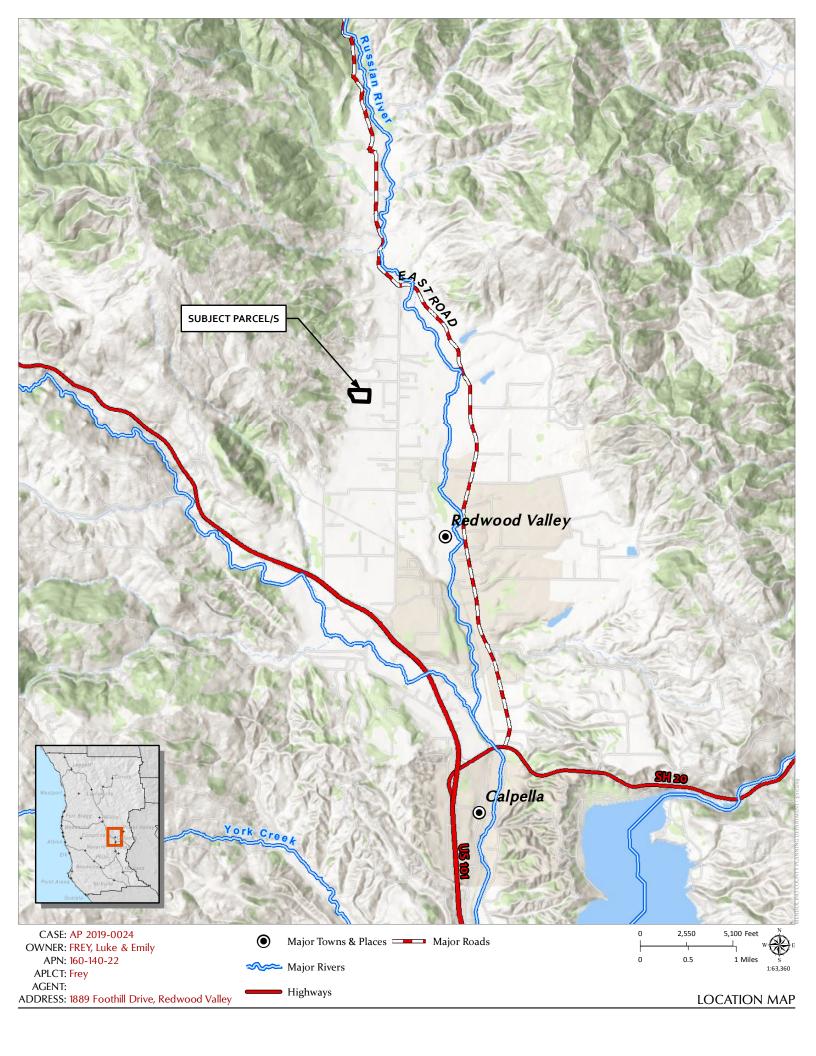
ADDITIONAL INFORMATION:

STAFF PLANNER: MARK CLISER **DATE:** 4/24/2019

ENVIRONMENTAL DATA

1. MAC: 13. AIRPORT LAND USE PLANNING AREA: 2. FIRE HAZARD SEVERITY ZONE: 14. SUPERFUND/BROWNFIELD/HAZMAT SITE: 3. FIRE RESPONSIBILITY AREA: 15. NATURAL DIVERSITY DATABASE: YES 4. FARMLAND CLASSIFICATION: 16. STATE FOREST/PARK/RECREATION AREA ADJACENT: 5. FLOOD ZONE CLASSIFICATION: **17. LANDSLIDE HAZARD:** RM-61: General Plan 4-44 NO **6. COASTAL GROUNDWATER RESOURCE AREA:** 18. WATER EFFICIENT LANDSCAPE REQUIRED: 7. SOIL CLASSIFICATION: 19. WILD AND SCENIC RIVER: Eastern Soils 8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL: 20. SPECIFIC PLAN/SPECIAL PLAN AREA: 9. WILLIAMSON ACT CONTRACT: 21. STATE CLEARINGHOUSE REQUIRED: **10. TIMBER PRODUCTION ZONE:** 22. OAK WOODLAND AREA: NO 11. WETLANDS CLASSIFICATION: 23. HARBOR DISTRICT: 12. EARTHQUAKE FAULT ZONE:

