

## COUNTY OF MENDOCINO DEPARTMENT OF PLANNING AND BUILDING SERVICES

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November 6, 2019

Department of Transportation Environmental Health - Ukiah Building Inspection - Ukiah Forestry Advisor Air Quality Management Archaeological Commission Sonoma State University CalFire – Prevention CalFire – Resource Management Department of Fish and Wildlife Cloverdale Rancheria Redwood Valley Rancheria Sherwood Valley Band of Pomo Indians

**CASE#:** AP\_2019-0085 **DATE FILED:** 10/1/2019

**OWNER/APPLICANT:** JOSEPH EMIL & JULIAN STAFSLIEN

**REQUEST:** Administrative Permit for a large outdoor cannabis cultivation site (Type 2B (10,000 sq. ft.);

AG\_2017-0040) of no more than 10,000 sq. ft. of canopy.

**LOCATION:** 5.6± miles southeast of Leggett town center, lying on the north side of Foster Creek Road (Private), 2.0± miles northwest of its intersection with Bell Springs Road (CR 324), located at 58950 Foster Creek Rd.

(Formerly 58950 Bell Springs Rd.), Laytonville (APN: 012-690-48). **ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**SUPERVISORIAL DISTRICT**: 4 **STAFF PLANNER**: MARK CLISER

RESPONSE DUE DATE: November 20, 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 <a href="mailto:pbs@mendocinocounty.org">pbs@mendocinocounty.org</a>. 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	ng (please check one):
☐ No comment at this time.		
☐ Recommend conditional a	pproval (attached).	
	nal information (attach items needed, or vices in any correspondence you may h	
☐ Recommend denial (Attac	h reasons for recommending denial).	
☐ Recommend preparation of	of an Environmental Impact Report (atta	ch reasons why an EIR should be required).
Other comments (attach a	s necessary).	
REVIEWED BY:		
Signature	Department _	Date

#### **REPORT FOR: ADMINISTRATIVE PERMIT**

**OWNER:** JOSEPH EMIL & JULIAN STAFSLIEN

**APPLICANT:** JOSEPH STAFSLIEN

AGENT: NA

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more than 10,000 sq. ft. of canopy.

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northwest of its intersection with Bell Springs Road (CR 324), located at 58950 Foster Creek Rd. (Formerly 58950

Bell Springs Rd.), Laytonville (APN: 012-690-48).

**APN/S:** 012-690-48-00

PARCEL SIZE: 80 ± acres

**GENERAL PLAN:** FL160:

**ZONING:** FL:160

**EXISTING USES:** Cannabis

**DISTRICT:** Supervisorial District 4 (Gjerde)

RELATED CASES: AG 2019-0040 (Agriculture)

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	<b>ADJACENT USES</b>
NORTH:	FL160	TP:160	40±; 40± acres	Institutional
EAST:	FL160	TP:160	100± acres	Institutional
SOUTH:	FL160	TP:160	30±; 50± acres	Institutional
WEST:	FL160	FL:160	78± acres	Institutional

#### **REFERRAL AGENCIES**

#### **LOCAL**

☑ Forestry Advisor☑ Air Quality Management District☑ Archaeological Commission

oxtimes Environmental Health (EH)

oxtimes Sonoma State University

<u>STATE</u>

☑ CALFIRE (Land Use)

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

TRIBAL

☑ Cloverdale Rancheria☑ Redwood Valley Rancheria

☑ Sherwood Valley Band of Pomo Indians

CASE: AP\_2019-0085

ADDITIONAL INFORMATION: Located in an area of naturally occurring asbestos

**STAFF PLANNER:** MARK CLISER **DATE:** 11/2/2019

#### **ENVIRONMENTAL DATA**

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

12. EARTHQUAKE FAULT ZONE:

11. WETLANDS CLASSIFICATION:

NO

NA

23. HARBOR DISTRICT:

NA

NA



# Department of Planning and Building Services

Case No: AP-2019-0085
CalFire No: 7/3/5
Cultivation No: AG-2019-0040
Fee: \$ 1, 196.
Receipt No: PRJ - 030 760
Received By: Jesse Days
Date Filed: October 1, 2019
Office use only

