



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
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pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

May 15, 2020

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

Long Valley Fire District
Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

CASE#: AP_2020-0016

DATE FILED: 3/2/2020

OWNER: ABSOLUTELY ORGANIC LLC

APPLICANT: TAMARA WOLFE

REQUEST: Administrative Permit for a large mixed-light cannabis cultivation site (Type 2B-10,000 sq. ft.; AG_2017-0340) of no more than 10,000 sq. ft. of canopy.

LOCATION: 1± miles northeast of Branscomb town center, lying on the north side of Branscomb Road (CR 75), 1.5± miles west of its intersection with Kenny Creek Road (Private), located at 11830 Branscomb Rd., Branscomb (APN: 013-690-71).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 4

STAFF PLANNER: MARK CLISER

RESPONSE DUE DATE: May 29, 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. 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 _____

OWNER: ABSOLUTELY ORGANIC LLC

APPLICANT: Tamara Wolfe

AGENT: NA

REQUEST: Administrative Permit for a large mixed-light cannabis cultivation site (Type 2B-10,000 sq. ft.; AG_2017-0340) of no more than 10,000 sq. ft. of canopy.

LOCATION: 1± miles northeast of Branscomb town center, lying on the north side of Branscomb Road (CR 75), 1.5± miles west of its intersection with Kenny Creek Road (Private), located at 11830 Branscomb Rd., Branscomb (APN: 013-690-71).

APN/S: 013-692-08

PARCEL SIZE: 40± acres

GENERAL PLAN: Forest Land (FL160:)

ZONING: Timber Production (TP:160)

EXISTING USES: Cannabis; Residential

SUPERVISORIAL DISTRICT: 3 (HASCHAK)

RELATED CASES: AG_2017-0340 (Cannabis Cultivation Type 2B, 10,000 sq. ft. mixed light)

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
NORTH:	Forest Land (FL160)	Timber Production (TP160)	40± acres	Institutional
EAST:	Forest Land (FL160)	Timber Production (TP160)	40± acres	Institutional
SOUTH:	Forest Land (FL160)	Timber Production (TP160)	20±: 100± acres	Institutional; Residential
WEST:	Forest Land (FL160)	Timber Production (TP160)	160± acres	Institutional

REFERRAL AGENCIES

<u>LOCAL</u>		
<input checked="" type="checkbox"/> Air Quality Management District	<input checked="" type="checkbox"/> Long Valley Fire District	<u>TRIBAL</u>
<input checked="" type="checkbox"/> Archaeological Commission	<input checked="" type="checkbox"/> Sonoma State University	<input checked="" type="checkbox"/> Cloverdale Rancheria
<input checked="" type="checkbox"/> Building Division Ukiah	<u>STATE</u>	<input checked="" type="checkbox"/> Redwood Valley Rancheria
<input checked="" type="checkbox"/> Department of Transportation (DOT)	<input checked="" type="checkbox"/> CALFIRE (Land Use)	<input checked="" type="checkbox"/> Sherwood Valley Band of Pomo Indians
<input checked="" type="checkbox"/> Environmental Health (EH)	<input checked="" type="checkbox"/> CALFIRE (Resource Management)	
<input checked="" type="checkbox"/> Forestry Advisor	<input checked="" type="checkbox"/> California Dept. of Fish & Wildlife	

ADDITIONAL INFORMATION: A review of California Natural Diversity Database indicates occurrences of special status species on the subject property

STAFF PLANNER: MARK CLISER

DATE: 5/7/2020

ENVIRONMENTAL DATA

1. MAC:

GIS

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

HIGH

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

LONG VALLEY / CALFIRE

4. FARMLAND CLASSIFICATION:

GIS

G

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

WESTERN SOIL CLASSES

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor’s Office

10. TIMBER PRODUCTION ZONE:

GIS

11. WETLANDS CLASSIFICATION:

GIS

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

YES

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

21. STATE CLEARINGHOUSE REQUIRED:

Policy

22. OAK WOODLAND AREA:

USDA

23. HARBOR DISTRICT:

Sec. 20.512



Department of
Planning and Building
Services

AP-2017-0016

Case No:	CANN-2020-0003
CalFire No:	
Cultivation No:	AG-2017-0340
Fee:	\$1557.00
Receipt No:	PRJ-033765
Received By:	SMS
Date Filed:	3/2/2020
Office use only	