NO

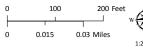


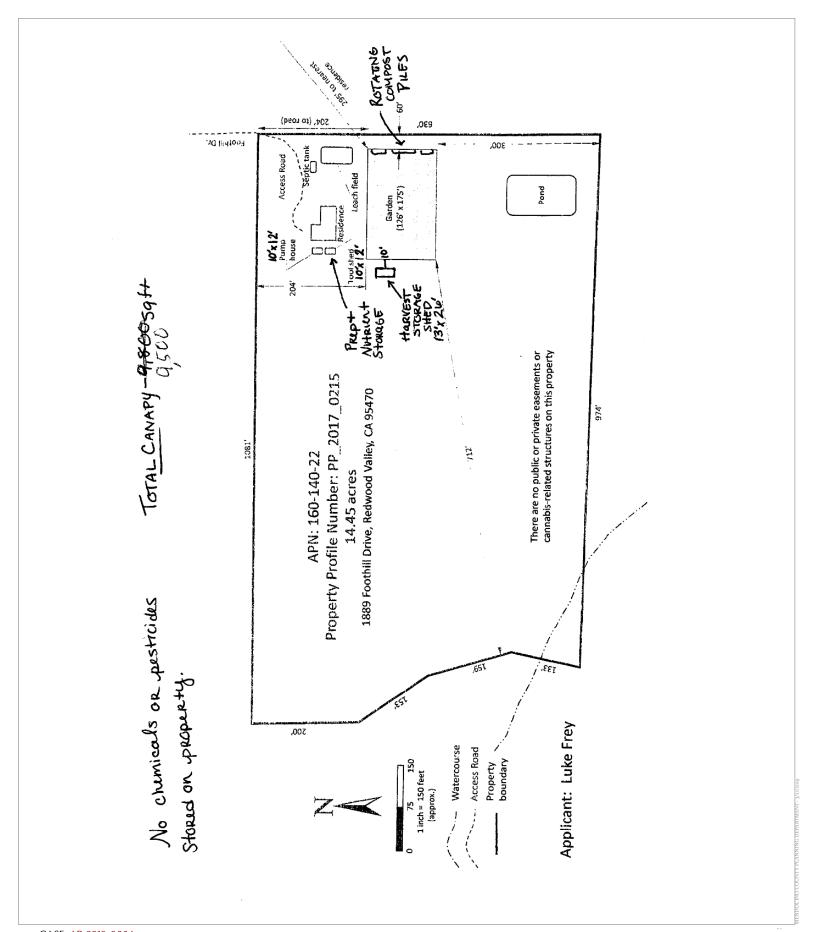


OWNER: FREY, Luke & Emily APN: 160-140-22