Application for Cannabis A	Administrative Permit
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Application for Ca	nnabis Administr	ative Permit	
	door (500 ft²) ng Requirement	☐ Setback Reduction Request ☑ TPZ or FL (Type 1 or Type 2 ☐ RR5 (3.5-4.9 Acres) Waive	2)
APPLICANT(S)  Name: Joseph Star  Mailing  Address: 575 Eubanks  City: White thorn	Road / P.6 BOX 16 State/Zip: CA / 95589	Phone: (707) 498-97 email: jstafslien@amai	
PROPERTY OWNER  Name: Joseph S  Mailing  Address: 575 Enbanks  City: Whitetharn	1 2 2 1	Phone: (707) 498-	8717
AGENT  Name: Mailing  Address: City:	State/Zip:	Phone:	
Parcel Size: 80 Address of Property: 5859	acres	eriui.	
Assessor Parcel Number(s):	012 - 690 - 48	IVATION PERMIT:	
Size $\sqrt{}$ Type of Permit $\rightarrow$ Small: ( $\leq$ 2500 ft <sup>2</sup> )  Medium: (2501 - 5000 ft <sup>2</sup> )	OUTDOOR  C  1	INDOOR  ☐ C-A (≤500 ft²) ☐ C-A (501 – 2500 ft²) ☐ 1-A	MIXED LIGHT  C-B  1-B
Large: (5001 – 10,000 ft²) Nursery: (≤12,000 ft²)	<ul><li>□ 2</li><li>□ 4</li></ul>	☐ 2-A	
Legrify that the information sul	bmitted with this application is	true and accurate. I have attack	hed the Consent of Landowner

form because I am not the property owner of the parcel on which the cultivation site is located.

### **CULTIVATION SITE & PROJECT DESCRIPTION QUESTIONNAIRE**

Does the proposed cultivation site meet the following setbacks?	⊠YES	□NO
1,000 feet from all youth-oriented facilities, schools, parks, churche	es, or residential t	reatment facilities.
FOR OUTDOOR AND MIXED LIGHT CULTIVATION SITES  o 100 feet from any legal residential structure located on a second	nership.	
<ul><li>FOR INDOOR CULTIVATION SITES</li><li>Any building property line setbacks.</li></ul>		
2. Is the cultivation site visible from any public right of way or publically traveled		□ YES XNO
3. Please describe the project site. Include improvements such as structures, removal, roads, etc.  One existing garage/shop structure (~1,800 ft²) is con landings leftour from legacy logging activities exist, and are access road which runs through the parcel. The buildings	structed on the	ne property. Two
4. Will the development of the proposed cultivation site be phased?  If YES, please describe the phases briefly.  (1) Water fanks will be brought onsite to facilitate storage of growing season, when diversion is restricted (2) A point of diversion is restricted (3) A point of diversion is the proposed cultivation A brought onsite.	YES	□NO  For use in the  established.  Table toilets will be
5. How will you dispose of hazardous, natural (trimmings), or other (plastics)  Natural (trimmings) or cannabis plant waste will be chipped or shredd  other materials will be stoned in lidded trash cans stored out of the frequent intervals by the operators pickup truck. Materials will be taken	od & composted he elements, &	onsite. Hazardous and/or Shall be removed at
6. Have you constructed in the past, are constructing, or plan to construct an	y roads? Grading?	? ☐ YES         XNO
If YES, please complete the following:		
B. Amount of fill: cul C. Maximum height of cut slope: fee D. Maximum height of fill slope: fee	et	
E. Amount being imported/exported: cul  F. Location of borrow/disposal:   ON-SITE   OFF-S	oic yards	