Application for Cannabis – Use Permit / Administrative Permit

☐ ADMINISTRATIVE PERMIT (AP)

☐ Forego RR:10 Housing Requirement ☒ TPZ or FL (Type 1 or Type 2) ☐ Type C-A Cottage Indoor (500 ft²)

☐ USE PERMIT (UP)

☐ Type C-A Cottage Indoor (500 ft² - 2500 ft²)

APPLICANT(S)

Name: Tamara Wolfe Phone: 619-332-7121
Mailing Address: PO BOX 209
City: Comptche State/Zip: CA 95427 email: tami_ann@outlook.com

PROPERTY OWNER

Name: Jason Wolfe Phone: 707-357-3144
Mailing Address: PO BOX 209
City: Comptche State/Zip: CA 95427 email: absolutelyorganic707@gmail.com

AGENT

Name: Patrick Sellers Phone: 707-510-0124
Mailing Address: 298 Seminary Ave
City: Ukiah State/Zip: CA 95482 email: patrick@harvestlogicgroup.com

Parcel Size: 40 acres

Address of Property: 11830 Branscomb Rd. Branscomb, CA 95417

Assessor Parcel Number(s): 013-690-71

TYPE OF CULTIVATION PERMIT:

Size ↓	Type of Permit →	OUTDOOR	INDOOR	MIXED LIGHT
Small: (≤2500 ft ²)	<input type="checkbox"/> C	<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	<input type="checkbox"/> 1-A	<input type="checkbox"/> 1-B
Large: (5001 – 10,000 ft ²)	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 2-A	<input checked="" type="checkbox"/> 2-B
Nursery: (≤12,000 ft ²)	<input type="checkbox"/> 4	<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: [Signature] Date: 2-27-2020

Signature of Owner: [Signature] Date: 2-27-2020

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.

This project site does not have very much development. There are 3 cultivation areas, all outdoor cultivation, and one building and septic system installed. There is a well and a single 5k gal water tank. The access road from Mud Creek Road comes into the property from the south and east. Most of the property is natural woodlands, as are most of the surrounding parcels.

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

☒ YES

☐ NO

If YES, please describe the phases briefly.

The applicant is considering replacing the outdoor cultivation areas with hoop houses

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

Hazardous materials are rarely on site, except for gasoline and oil, and are always disposed of at Haz Mat Drop Off.

Natural Materials are always composted on site and then the compost is used in the vegetable gardens.

Plastic and other non-compostable materials are taken to the waste transfer station to be recycled or sent to landfill.

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:

	YES	NO
A. Remove oak species or commercial tree species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Make substantial changes in terrain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Connect to existing water district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Connect to existing sewer district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Install a septic system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Connect to existing septic system?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G. Install an individual well?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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. Utility Building 24'x60'
2. Septic and Leach Field
3. Well
4. Cultivation Areas #1-6 (30'x80'; 30'x80'; 330'x8', 250'x8', 24'x8', 24'x8')

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. All surrounding properties are Timberland with minimal clearing or development activity except for small/tiny homesteads and garden sites. 3 of 5 adjacent parcels are vacant/undeveloped.

13. Please indicate the surrounding land uses.

	NORTH	EAST	SOUTH	WEST
Vacant	<u>X</u>	<u>x</u>		
Residential/Agricultural			<u>X</u>	<u>X</u>
Commercial/Industrial				
Institutional/Timberland	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Other				

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

A. Electricity

☐ Utility Company (existing)

☒ Utility Company (planned)

☒ On-Site Generation – Specify

_____ Solar _____

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? 1

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.

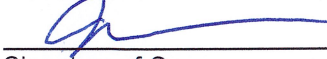
Drying, Curing, Storage

19. Please provide driving directions to the cultivation site using identifiable landmarks (streets, mile posts, mailboxes).

13 miles W on Branscomb Rd. from 101; Right on Mud Creek Rd.
@ Admiral Stanley Grove; take left turnoff after 1.25 miles
1st gate is yellow one after 1 mile (across from graveyard)

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

 2/27/2020
Signature of Applicant/Agent Date

 2/27/2020
Signature of Owner Date

FOR STAFF PURPOSES ONLY

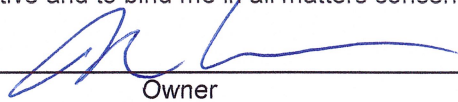
Zoning District: _____

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 Patrick Sellers to act as my representative and to bind me in all matters concerning this application.

