

amount of fuel modification necessary shall take into account the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This paragraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. ~~The intensity of fuels management may vary within the 100-foot perimeter of~~ the structure, the most intense being within the first 30 feet around the structure. Consistent with fuels management objectives, steps should be taken to minimize erosion. For the purposes of this paragraph, "fuel" means any combustible material, including petroleum-based products and wildland fuels.

(2) A greater distance than that required under paragraph (1) may be required by state law, local ordinance, rule, or regulation. Clearance beyond the property line may only be required if the state law, local ordinance, rule, or regulation includes findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. Clearance on adjacent property shall only be conducted following written consent by the adjacent landowner.

(3) An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the director, provides findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

(4) Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(5) Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(6) Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

(7) Prior to constructing a new building or structure or rebuilding a building or structure damaged by a fire in an area subject to this section, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from

the local building official, a copy of the final inspection report that demonstrates that the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure.

(b) A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property.

(c) (1) Except as provided in Section 18930 of the Health and Safety Code, the director may adopt regulations exempting a structure with an exterior constructed entirely of nonflammable materials, or, conditioned upon the contents and composition of the structure, the director may vary the requirements respecting the removing or clearing away of flammable vegetation or other combustible growth with respect to the area surrounding those structures.

(2) An exemption or variance under paragraph (1) shall not apply unless and until the occupant of the structure, or if there is not an occupant, the owner of the structure, files with the department, in a form as the director shall prescribe, a written consent to the inspection of the interior and contents of the structure to ascertain whether this section and the regulations adopted under this section are complied with at all times.

(d) The director may authorize the removal of vegetation that is not consistent with the standards of this section. The director may prescribe a procedure for the removal of that vegetation and make the expense a lien upon the building, structure, or grounds, in the same manner that is applicable to a legislative body under Section 51186 of the Government Code.

(e) The Department of Forestry and Fire Protection shall develop, periodically update, and post on its Internet Web site a guidance document on fuels management pursuant to this chapter. Guidance shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species, minimize erosion, minimize water consumption, and permit trees near homes for shade, aesthetics, and habitat; and suggestions to minimize or eliminate the risk of flammability of nonvegetative sources of combustion such as woodpiles, propane tanks, decks, and outdoor lawn furniture.

(f) As used in this section, "person" means a private individual, organization, partnership, limited liability company, or corporation.

## **Title 14 California Code of Regulations, Division 1.5, Chapter 7, Subchapter 3**

### **Article 3: Fire Hazard Reduction Around Buildings and Structures**

#### **§1299.03: Requirements**

Defensible space is required to be maintained at all times, whenever flammable vegetative conditions exist. One hundred feet (100 ft.) of defensible space clearance shall be maintained in two distinct "Zones" as follows: "Zone 1" extends thirty feet (30 ft.) out from each "Building or Structure," or to the property line, whichever comes first; "Zone 2" extends from thirty feet (30 ft.) to one hundred feet (100 ft.) from each "Building or Structure," but not beyond the property line. The vegetation treatment requirements for Zone 1 are more restrictive than for Zone 2, as provided in (a) and (b) below. The Department of Forestry and Fire Protection's "Property Inspection Guide, 2000 version, April 2000," provides additional guidance on vegetation treatment within Zone 1 and Zone 2, but is not mandatory and is not intended as a substitute for these regulations.

#### **(a) Zone 1 Requirements:**

- (1) Remove all dead or dying grass, plants, shrubs, trees, branches, leaves, weeds, and pine needles from the Zone whether such vegetation occurs in yard areas around the "Building or Structure," on the roof or rain gutters of the "Building or Structure," or any other location within the Zone.
- (2) Remove dead tree or shrub branches that overhang roofs, below or adjacent to windows, or which are adjacent to wall surfaces, and keep all branches a minimum of ten feet (10 ft.) away from chimney and stovepipe outlets.
- (3) Relocate exposed firewood piles outside of Zone 1 unless they are completely covered in a fire resistant material.
- (4) Remove flammable vegetation and items that could catch fire which are adjacent to or under combustible decks, balconies and stairs.