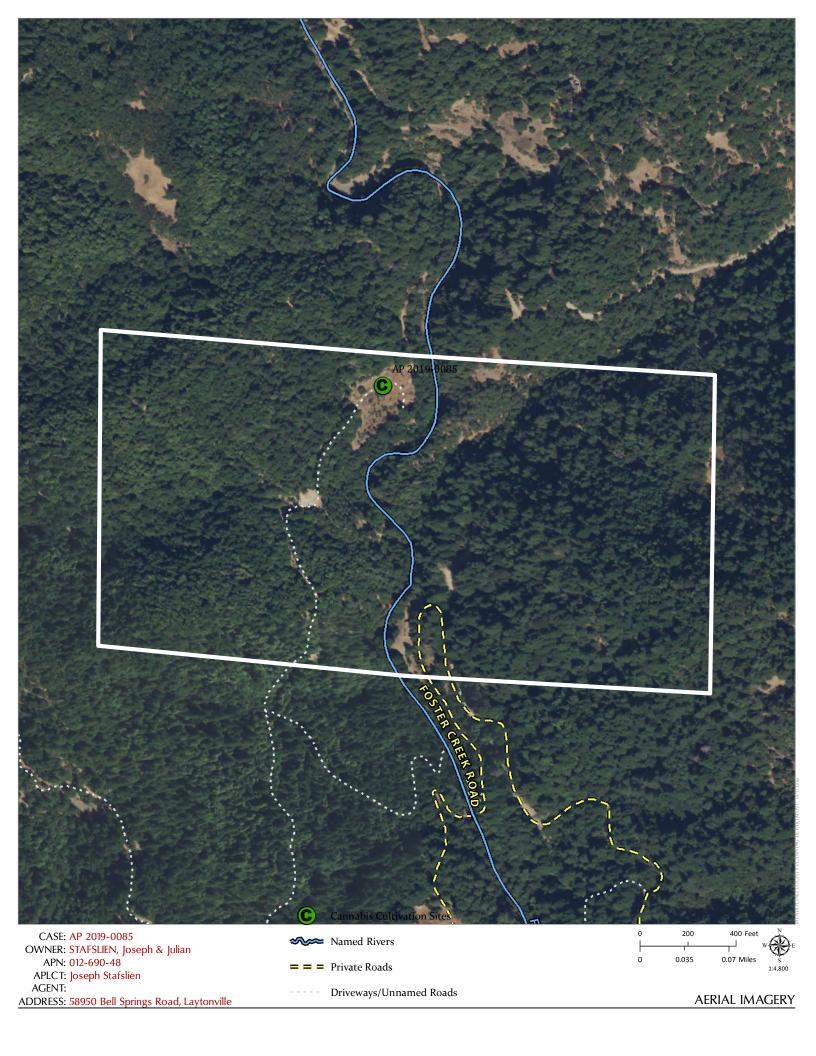
7. In order to develop the proposed cultivation site, will it be necessary to:	
A. Remove oak species or commercial tree species?  B. Make substantial changes in terrain?  C. Connect to existing water district?  D. Connect to existing sewer district?  E. Install a septic system?  F. Connect to existing septic system?  G. Install an individual well?	
H. OTHER (Explain)? A well may be installed in the future but is not fact of the proposed plan, and is not required for the success of the project.	
<ol><li>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</li></ol>	i.
1. Garage/Shop building, ~ 1,800 ft2	
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  Note there any contiguous properties and/or projects (unrelated to cannabis) under your ownership?  YES  Note there any contiguous properties and/or projects (unrelated to cannabis) under your ownership?  YES  YES  Note there any contiguous properties and/or projects (unrelated to cannabis) under your ownership?  YES  YES  Note there any contiguous properties and/or projects (unrelated to cannabis) under your ownership?  YES	NO O
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 me	
☐ Diking — a total of cubic yards will be me	
☐ Filling - a total of cubic yards will be m	
Dredging - a total of cubic yards will be mediated by the surrounding properties including vegetation, animals, structures, and/or cultural/historic ass	
The project site straddles toster creek and is zoned FL. The hilly torain is hearly torrested.	
The surrounding properties are also heavily forested with some minor mendow   prairie open	ni nas
punctuating the landscape. Surrounding residential density appears to be quite low, with large	76 )
surrounding parcels 7- 40 Acres averaging 1 residence per parcel. Animal cultural historical assets are un	<u>ikna</u> vn
13. Please indicate the surrounding land uses.  NORTH EAST SOUTH WEST	
Vacant	
Residential/AgriculturalCommercial/Industrial	
Institutional/Timberland Timberland Timberland Timberland Timberland	
Other	