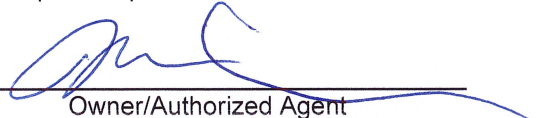

Owner

2/27/2020

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

2/28/2020

Date

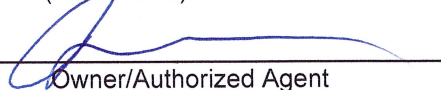
INDEMNIFICATION AND HOLD HARMLESS

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, Jason Wolfe, hereby agree to the above Indemnification Agreement.
(Print Name)

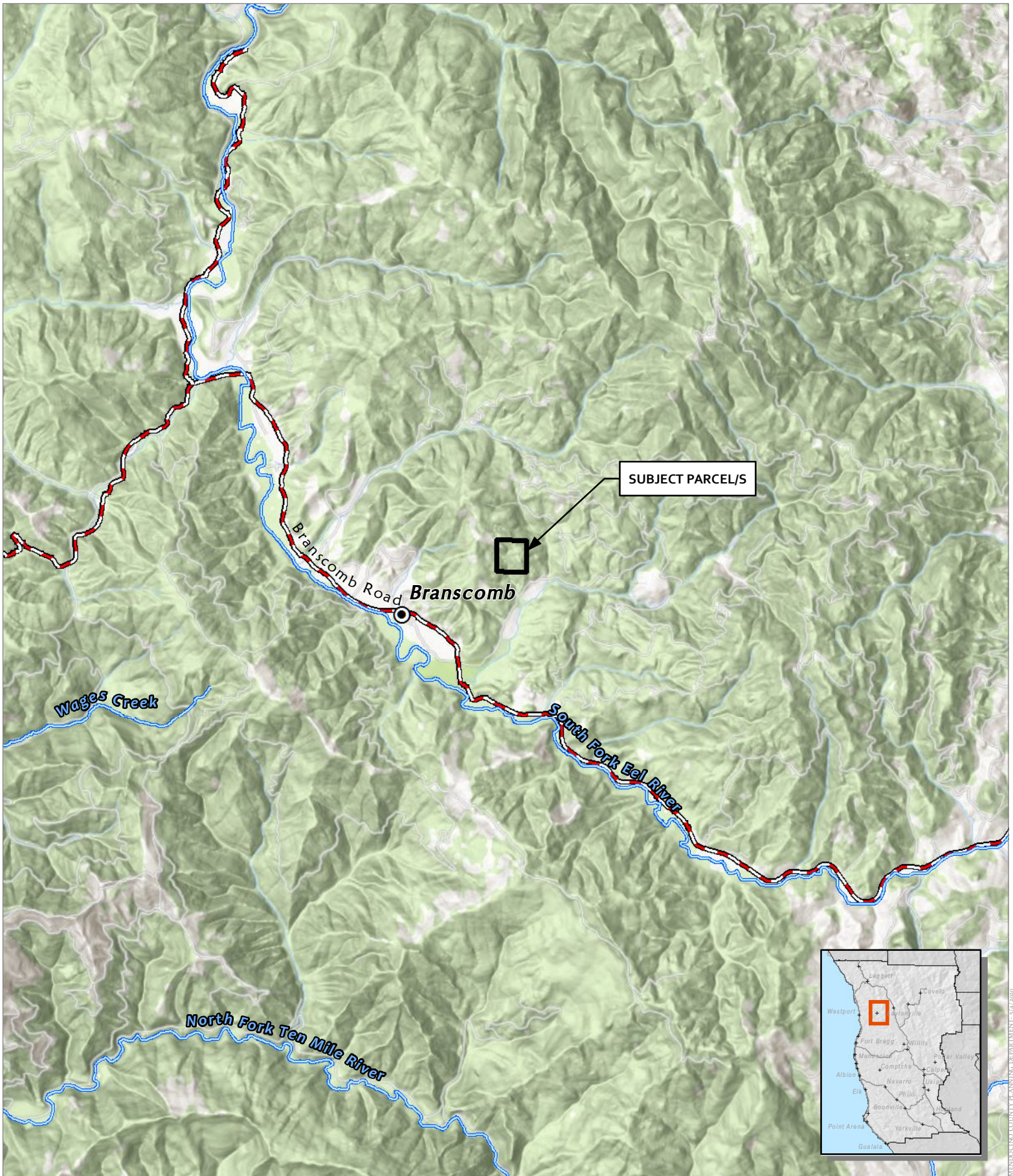

Owner/Authorized Agent

2/27/2020

Date

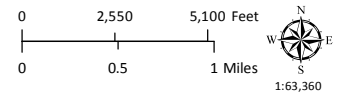
To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence mailed to if different from those identified on the **Application for Cannabis Cultivation** page.