Public Roads

= = = Private Roads

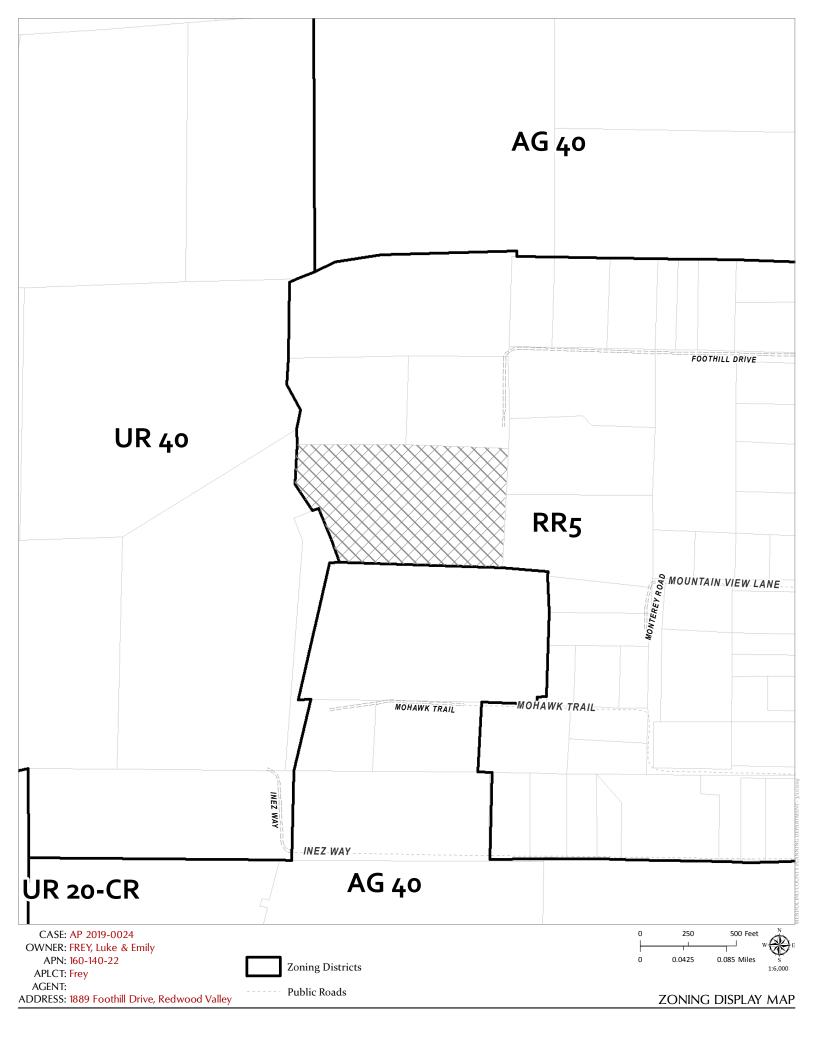


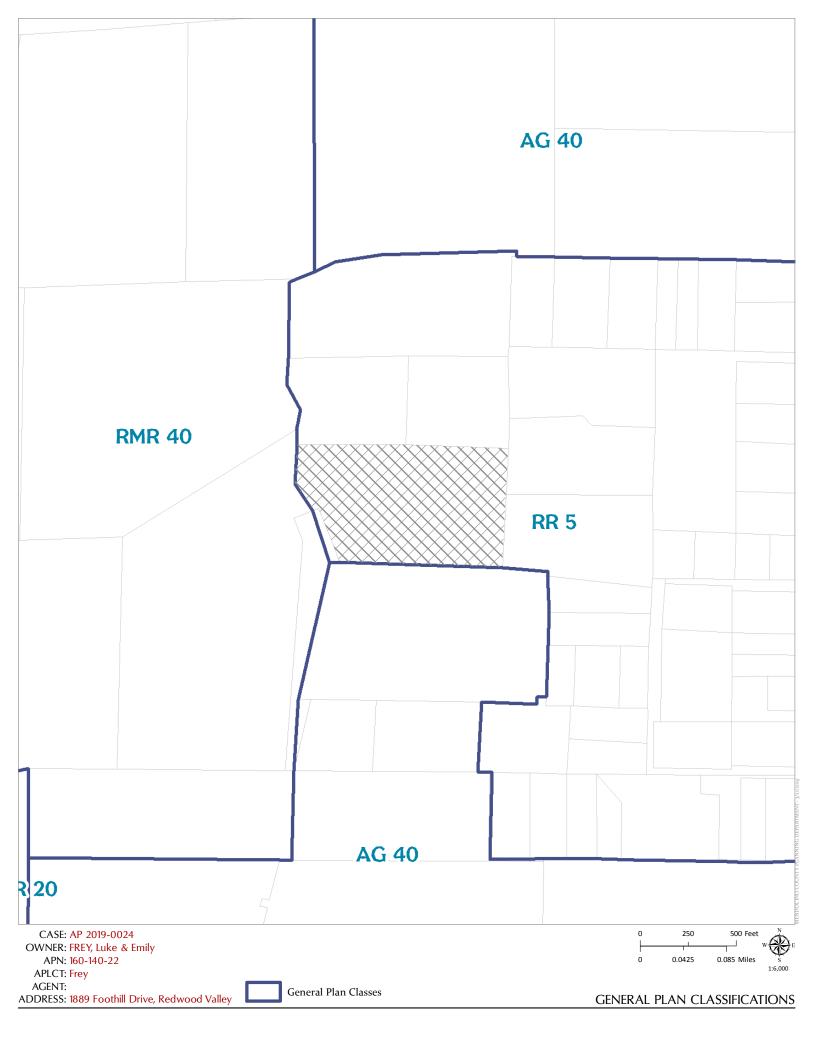


