



**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

March 20, 2020

Building Inspection - Ukiah  
Assessor  
Forestry Advisor  
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\_2020-0001

**DATE FILED:** 1/9/2020

**OWNER:** DAVID BARKER

**AGENT:** JONELLE PUETZ

**REQUEST:** Administrative Permit to allow for outdoor and mixed light cannabis cultivation activities (Multiple Cultivation Type Application AG\_2019-0173) of no more than 10, 000 sq. ft. aggregate of canopy.

**LOCATION:** 24.9± miles south west of the Redway town center, east of the King Range National Conservation Area, following Briceland Road (CR 435) 16± miles, continuing 8.9± miles to its intersection with Usal Road (CR 431), located at 77030 Usal Road, Whitethorn (APN: 051-231-02).

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**SUPERVISORIAL DISTRICT:** 4

**STAFF PLANNER:** CHEVON HOLMES

**RESPONSE DUE DATE:** April 3, 2020

**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](mailto: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\_2020-0001

**OWNER:** DAVID BARKER TTEE

**APPLICANT:** DAVID BARKER

**AGENT:** JONELLE PUETZ

**REQUEST:** Administrative Permit to allow for outdoor and mixed light cannabis cultivation activities (Multiple Cultivation Type Application AG\_2019-0173) of no more than 10,000 square feet aggregate of canopy.

**LOCATION:** +/- 24.9 miles south west of the Redway town center, east of the King Range National Conservation Area, following Briceland Road (CR 435) +/-16 miles, continuing +/- 8.9 miles to its intersection with Usal Road (LR 431), located at 77030 Usal Road, Whitethorn; (APN: 051-231-02).

**APN:** 0512310200

**PARCEL SIZE:** 15.4

**GENERAL PLAN:** Forestland 160 acre minimum (FL160)

**ZONING:** Forestland 160 acre minimum (FL:160)

**EXISTING USES:** Residential

**SUPERVISORIAL DISTRICT:** 4<sup>th</sup> (Gjerde)

**RELATED CASES:**  
*CULTIVATION*  
AG\_2019-0173 Cannabis Cultivation Application status: under review

*BUILDING*  
BU\_2019-2056 AG Exempt Hoop House status: issued  
BU\_2019-2055 AG Exempt Hoop House status: issued  
BU\_2019-2054 AG Exempt Hoop House status: issued

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH:	Forestland 160 Acre Minimum	Forestland (FL:160)	± 14.9 & ± 11.08 Acres	Residential/Forestland
EAST:	Forestland 160 Acre Minimum	Forestland (FL:160)	± 8.92 Acres	Vacant/Forestland
SOUTH:	Forestland 160 Acre Minimum	Forestland (FL:160)	± 12.7 Acres	Residential/Forestland
WEST:	Forestland 160 Acre Minimum	Forestland (FL:160)	±13.19 Acres	Residential/Forestland

REFERRAL AGENCIES

LOCAL	STATE	TRIBAL
<input checked="" type="checkbox"/> Archaeological Commission	<input checked="" type="checkbox"/> CALFIRE (Land Use)	<input checked="" type="checkbox"/> Cloverdale Rancheria
<input checked="" type="checkbox"/> Assessor’s Office	<input checked="" type="checkbox"/> CALFIRE (Resource Management)	<input checked="" type="checkbox"/> Redwood Valley Rancheria
<input checked="" type="checkbox"/> Building Division Ukiah	<input checked="" type="checkbox"/> California Dept. of Fish & Wildlife	<input checked="" type="checkbox"/> Sherwood Valley Band of Pomo Indians
<input checked="" type="checkbox"/> Forestry Advisor		
<input checked="" type="checkbox"/> Sonoma State University		

**ADDITIONAL INFORMATION:** The Administrative Permit request is to allow for continuation of current cultivation activities and existing use. Onsite cannabis cultivation activities to include both outdoor and mixed light cultivation types. Agricultural Exempt hoop houses to be used for mixed light cultivation. Water is provided by a spring and application materials include required water resource documents.