Name Tamara Wolfe	Name Jason Wolfe	Name Patrick Sellers
Mailing Address PO BOX 209 Comptche CA 95427	Mailing Address PO BOX 209 Comptche CA 95427	Mailing Address 298 Seminary Ave. Ukiah, CA 95482



CASE: AP 2020-0016
 OWNER: Absolutely Organic, LLC
 APN: 013-692-08
 APLCT: Tamara Wolfe
 AGENT: Patrick Sellers
 ADDRESS: 11830 Branscomb Road, Branscomb

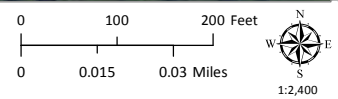
- Major Towns & Places
- ~ Major Rivers
- Major Roads



LOCATION MAP



CASE: **AP 2020-0016**
OWNER: **Absolutely Organic, LLC**
APN: **013-692-08**
APLCT: **Tamara Wolfe**
AGENT: **Patrick Sellers**
ADDRESS: **11830 Branscomb Road, Branscomb**

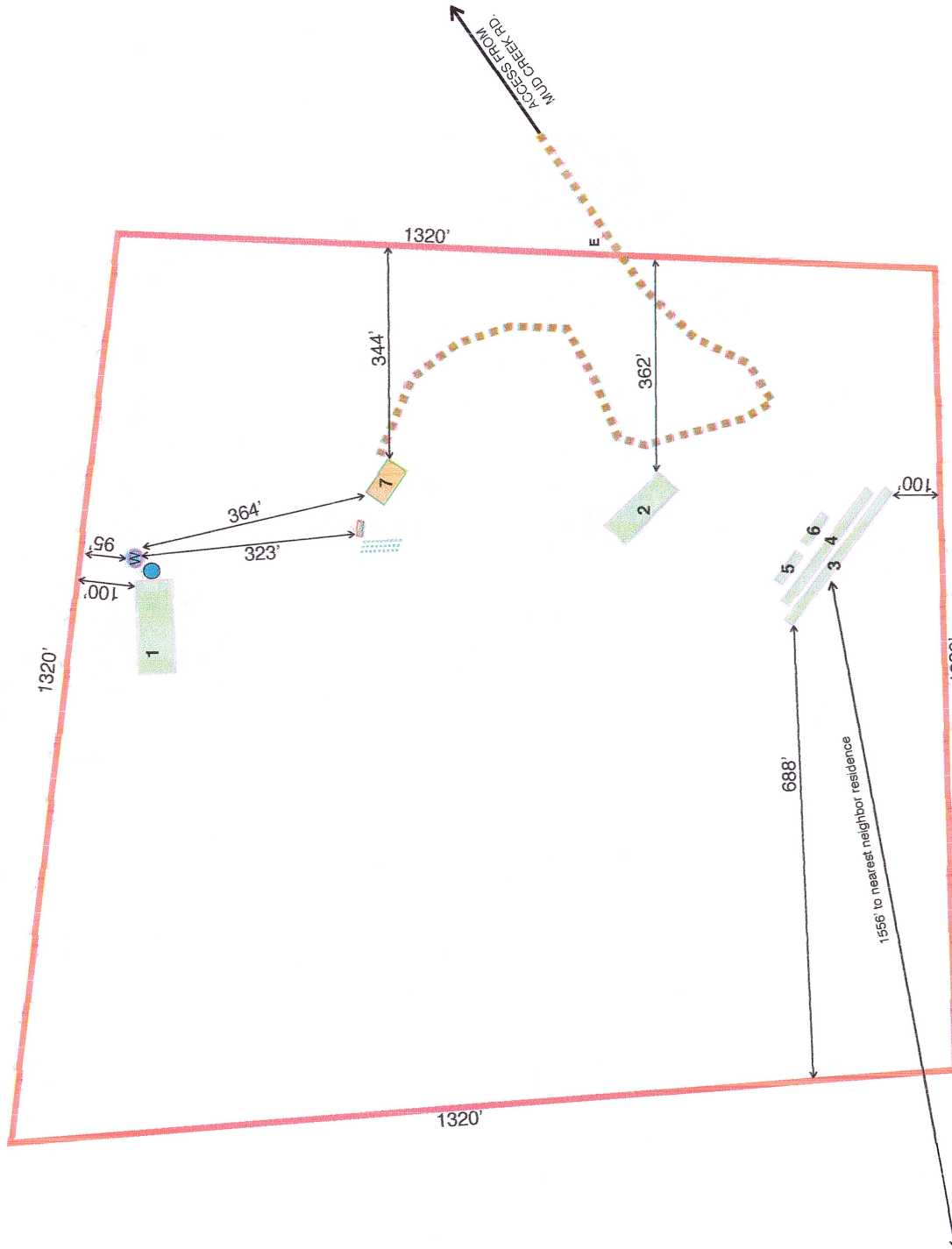
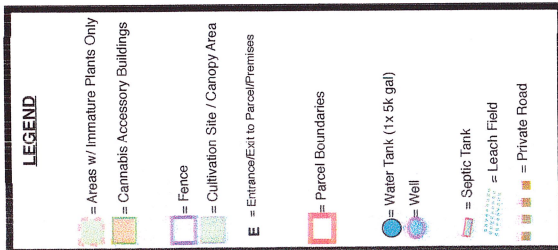