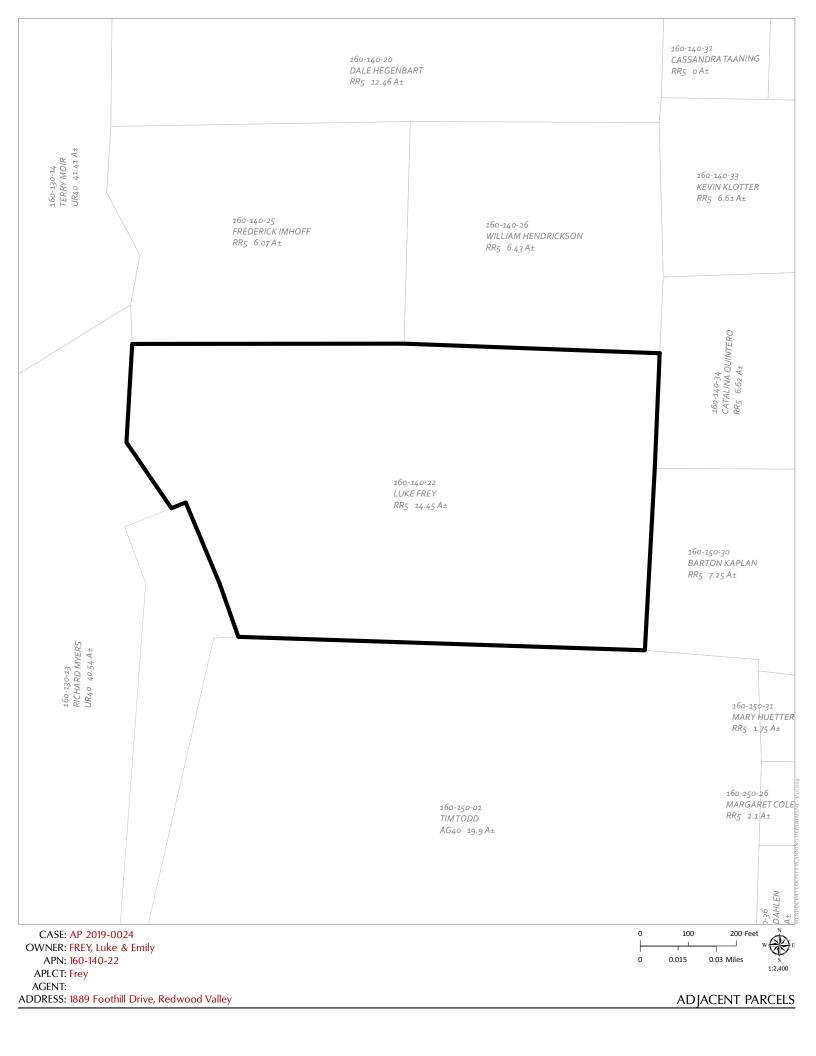
CASE: AP 2019-0024 OWNER: FREY, Luke & Emily APN: 160-140-22 APLCT: Frey