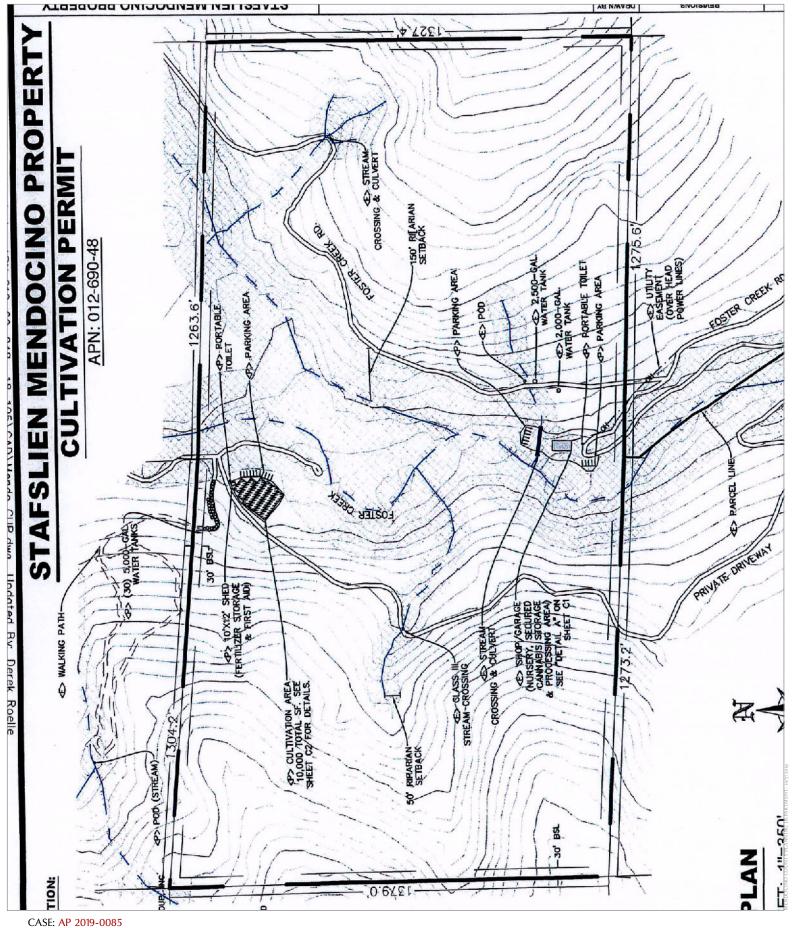
14. Utilities	ill by a supplied to the cite on follows:		
	s will be supplied to the site as follows:		
A.	Electricity		
	☑ Utility Company (existing)		
	Utility Company (planned)		
	☐ On-Site Generation – Specify		
_			
В.	Gas		
	Utility Company (existing)		
	Utility Company (planned)		
	On-Site Generation – Specify		
	None		
C.	Water		
	Community water system – Specify supplier		
	☐ Well		
	☐ Spring		
	☐ Pond ☐ Other - Specify Stream (Surface water diversion)		
	A cuttor opoons		
_	Cowago		
D.	Sewage  Community sewage system – Specify supplier		
	Digital Table		
	☐ Septic Tank ☐ Other - Specify Portable foilets will be brought ansite & serviced @ regular intervals.		
	(X) Other - Specify Portable tolless will be biogst anxite (x) service to regard into this.		
15 Will the	ere be any security lighting?		
16. Will yo	u have employees? XYES NO		
·	.1		
If Y	YES, how many employees will you have?		
l If e	employees are residing onsite, please indicate the structure they will be residing.		
Empl	oyees will not 185ide on site.		
	ore be any processing of cannabis on site (trimming leaf removal curing drying, etc)? XYES \( \sqrt{YES} \)		
17. Will the	ere be any processing of cannabis on site (trimming, leaf removal, curing, drying, etc)? XYES 🔲 NO		
19 If you	answered YES to the previous question (17), please describe the activities.		
10. 11 you 1	sted cannabis will be dried & cured and then hank trimmed in the existing		
garage	garage / Shop building onsite.		
	e/Shop building onsite.		
	er shop building onsite.		
	J		
19. Have	J		
19. Have y	you discussed this proposal with adjacent property owners and other concerned parties?		
	J		
	J		
	J		
Yes	you discussed this proposal with adjacent property owners and other concerned parties?		
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20. Pleas	you discussed this proposal with adjacent property owners and other concerned parties?  se describe how you intend to mitigate potential nusiances related to the proposed cultivation activities.  And gates & posted signs along with security came(as & security lighting will keep		
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20. Pleas	you discussed this proposal with adjacent property owners and other concerned parties?  see describe how you intend to mitigate potential nusiances related to the proposed cultivation activities.  Act gates & posted signs along with security come(as & security lighting will keep orized fersons from entering the site. All stock materials (harvested crops, tools, etc.)  one kept out of sight in a shipted locked structure (garage shop building). Sufficient  control from the grow site to the negrest possible residence (~1,458 ft) will keep drifting		