AERIAL IMAGERY

11830 Branscomb Rd.
Branscomb, CA 95417

PROPERTY DIAGRAM
APNs 013-690-71

Applicant: Tamara Wolfe
Property Owner: Jason Wolfe

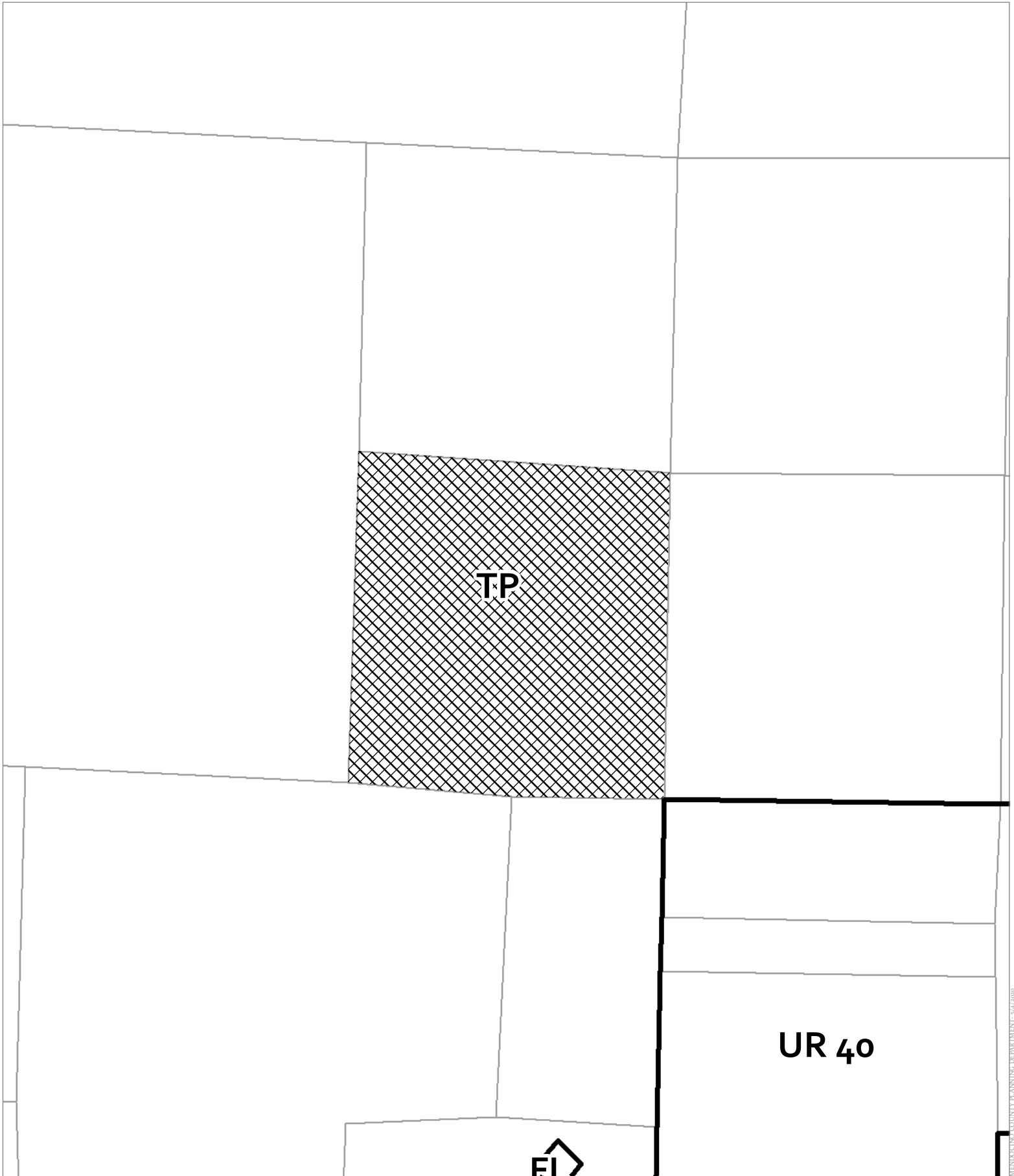


1 = 30'x80' Cultivation/Canopy Area (2400 SF)
2 = 30'x80' Cultivation/Canopy Area (2400 SF)
3 = 30'x8' Cultivation/Canopy Area (192 SF)


4 = 250'x8' Cultivation/Canopy Area (2000 SF)
5 = 24'x8' Cultivation/Canopy Area (192 SF)
6 = 24'x8' Cultivation/Canopy Area (192 SF)