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 (SRA)

4. FARMLAND CLASSIFICATION:

GIS

Grazing Land (G)

Rural Residential & Rural Commercial (R)

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

N/A

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

Western Soil Classification 121

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

N/A

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor’s Office

NO

10. TIMBER PRODUCTION ZONE:

GIS

NO

11. WETLANDS CLASSIFICATION:

GIS

N/A

12. EARTHQUAKE FAULT ZONE:

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](http://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: AP-2020-0001  
CalFire No: 417-19  
Cultivation No: AG-2019-0173  
Fee: \$1632.00  
Receipt No: PRS-032733  
Received By: Jesse Davis  
Date Filed: 01-09-2020

Office use only

## Application for Cannabis Administrative Permit

☒ **ADMINISTRATIVE PERMIT (AP)**

- ☐ Type C-A Cottage Indoor (500 ft<sup>2</sup>) ☐ Setback Reduction Request  
☐ Waive RR:10 Housing Requirement ☒ TPZ or FL (Type 1 or Type 2)  
☐ Acreage (3.5 Acres-4.9 Acres: Type 1 Allowance) ☐ RR5 (3.5-4.9 Acres) Waive Sunset  
☐ Acreage (7.0 Acres-9.9 Acres: Type 2 Allowance)

**APPLICANT(S)**

Name: David Barker Phone: H) 707 986 9544 C) 299-8378  
Mailing Address: P.O. Box 251  
City: Willits State/Zip: CA 95589 email: dwbarcel333@yahoo

**PROPERTY OWNER**

Name: " Phone: "  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State/Zip: \_\_\_\_\_ email: \_\_\_\_\_

**AGENT**

Name: Donelle Puetz Phone: 630-330-2694  
Mailing Address: 10 Box 1311  
City: Waytonville State/Zip: 95454 email: jmpuetz6@gmail.com  
Parcel Size: 15 acres

Address of Property: 77030 USAL Rd.

Assessor Parcel Number(s): 051-231-02

TYPE OF CULTIVATION PERMIT:

Size ↓	Type of Permit →	OUTDOOR	INDOOR	MIXED LIGHT
Small: (≤2500 ft <sup>2</sup> )	<input type="checkbox"/> C	<input type="checkbox"/> C-A (≤500 ft <sup>2</sup> ) <input type="checkbox"/> C-A (501 – 2500 ft <sup>2</sup> )	<input type="checkbox"/> C-B	
Medium: (2501 – 5000 ft <sup>2</sup> )	<input type="checkbox"/> 1	<input type="checkbox"/> 1-A	<input checked="" type="checkbox"/> 1-B	
Large: (5001 – 10,000 ft <sup>2</sup> )	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2-A	<input checked="" type="checkbox"/> 2-B	
Nursery: (≤12,000 ft <sup>2</sup> )	<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 because I am not the property owner of the parcel on which the cultivation site is located.

Signature of Applicant/Agent

Date

Signature of Owner

Date

2/30/19



1000-0202.GA  
11-711

## 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.

1 cabin proposed demolition - septic not permitted  
1 power shed - solar power  
3 hoop houses - 1 for vegetation - immature plants  
2 - mixed light

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

☒ YES

☐ NO

If YES, please describe the phases briefly.

800 sq. ft existing mixed light working towards  
2,500 sq. ft.

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

Organic products recycled or composted  
Plastics & hazardous waste to be taken to  
Relay transfer station

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:

- 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

☐  
☐  
☐  
☐  
☐  
☐  
☐

NO

☒  
☒  
☒  
☒  
☒  
☒  
☒

H. OTHER (Explain)?

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. 1 cabin proposed demolition 20 x 60 NON cannabis use
- 2.
3. 1 10 x 12 power shed NON cannabis use
- 4.
5. 2 8 x 50 hoop houses
- 6.
7. 1 8 x 50 immature plant area
- 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? (ft<sup>2</sup> / 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.

fifteen acre parcels in rural community

13. Please indicate the surrounding land uses.

	NORTH	EAST	SOUTH	WEST
Vacant	VACANT	<del>BLM</del>		BLM
Residential/Agricultural		Residential	Residential	timber
Commercial/Industrial				
Institutional/Timberland				
Other				



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

A. Electricity

☐ Utility Company (existing)

☐ Utility Company (planned)

☒ On-Site Generation – Specify Solar shed

B. Gas

☐ Utility Company (existing)

☐ Utility Company (planned)

☐ On-Site Generation – Specify \_\_\_\_\_

☒ None

C. Water

☐ Community water system – Specify supplier \_\_\_\_\_

☐ Well

☒ Spring no water

☐ Pond

☐ Other – Specify \_\_\_\_\_

D. Sewage side road

☐ 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 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.

Drying only

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

No

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

Organic materials & fuels in locked storage



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:

small pot cultivator - residence improvement

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

pre existing garden space

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

☐ Department of Agriculture Date: \_\_\_\_\_

☐ SWRCB Date: \_\_\_\_\_

☐ CDFW Date: \_\_\_\_\_

☐ CDFA Date: \_\_\_\_\_

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

Signature of Applicant/Agent

Date

7/30/19

Signature of Owner

Date

7/30/19

FOR STAFF PURPOSES ONLY

Zoning District: FL160

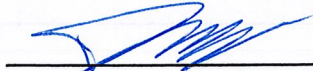
Subject to Sunset Provision [MCC 10A 17.080(B)(2)(b)]? ☐ YES ☒ NO

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.