20. Pleas	you discussed this proposal with adjacent property owners and other concerned parties?  se describe how you intend to mitigate potential nusiances related to the proposed cultivation activities.  Art gates & posted signs along with security cameras & security lighting will keep vized persons from entering the site. All stored materials (harvested crops teals etc.)  one kept out of sight in a shielded locked structure (garage shop building). Sufficient are from the grow site to the measest possible residence (~1,458ft) will keep drifting from reaching meraphoring residents. No large or noisy generators are required or used		
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21. Provide an overview of your p please describe past activities applicable:		as ancillary activities on this subjeunty, as well as past cultivation on	
Past cultivation on the	subject parcel prim	varily consisted of outdoor	grown (full sun)
cannabis aroun in pot	tion soil imported	to the property (Roots	707 soil). Most of
the cultivation activities	consisted of a	chove ground pots soil b	age grown in obscured
gardens sited within	the treeline an	d Native blush. Some h	in nother: the sexual goo.
2 hoops was conducted		_	
		<u> </u>	
22. Describe why the proposed to property.		s the most enviornmentally superi	
project site. By utilizing	y legacy infrastructu	ie, no additional parthitoria	related development is
		the proposed project. The a	
		riparium setback distances	_
		017-0023-DWQ). The pr	
	1 .	such that gravity flow will	
procurement & deliver	of waters used for	illigation. There are no	other existing landing Hut
Son the borce much mo			provide adequate space
30. THE \$10 \$056 DO	148081 CO 14. 14 1511.		
23. Are you aware of any Archeol	ogical or Paleontologic	cal resources on the subject prope	erty? YES XNO
24. Have you recieved the requisit	e approvals from CALI	FIRE or your Local Response Age	ency? ☐ YES 🗖 NO
If NO, do you intend to subm	it this information alongsi	ide needed building permits? <u>\est</u>	
25. Have you recieved site inspec	tions from any of the fo	ollowing agencies with regard to th	nis proposed activity?
⊠′NO			
☐YES, following		griculture Date:	
	□SWRCB	Date:	
	□cdfw □cdfa	Date:	<u> </u>
Loorlife that the information author		Date:	
I certify that the information subm	iilled with this applicati	ion is true and accurate.	
Signature of Applicant/Agent	Date	Signature of Owner	Date
	FOR STAFF	PURPOSES ONLY	
Zoning District:			
Subject to Sunset Provision [MC	C 10A.17.080(B)(2)(b)	]? 🗌 YES 🖺 NO	
Compliant with Mendocino Coun			

e 5

#### **AUTHORIZATION OF AGENT** to act as my 1. I hereby authorize representative and to bind me in all matters concerning this application. Date Owner 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. Owner/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. oh E. Staffien, hereby agree to the above Indemnification Agreement. Dwner/Authorized Agent 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





OWNER: STAFSLIEN, Joseph & Julian

APN: 012-690-48 APLCT: Joseph Stafslien AGENT:

ADDRESS: 58950 Bell Springs Road, Laytonville

NO SCALE

