



**COUNTY OF LAKE**  
**Community Development Department**  
**PLANNING DIVISION**  
 Courthouse - 255 N. Forbes Street  
 Lakeport, California 95453  
 Phone (707) 263-2221 FAX (707) 263-2225

INITIAL FEES:	
AA 21-02	\$1,000.00
<b>Sub Total:</b>	\$1,000.00
Technology recovery 2% Cost	\$20.00
General Plan Maintenance Fee	\$50.00
<b>Total:</b>	\$1,070.00

**Planning Division Application**  
 (Please type or print)

**Project name:** Diamond B Ranch  
**Assessors Parcel # :** 012 - 056 - 48  
012 - 056 - 49

Zoning: \_\_\_\_\_  
 General Plan: \_\_\_\_\_  
 Receipt # \_\_\_\_\_  
 Initial: \_\_\_\_\_

**APPLICANT:**  
**NAME:** David Boes  
**MAILING ADDRESS:** 333 Main Street  
**CITY:** Armonk  
**STATE:** New York **ZIP:** 10504  
**PRIMARY PHONE:** ( ) 914-749-8200  
**SECONDARY PHONE:** ( ) \_\_\_\_\_  
**EMAIL:** \_\_\_\_\_

**PROPERTY OWNER (IF NOT APPLICANT):**  
**NAME:** \_\_\_\_\_  
**MAILING ADDRESS:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_  
**STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_  
**PRIMARY PHONE:** ( ) \_\_\_\_\_  
**SECONDARY PHONE:** ( ) \_\_\_\_\_  
**EMAIL:** \_\_\_\_\_

**PROJECT LOCATION**  
**ADDRESS:** 18283 Little High Valley Rd. Lower Lake  
**PRESENT USE OF LAND:**  
Rural undeveloped property

**DESCRIPTION OF PROJECT:**  
Project area for cultivation is 0.5 acre in size, will involve vegetation clearing and grading for 2, 100 sq. ft. greenhouses with natural light in raised beds.

**SURROUNDING LAND USES:**  
 North: rural undeveloped  
 South: rural undeveloped  
 East: rural undeveloped  
 West: rural undeveloped

**PARCEL SIZE(S):**  
 Existing: 160-acre  
 Proposed: no change

Existing/Proposed Water Supply: see water plan on file  
 Existing/Proposed Sewage Disposal: see disposal plan on file  
 Fire Protection District: Lake County Fire District  
 School District: Lower Lake School District

**RECEIVED**  
**MAY 13 2021**  
 LAKE COUNTY COMMUNITY  
 DEVELOPMENT DEPT.

## At-Cost Project Reimbursement

I, Mitch Hawkins, the undersigned, hereby authorize the County of Lake to process the above referenced permit request in accordance with the County of Lake Code. I am paying an initial fee of \$ 1,070.00 as an estimated cost for County staff review, coordination and processing costs related to my permit (Resolution No. 2017-19, February 7, 2017). **In making this initial fee, I acknowledge and understand that the initial fee may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Reimbursement Agreement:

1. Time spent by County of Lake staff in processing my application and any direct costs will be billed against the available initial fee. **"Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, processing of any appeals, responding to public records act requests or responding to any legal challenges related to the application. "Staff" includes any employee of the Community Development Department.**
2. If processing costs exceed the available initial fee, I will receive invoices payable within 30 days of billing.
3. As the owner of the project location, I have the authority to authorize and I hereby do authorize the County of Lake or authorized representative(s) to make inspections at any reasonable time as deemed necessary for the purpose of review and processing this application.
4. If I fail to pay any invoices within 30 days, the County will stop processing my permit application. All invoices must be paid in full prior to issuance of the applied for permit.
5. If the County determines that any study submitted by the applicant requires a County-contracted consultant peer review, I will pay the actual cost of the consultant review. This cost may vary depending on the complexity of the analysis. Selection of any consultant for a peer review shall be at the sole discretion of the Community Development Director or his designee.

6. I agree to pay the actual cost of any public notices for the project as required by State Law and the Lake County Zoning Ordinance.
7. I may, in writing, request a further breakdown or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.
8. I agree to pay all costs related to permit condition compliance as specified in any conditions of approval for my permit/entitlement including compliance monitoring.
9. I agree not to alter the physical condition of the property during the processing of this application by removing trees, demolishing structures, altering streams, and/or grading or filling. I understand that such alteration of the property may result in the imposition of criminal, civil or administrative fines or penalties, or delay or denial of the project.
10. Applicant shall defend, indemnify and hold harmless the County and its agents, including consultants, officers and employees from any claim, action or proceeding against the County or its agents, including consultants, officers or employees to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness costs that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, including any claim for private attorney general fees claimed by or awarded to any party against the County, and shall also include the County's costs incurred in preparing the administrative record which are not paid by the petitioner. The County shall promptly notify the applicant of any claim, action or proceeding. Notwithstanding the foregoing, the County shall control the defense of any such claim, action or proceeding unless the settlement is approved by the applicant and that the applicant may act in its own stead as the real party in interest in any such claim, action or proceeding.
11. I have checked the current Hazardous Waste and Substances Sites List pursuant to Government Code Section 65962.5(f). [www.envirostor.dtsc.ca.gov/public/](http://www.envirostor.dtsc.ca.gov/public/) The proposed project site is  or is not  included on the most recent list.
12. I understand that pursuant to State Fish and Games Code Section 711.4, a filing fee is required for all projects processed with a Negative Declaration or Environmental Impact Report unless it has been determined by the California Department of Fish (CDFW) that the project will have no effect on fish and wildlife. The fees are collected by the County Community Development Department, Planning and Environmental review Division (PER) for payment to the State. I understand that I will be notified of the fee amount upon release of the environmental document for the project.