Owner

7/30/19

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.



Owner/Authorized Agent

7/30/19

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, DAVID BARKER, hereby agree to the above Indemnification Agreement.  
(Print Name)



Owner/Authorized Agent

7/30/19

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





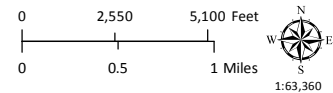
Humboldt County

SUBJECT PARCEL/S



CASE: AP 2020-0001  
OWNER: BARKER, David  
APN: 051-231-02  
APLCT: David Barker  
AGENT: Jonelle Puetz  
ADDRESS: 77030 Usal Road, Whitethorn

California Counties  
Major Roads





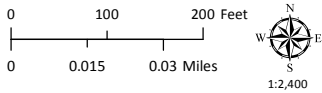
LOCATION MAP





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 Named Rivers  
 Driveways/Unnamed Roads



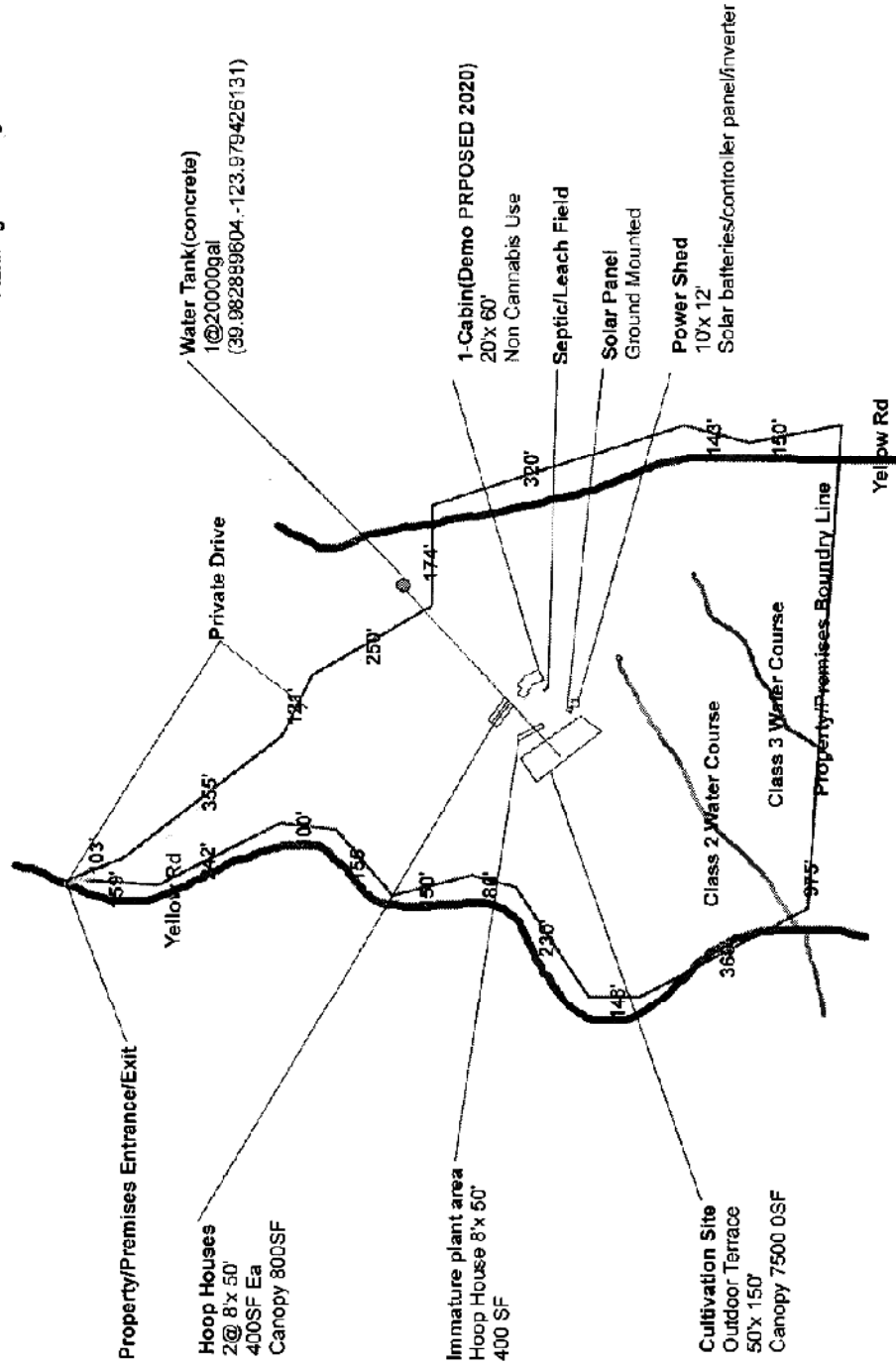
LOCATION MAP



RECEIVED  
JAN 09 2020

Planning & Building Services

Owner: David Barker  
77030 Usal Rd  
White Thorn Ca 95589  
APN: 051-231-02  
15.4A