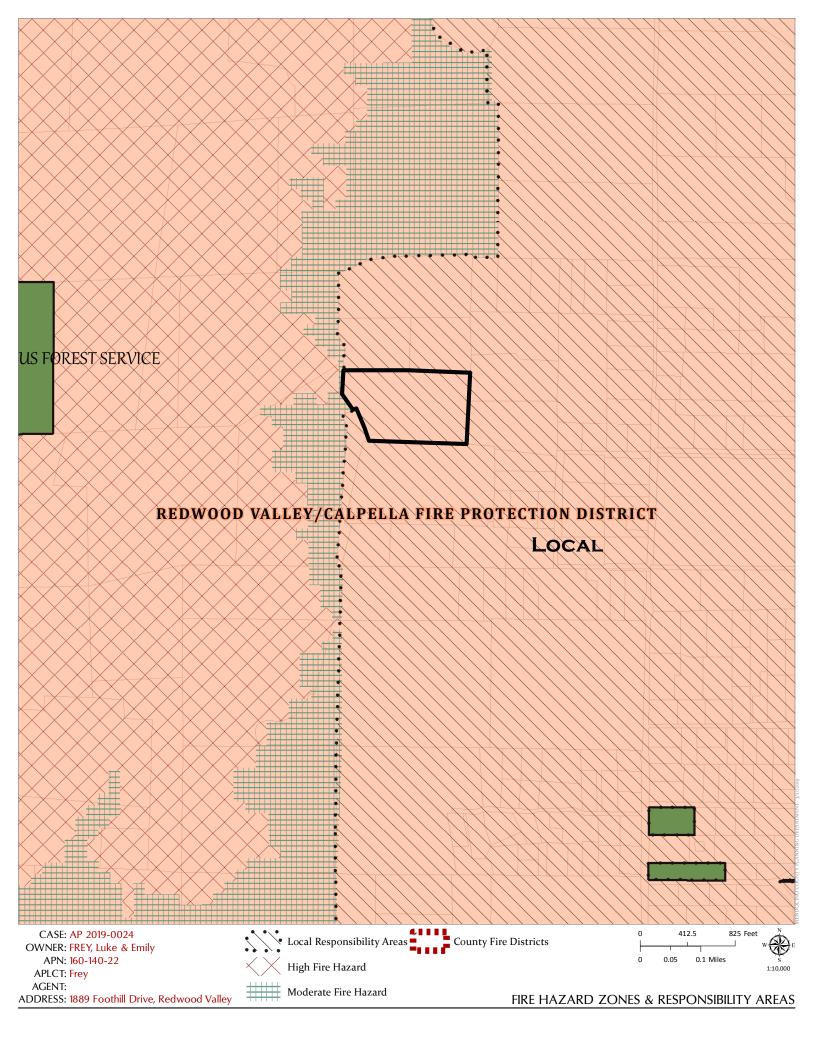
AGENT:
ADDRESS: 1889 Foothill Drive, Redwood Valley