13. I hereby agree that any drainage studies and/or drainage models that are provided to the County as part of the technical studies for this entitlement process will be provided with a license or other satisfactory release allowing the County to duplicate, distribute, and/or publish the studies and models to the general public without restriction. I understand that failure to provide such license or release to the satisfaction of the County may result in comment that the study and or model is inadequate to support the entitlement request.

The signature(s) below signifies legal authority and consent to file an application in accordance with the information above. The signature also signifies that the submitted information and accompanying documents are true and accurate, and that the items initialed above have been read and agreed to.

Note: This agreement does not include other agency review fees or the County Clerk Environmental Document filing fees.

**APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE(S) OF LEGAL PROPERTY OWNERSHIP  
OR OFFICIAL AGENT/AUTHORITY TO FILE (circle one)**

Ownership                      Contract to Purchase\*                      Letter of Authorization\*                      Power of Attorney\*  
*\*Must Attach Evidence*

Name of Property Owner or Corporate Principal Responsible or Appointed Designee for Payment of all At-Cost Project Reimbursement Fees:

Mitch Hawkins

*(Please Print)*

Name of Company or Corporation *(if applicable)*:

Diamond B Ranch

*(Please Print)*

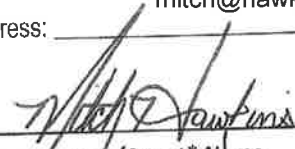
Mailing Address of the Property Owner or Corporation/Company responsible for paying processing fees:  
*(If a Corporation, please attach a list of the names and titles of Corporate officers authorized to act on behalf of the Corporation)*

Name:\* Mitch Hawkins


Date: 5-12-21

Email address: mitch@hawkandhorsevineyard.com

Phone Number: 707-969-4838

  
Signature of Owners/Agent\* Name

5-12-21  
Date

  
Signature of Applicant

5-12-21  
Date



**COUNTY OF LAKE**

Community Development Department  
255 N. Forbes St.  
Lakeport, CA 95453  
(707) 263-2382

Receipt No.: **58750**

Receipt Date: **05/13/2021**

**RECEIPT**

**RECORD & PAYER INFORMATION**

Record ID: AA21-02  
Record Type: Planning Entitlement  
Property Address: 13046 S STATE HWY 29, LOWER LAKE 95457  
Parcel Number: 012-056-48  
Description of Work: Appeal of staff decision to close files UP 18-36 and MUP 18-37  
Job Value: \$0.00  
Payer: Hawk and Horse Vineyards LLC  
Applicant:  
  
Owner: BOIES DAVID

**PAYMENT DETAIL**

Date	Payment Method	Reference	Cashier	Comments	Amount
05/13/2021	Check	4921	COUNTER		\$1,070.00

**FEE DETAIL**

Fee Description	Account	Fee Amount	Current Paid
Administrative Appeal	001-2702-461.66-10	\$1,000.00	\$1,000.00
General Plan Maintenance	001-2702-461.66-21	\$50.00	\$50.00
Technology Recovery 2% Cost	001-2702-461.66-19	\$20.00	\$20.00
		<b>\$1,070.00</b>	<b>\$1,070.00</b>



Diamond B Ranch  
UP 18-36 AND MUP 18-37  
5/12/2021

List of Employees

Manager	Frank Mitchel Hawkins
Foreman	Miguel Angel Chavez
Laborer	Jon Nathan Walker







COMMUNITY DEVELOPMENT SERVICES

AN ECONOMIC DEVELOPMENT CONSULTING FIRM

3895 Main Street • Kelseyville, CA 95451

707.279.1540 • www.communitydevelopmentservices.net

May 12, 2021

Mr. Eric J. Porter, Associate Planner

Department of Community Development

255 N. Forbes Street

Lakeport, CA 95453

APN 012-056-48

RE: Diamond B Ranch 1 and 2, Commercial Cannabis Application Files No. UP 18-36 and MUP 18-37

Dear Mr. Porter,

Mr. Mitch Hawkins has asked that we assist him with appealing the determination to close out files UP 18-36 and MUP 18-37. On May 7<sup>th</sup> Mr. Mitch Hawkins was informed by you that the Department had closed out the two Bois files: no. MUP 18-37 and UP 18-36. In response, Mr. Hawkins wishes to appeal that decision. Please find the completed Planning Division Application to appeal the decision and a check in the amount of \$1,070.00 as required.

During our review of the documentation that has been submitted to the Department, it appears that the only information that was not submitted as required for the permit approvals was the list of employees. Mr. Hawkins provided that information to us for inclusion in this request to appeal the closing of the files, and it is provided with this letter for your consideration.

Thank you for your consideration of this appeal, please let us know what the next steps are in the appeal process.

Sincerely,

Jeff Lucas, Principal

Community Development Services

Cc: Mitch Hawkins