**PARCEL**  
Cultivation  
8300 Total SF  
Off Site:  
Packaging  
Processing

Google

© Scribble Maps

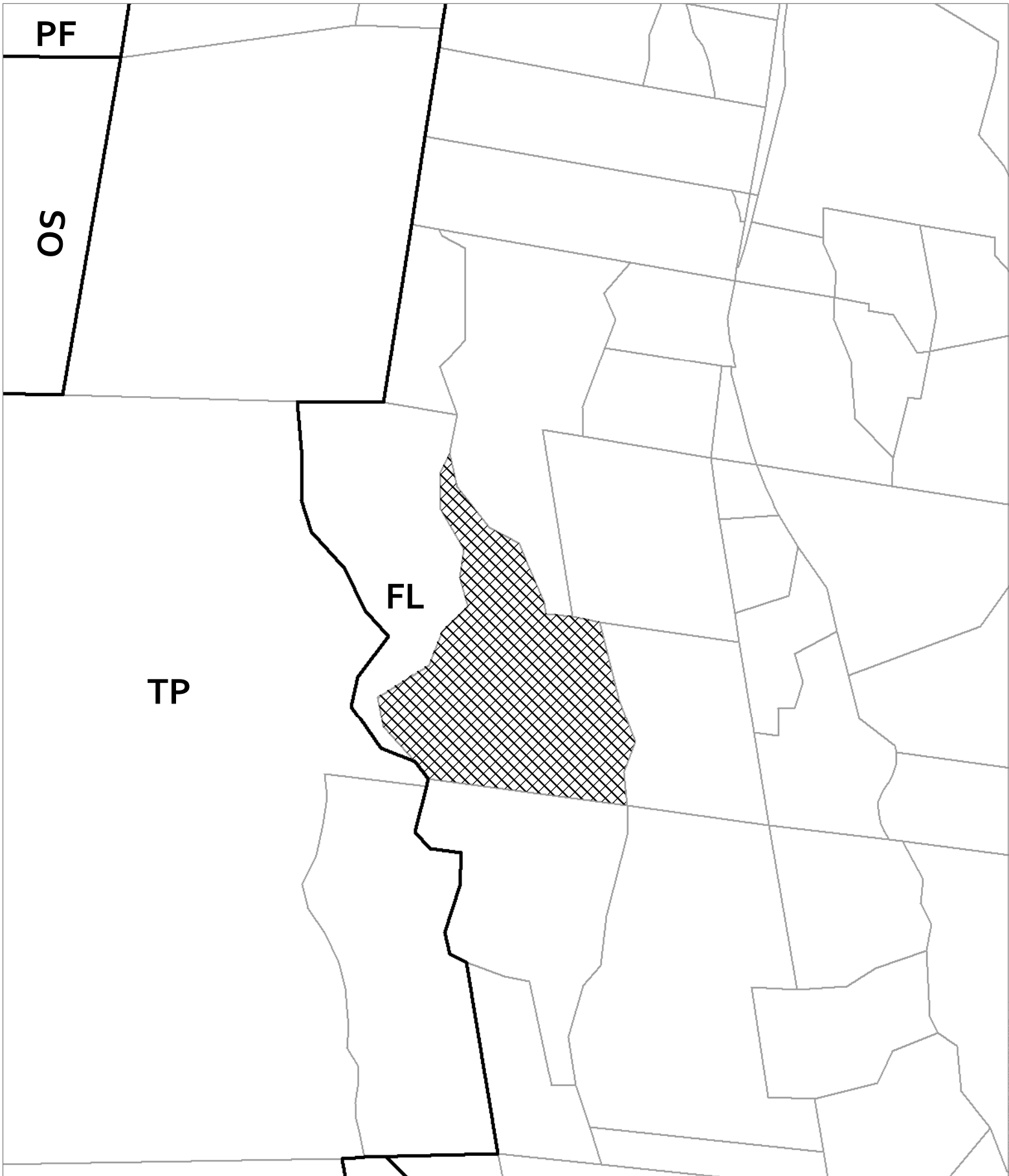
RENDING COUNTY PLANNING DEPARTMENT - 03/2020