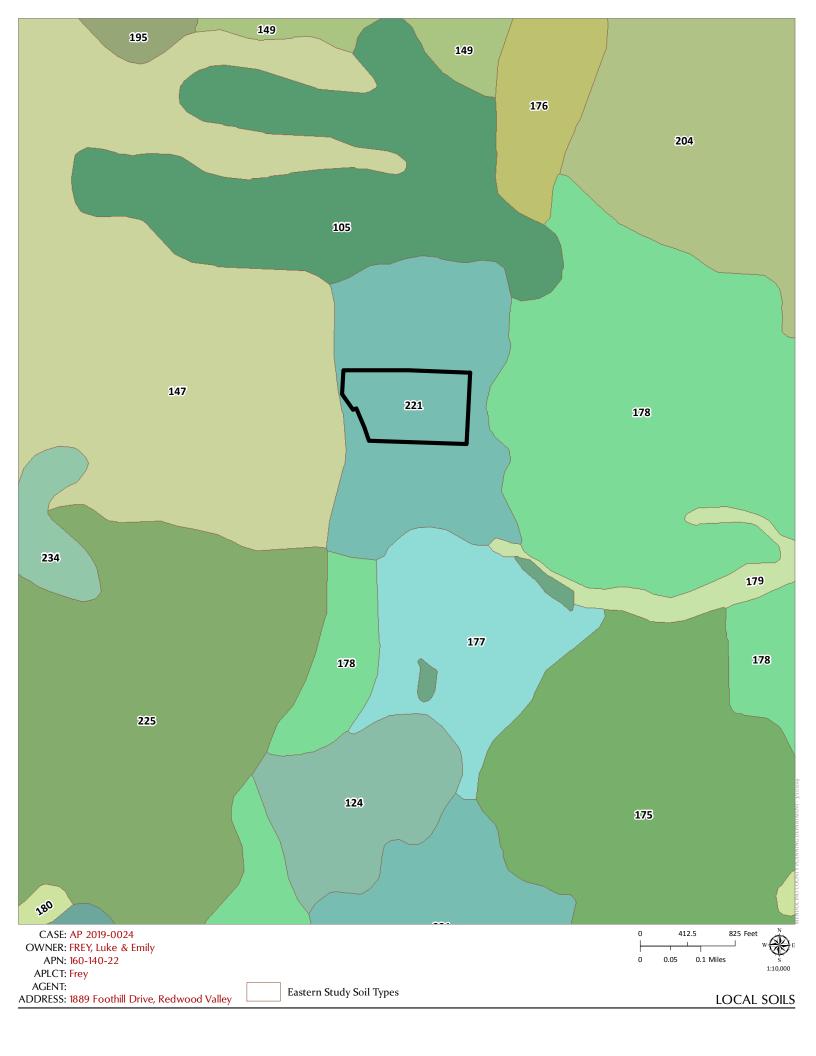
NO SCALE











| Application is hereby made to the Mendocino County Division of Environmental Health for a permit to construct or repair a sewage | INDIVIDUAL SEWAGE DISPO | SAL SYSTEM PERMIT |
|---|--|---------------------------------------|
| disposal system as described below in compliance with the code of Mendocino County or for clearance for other construction. | FEE OO DIEW DADDITION RECEIP 992 | T NUMBER PERMIT NUMBER |
| SITE ADDRESS 1889 Foothill Drive | SEE REVERSE SIDE FOR A | |
| ASSESSOR'S PARCEL | | |
| LOCATION | REQUIREMENTS & SPECIFICATIONS: GENERAL REQUIREMENTS | sized without Site consultants |
| | 1. Leach Trenches shall be covered with a minimum of 12 | Sized without Site consultants report |
| OWNER CITY Redwood Unlley | inches of backfill after Health Department approval. | rerois |
| NAME Art NATHAN Kerri VAU MAILING 1053 Sherman Dr ADDRESS SAIMAS, CA 462-5400 | Septic tank and disposal field must be 10 feet from property lines and structures, 100 feet from any water well or surface drainage. | SPECIAL REQUIREMENTS |
| TYPE OF STRUCTURE 6 778 | 3. When the sewage disposal system has been installed, | The see site check |
| □ Single Family Residence No. of Bedrooms 3 | and before top soil is placed over it, the INSTALLER SHALL NOTIFY the Health Department IN WRITING | Install in Per Site |
| Other | that a final inspection can be made. Allow five working | ☐ Special Design (Describe) / / ✓ S |
| Type of Facility No. employees, units seating, etc. | days for the inspection. 4. Trenches shall have a gradual fall of 1 inch to 30 feet. | |
| Design Flow | TREATMENT TANK 1000 | ``` |
| (ONE OF TWO MUST BE COMPLETED) | Septic Tank-size $e > 15 + 14 > gals$ | COUNTY |
| 2 L XI. A currently effective certificate of Workmen's Compensation Insurance coverage is on file with this office. | Other describe | |
| Compensation insurance Policy # is currently in force. | | YY |
| No. 14 A currently effective certificate of Workmen's Compensation Insurance coverage is on file with this office. Compensation Insurance Policy / / / / / / / / / / / / / / / / / / / | SUBSURFACE DISPOSAL AREA | 90 |
| subject to the workmen's compensation laws of California. | Trench Disposal | |
| (COMPLETE EITHER A OR B) | Total linear feet of trenchft. | Waiver Required |
| | Number of trenches 20 to | Describe |
| force and effect. | Length of each trench Total depth of trench | No |
| B. The Applicant is exempt from the provisions of the contractors license law for the following reasons: | Depth of gravel below line | Waiver Required Describe |
| A. The Applicant is licensed under the provisions of the contractors license law under license # 4 4 4 9 9 which license is in full force and effect. B. The Applicant is exempt from the provisions of the contractors license law for the following reasons: | ☐ Leach Bed | |
| | Total Bed areasq. ft. | |
| DATE SIGNATURE | Number of beds | PREmarks: Repair made |
| IMPORTANT: | Width ft. Length ft. | |
| I agree to obtain Environmental Health Officer's inspection of installation prior to covering. | Total Depth of bed(s) ft. | because two existing |
| I agree to construct this disposal system in accordance with all the provisions of the code of Mendocino County and with the plan drawn hereon. | Depth of gravel below line ft. | 7,,,,, |
| It is understood that the issuance of a permit in no way indicates that a guarantee of perfect and indefinite operation of this system is made by the | Other Disposal Area | failure de to 4 |
| Mendocino County Division of Environment Health, and that the homeowner | Describe | leaky toilet - ines 3 |
| is required to make any repairs necessary to confine sewage below the surface of the ground. | | were left hooked to |
| SIGNATURE & Dandingson Date 11-17-90 | | were left hooked to the pystem |
| OWNER OWNER'S AGENT | do to | 14.00 |
| APPROVED | PERMIT ISSUED: | DATE: 4-17-90 |
| MENDOCINO COUNTY PLANNING DEPARTMENT | INSTALLATION | 4-18-90 |
| By 0145 Regair Date 4-17-90 | APPROVAL BY: | DATE: / JUST / J |