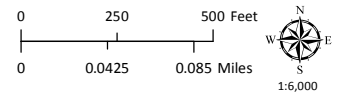
TOTAL AGGREGATE
CANOPY = 9624 SF

ZONING - TPZ
40 acres TOTAL

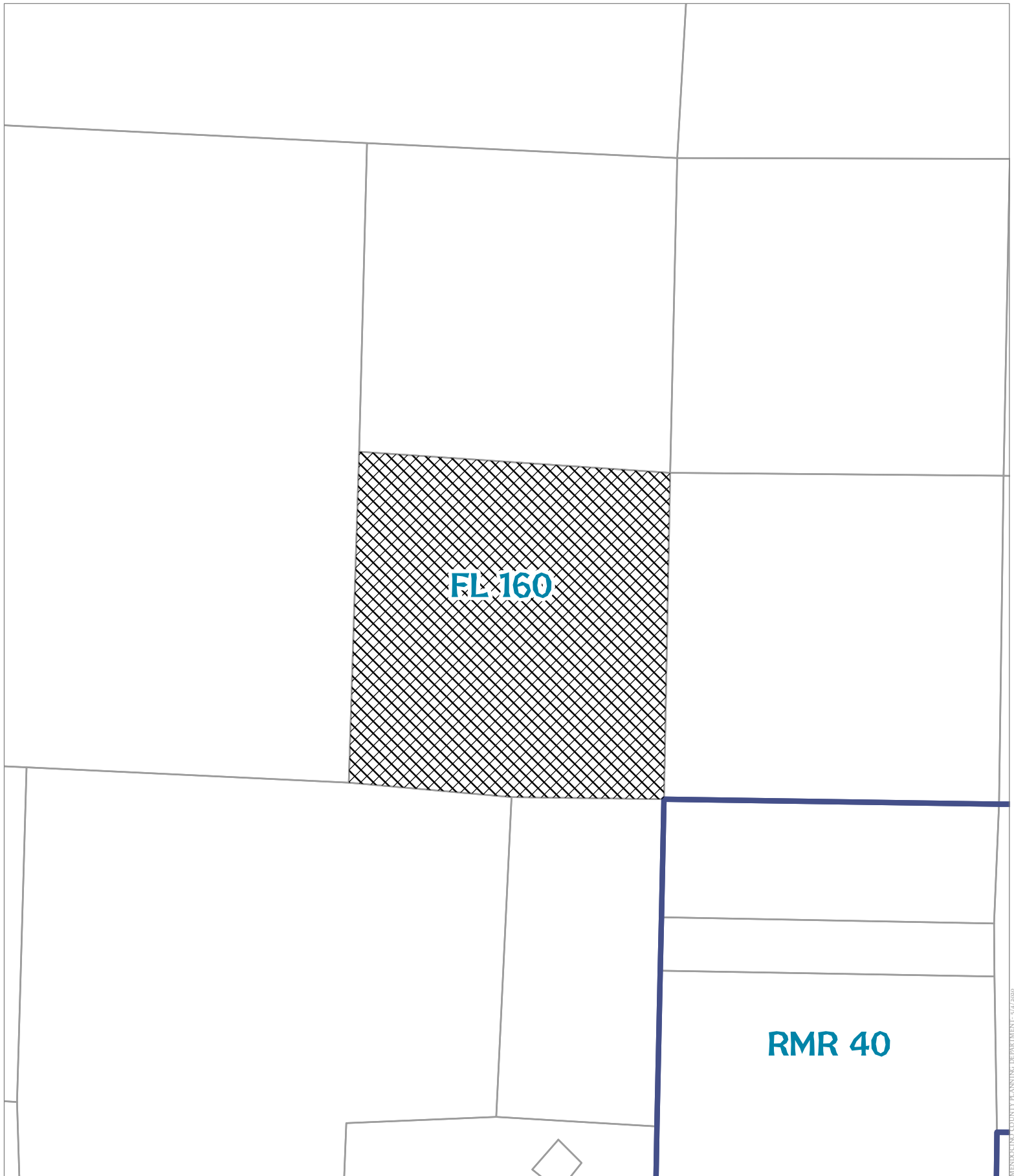


CASE: **AP 2020-0016**
OWNER: **Absolutely Organic, LLC**
APN: **013-692-08**
APLCT: **Tamara Wolfe**
AGENT: **Patrick Sellers**
ADDRESS: **11830 Branscomb Road, Branscomb**

-  Zoning Districts
-  Assessors Parcels





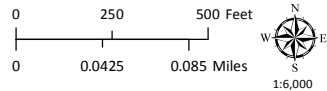
ZONING DISPLAY MAP



YENDECO COUNTY PLANNING DEPARTMENT - 5/17/2020

CASE: AP 2020-0016
OWNER: Absolutely Organic, LLC
APN: 013-692-08
APLCT: Tamara Wolfe
AGENT: Patrick Sellers
ADDRESS: 11830 Branscomb Road, Branscomb