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NO SCALE

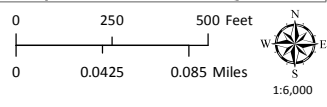
SITE PLAN





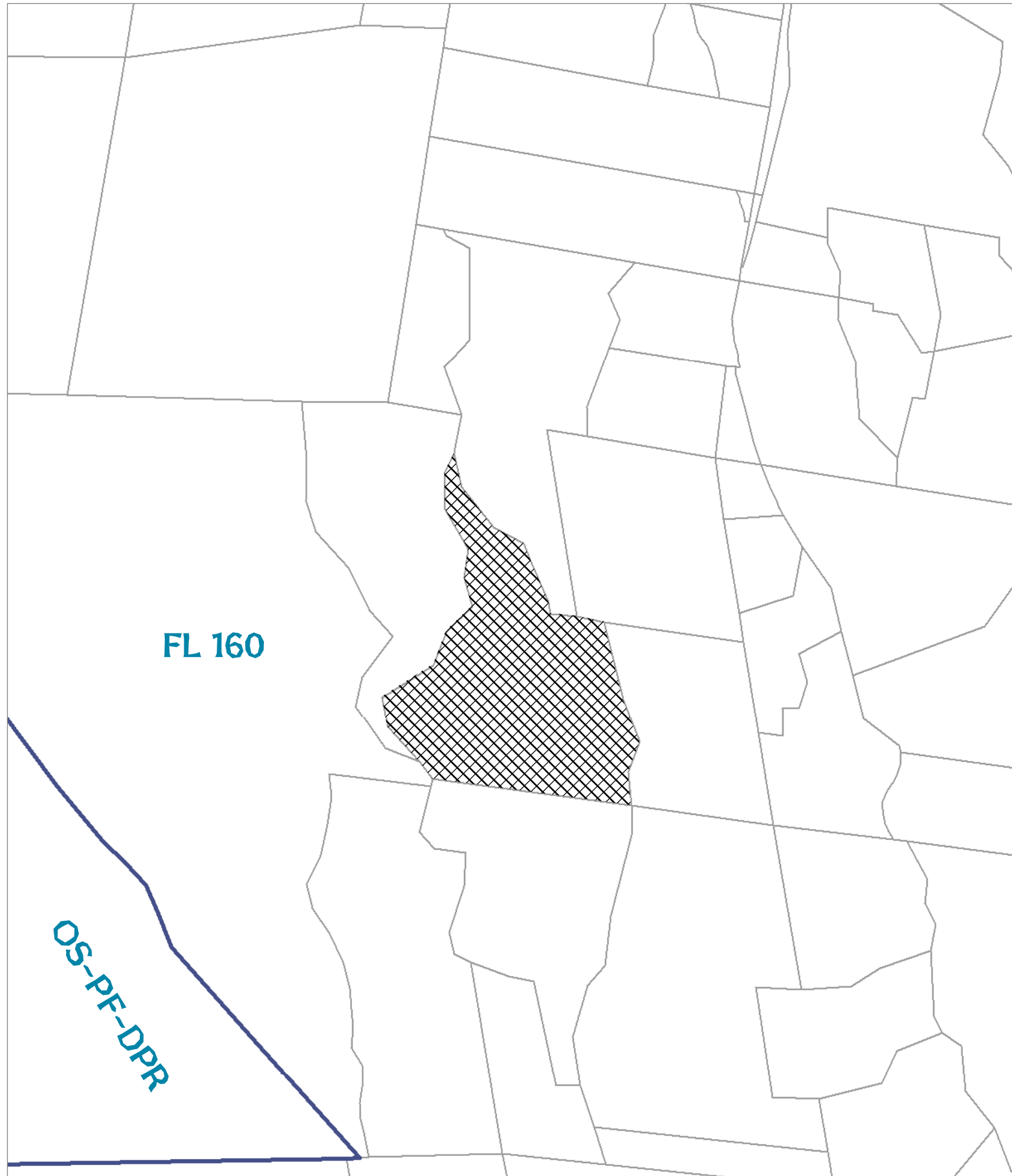
CASE: AP 2020-0001  
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-  Zoning Districts
-  Assessors Parcels





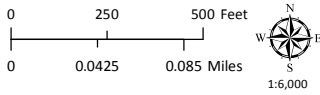
ZONING DISPLAY MAP





CASE: AP 2020-0001  
OWNER: BARKER, David  
APN: 051-231-02  
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AGENT: Jonelle Puetz  
ADDRESS: 77030 Usal Road, Whitethorn