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Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this

The quantity of water diverted under this license is subject to modification by the State Water Resources Control Board if, after notice to the licensee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. waste discharges.

Pursuant to California Water Code Sections 100 and 275 and the public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the Interest of the public welfare to protect public trust uses, prevent waste, unreasonable use, unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a clew to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and apportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the board determines, after notice to affected parties and opportunity for hearing, that such action takes into account the public interest and is necessary to protect public trust uses. All such actions shall conform to the standard of reasonableness contained in Article X, Section 2 of the California Constitution.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section, 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this urticle and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatseever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services or be readered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, trigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, traigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price-shall be determined in such manner as is now or may bereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MARCH 3 1 1987

WR 16-5 (8-84)

STATE WATER RESOURCES CONTROL BOARD

Chief, Division of Water Rights



STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 26201 Page 1 of 2

ERMIT

18365

LICENSE

12164

THIS IS TO CERTIFY, That
Arthur H. Nathan Jr.
1889 Footbill Drive
Redwood Valley, California 95470

has made proof as of August 11, 1986 (the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the water of an Unnamed Stream in Mendocino County

tributary to West Fork Russian River thence Russian River

for the purpose of Recreational use

under Permit 18365 of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from February 13, 1980 and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed two (2) acrefeet per annum to be collected from October 1 of each year to April 15 of the succeeding year.

This license does not authorize collection of water to storage outside of the specified season to offset evaporation and seepage losses or for any other purpose.

(0000005)

After the initial filling of the reservoir, licensee's right under this license extends only to water necessary to keep the storage reservoir full by replacing water lost by evaporation and seepage, and to refill if emptied for necessary maintenance or repair.

(0000040)

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

North 1,190 feet and West 250 feet from SE corner of Section 30, T17N, R12W, MDB&M, being within SE% of SE% of said Section 30.

DESCRIPTION OF THE LANDS OR THE PLACE OF USE WHERE SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

At reservoir within SE% of SE% of Section 30, T17N, R12W, MDB&M, as shown on map on file with State Water Resources Control Board.

May 23, 2017

Luke Frey 14000 Tomki Road Redwood Valley, CA 95470

Dear Mr. Frey,

This letter is to confirm that the property at 1889 Foothill Drive, Redwood Valley, CA receives water service from the Redwood Valley County Water District.

Sincerely, REDWOOD VALLEY COUNTY WATER DISTRICT

William L. Koehler General Manager

BOARD OF DIRECTORS

Granville Pool Pamela Ricetti Ken Todd Jeff Basili Marvin Talso