-  General Plan Classes
-  Assessors Parcels



GENERAL PLAN CLASSIFICATIONS

013-690-99
JOHN FOSTER
15201 KENNY CREEK RD
TP 160 160 A±

013-690-96
TAMMY LYONS
15250 KENNY CREEK RD
TP 160 80 A±

013-690-32
JOSHUA CAVENDER
TP 160 40 A±

013-690-36
JOSHUA CAVENDER
TP 160 40 A±

013-690-29
STEPHEN PIERSON
TP 160 160 A±

013-690-71
ORGANIC ABSOLUTELY
11830 BRANSCOMB RD
TP 160 40 A±

013-690-37
JEAN TOSTEN
11830 BRANSCOMB RD
TP 160 40 A±

013-690-40
JOSHUA CAVENDER
TP 160 40 A±

013-690-75
JEAN TOSTEN
11810 BRANSCOMB RD
UR 40 13.94 A±

013-690-77
DONALD TOSTEN
11790 BRANSCOMB RD
UR 40 6.06 A±

013-690-78
DONALD TOSTEN
11790 BRANSCOMB RD
UR 40 60 A±

013-920-13
INVESTMENT CAHTO
TP 160 80 A±

013-920-12
JEFFREY SMYER
12180 BRANSCOMB RD
TP 160 100 A±

013-920-11
MARK KOSKI
11750 BRANSCOMB RD
TP 160 20 A±

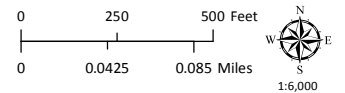
013-920-09
CEMETERY

013-920-06

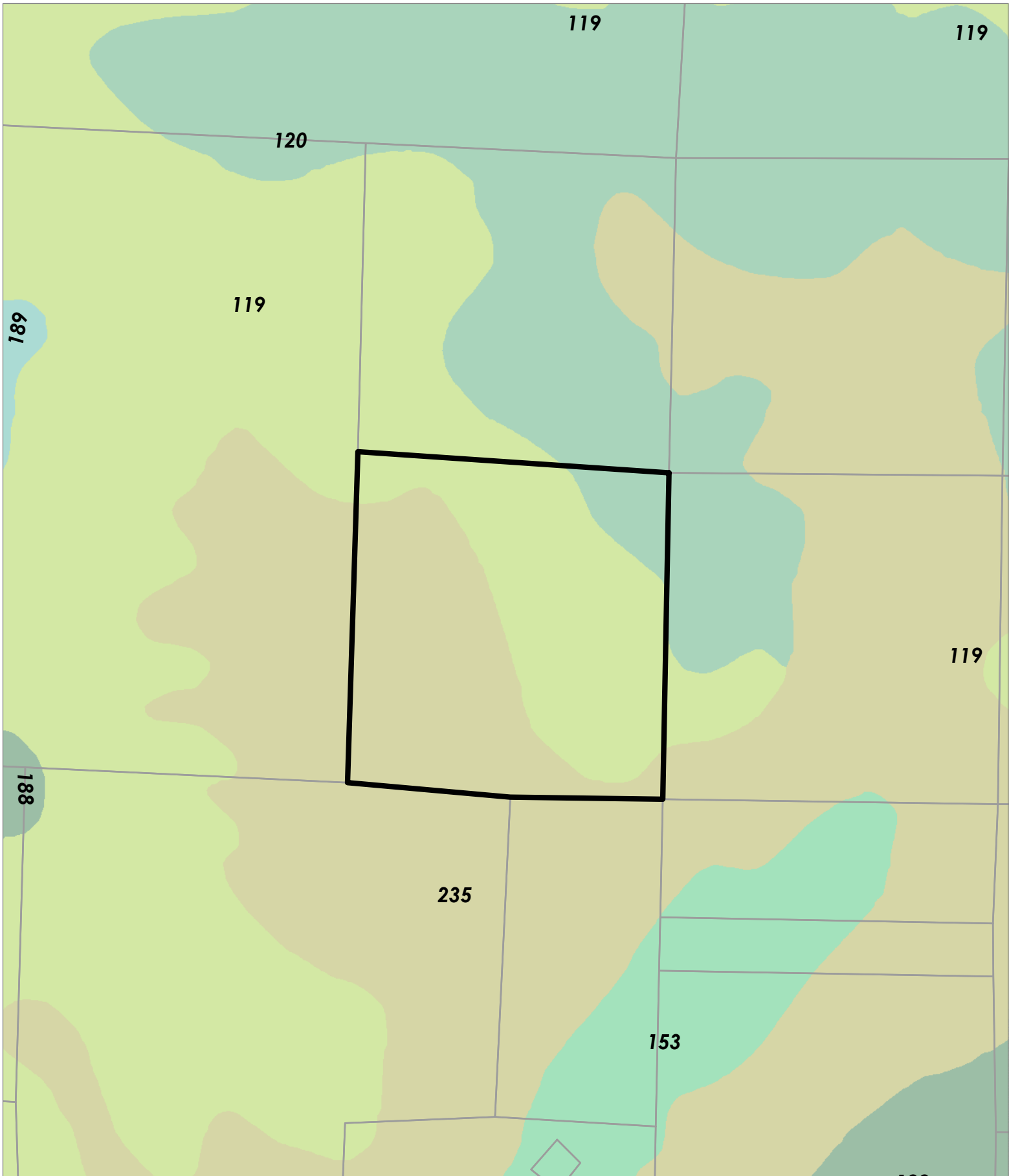
013-920-08

CASE: AP 2020-0016
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APN: 013-692-08
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ADDRESS: 11830 Branscomb Road, Branscomb


Assessors Parcels

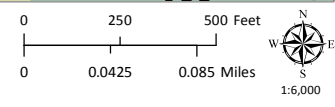


ADJACENT PARCELS



CASE: AP 2020-0016
OWNER: Absolutely Organic, LLC
APN: 013-692-08
APLCT: Tamara Wolfe
AGENT: Patrick Sellers
ADDRESS: 11830 Branscomb Road, Branscomb

 Assessors Parcels



WESTERN SOIL CLASSES

MENDOCINO COUNTY PLANNING DEPARTMENT - 5/17/2020