-  General Plan Classes
-  Assessors Parcels



GENERAL PLAN CLASSIFICATIONS



051-040-04  
LARRY FRAME

TP 160 40 A±

051-071-09  
THORIN LYNN  
77040 USAL RD  
FL 160 4.5 A±

051-071-10  
DAVID BARKER  
77020 USAL RD  
FL 160 14.9 A±

051-071-12  
KYLE UMINA  
77000 USAL RD  
FL 160 4.3 A±

051-071-11  
CURTIS SHERMAN  
FL 160 4 A±

051-231-05  
RODERICK BROWN  
FL 160 1.26 A±

051-231-06  
RICHARD HOMEM  
FL 160 1.18 A±

051-231-01  
DAVID TAYLOR  
77060 USAL RD  
FL 160 13.19 A±

051-231-03  
KYLE UMINA  
FL 160 11.08 A±

051-231-23  
TERRY MAZE  
76900 USAL RD  
FL 160 0 A±

051-231-07  
CHARLES WILSON  
76850 USAL RD  
FL 160 3.45 A±

051-231-02  
DAVID BARKER  
77030 USAL RD  
FL 160 15.4 A±

051-231-04  
CHARLES WILSON  
76850 USAL RD  
FL 160 8.92 A±

051-210-02  
STATES UNITED

TP 160 143 A±

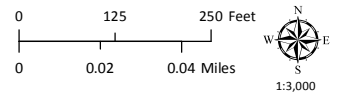
051-210-03  
STATES UNITED  
TP 160 16.5 A±

051-231-12  
FRANK LETTON  
76480 USAL RD  
FL 160 12.7 A±

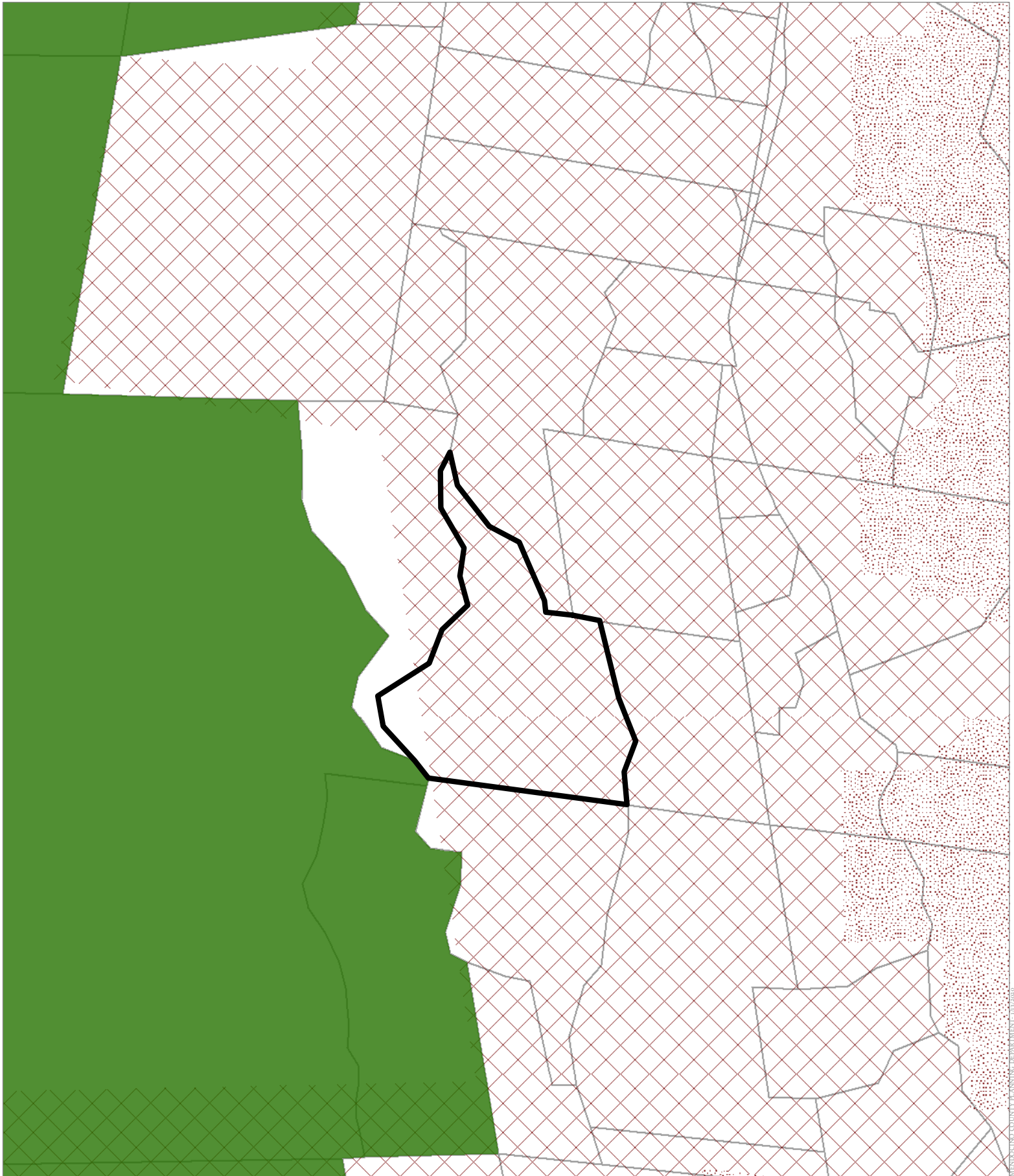
051-231-14  
FRANK LETTON  
76500 USAL RD  
FL 160 25 A±

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Assessors Parcels

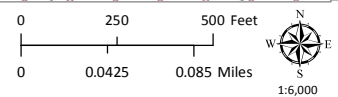


ADJACENT PARCELS



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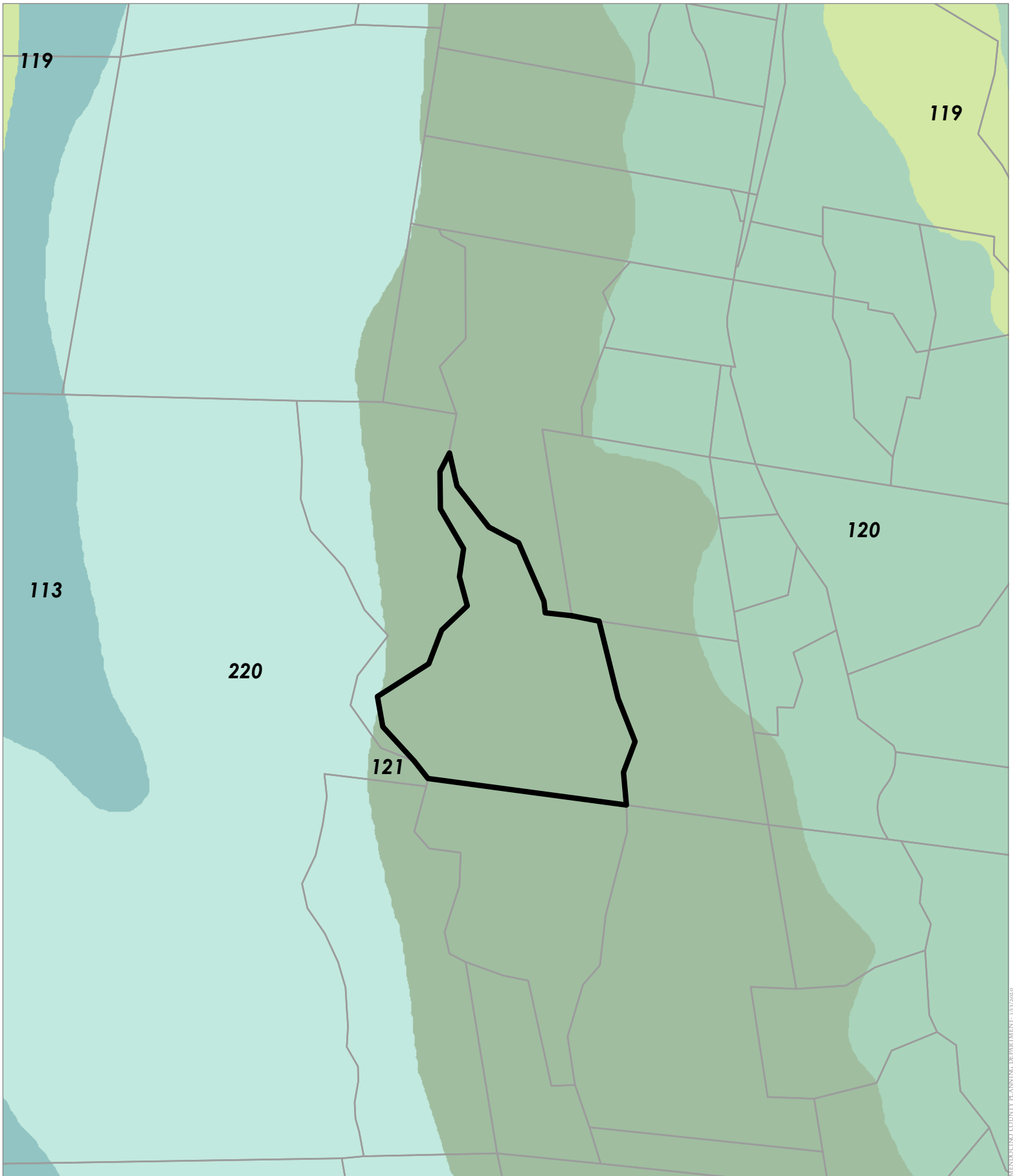
-  Very High Fire Hazard
-  High Fire Hazard
-  Assessors Parcels



## FIRE HAZARD ZONES & RESPONSIBILITY AREAS

STATE RESPONSIBILITY AREA

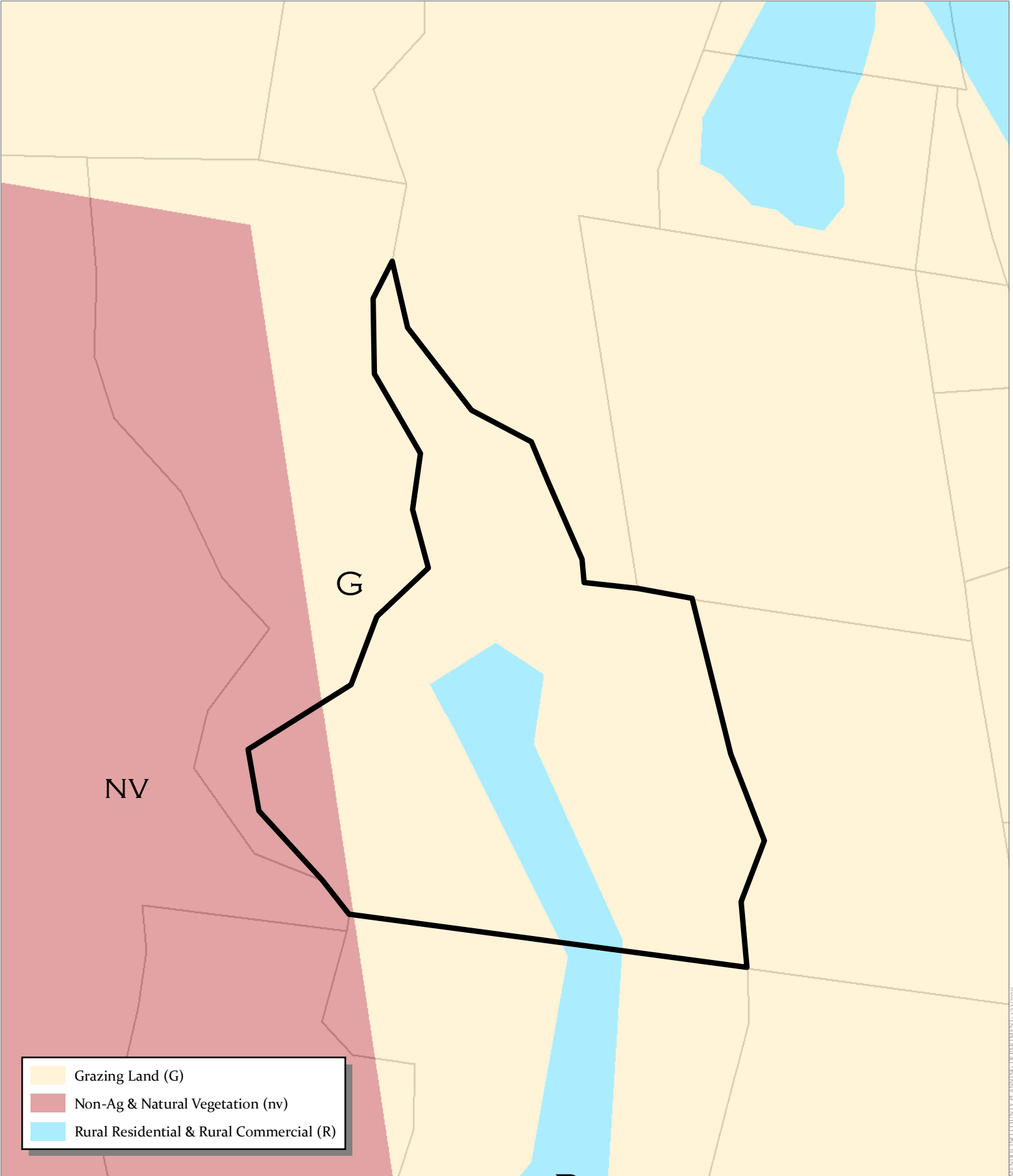





CASE: AP 2020-0001  
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 Assessor's Parcels

WESTERN SOIL CLASSIFICATIONS



CASE: AP 2020-0001  
OWNER: BARKER, David  
APN: 051-231-02  
APLCT: David Barker  
AGENT: Jonelle Puetz  
ADDRESS: 77030 Usal Road, Whitethorn

 Assessor's Parcels

0 125 250 Feet  
0 0.02 0.04 Miles  
N  
W  
E  
S  
1:3,000  
FARMLAND CLASSIFICATIONS