#### **(b) Zone 2 Requirements:**

- (1) In this zone create horizontal and vertical spacing among shrubs and trees using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. Further guidance regarding these methods is contained in the State Board of Forestry and Fire Protection's, "General Guidelines for Creating Defensible Space, February 8, 2006," incorporated herein by reference, and the "Property Inspection Guide" referenced elsewhere in this regulation.

(2) In both the Fuel Separation and Continuous Tree Canopy methods the following standards apply:

(A) Dead and dying woody surface fuels and aerial fuels shall be removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of three inches (3 in.).

(B) Cut annual grasses and forbs down to a maximum height of four inches (4 in.)

(C) All exposed wood piles must have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions.

(c) For both Zones 1 and 2:

(1) "Outbuildings" and Liquid Propane Gas (LPG) storage tanks shall have the following minimum clearance: ten feet (10 ft.) of clearance to bare mineral soil and no flammable vegetation for an additional ten feet (10 ft.) around their exterior.

(2) Protect water quality. Do not clear vegetation to bare mineral soil and avoid the use of heavy equipment in and around streams and seasonal drainages. Vegetation removal can cause soil erosion, especially on steep slopes. Keep soil disturbance to a minimum on steep slopes.

☒ **§1299.04: Additional Clearances**

(a) An insurance company that insures an occupied "Building or Structure" may require additional clearance beyond that required under § 1299.03 only if a fire expert designated by the Director provides findings that the clearing is necessary.

(b) Within the intent of the regulations, a fire expert designated by the Director may require more than one hundred feet (100 ft.) of defensible space. A fire expert cannot require additional defensible space clearance beyond the property line.

(c) Further guidance to property owners on implementation of this regulation is contained in the "General Guidelines for Creating Defensible Space" and the "Property Inspection Guide," both of which are referenced elsewhere in this regulation.

☒ **Public Resources Code 4291.3**

Subject to any other applicable provision of law, a state or local fire official, at his or her discretion, may authorize an owner of property, or his or her agent, to construct a firebreak, or implement appropriate vegetation management techniques, to ensure that defensible space is adequate for the protection of a hospital, adult residential care facility,

school, aboveground storage tank, hazardous materials facility, or similar facility on the property. The firebreak may be for a radius of up to 300 feet from the facility, or to the property line, whichever distance is shorter.

**☒ Public Resources Code 4292**

Except as otherwise provided in Section 4296, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for fire protection of such areas, maintain around and adjacent to any pole or tower which supports a switch, fuse, transformer, lightning arrester, line junction, or dead end or corner pole, a firebreak which consists of a clearing of not less than 10 feet in each direction from the outer circumference of such pole or tower. This section does not, however, apply to any line which is used exclusively as telephone, telegraph, telephone or telegraph messenger call, fire or alarm line, or other line which is classed as a communication circuit by the Public Utilities Commission. The director or the agency which has primary fire protection responsibility for the protection of such areas may permit exceptions from the requirements of this section which are based upon the specific circumstances involved.

**☒ Public Resources Code 4293**

Except as otherwise provided in Sections 4294 to 4296, inclusive, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or in forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for the fire protection of such areas, maintain a clearance of the respective distances which are specified in this section in all directions between all vegetation and all conductors which are carrying electric current:

- (a) For any line which is operating at 2,400 or more volts, but less than 72,000 volts, four feet.
- (b) For any line which is operating at 72,000 or more volts, but less than 110,000 volts, six feet.
- (c) For any line which is operating at 110,000 or more volts, 10 feet.

In every case, such distance shall be sufficiently great to furnish the required clearance at any position of the wire, or conductor when the adjacent air temperature is 120 degrees Fahrenheit, or less. Dead trees, old decadent or rotten trees, trees weakened by decay or disease and trees or portions thereof that are leaning toward the line which may contact the line from the side or may fall on the line shall be felled, cut, or trimmed so as to remove

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such hazard. The director or the agency which has primary responsibility for the fire protection of such areas may permit exceptions from the requirements of this section which are based upon the specific circumstances involved.

If there are any questions regarding these requirements, please feel free to contact me via email.

Regards,

  
**Chris A. Vallergera**  
Fire Captain  
California Department of Forestry  
And Fire Protection  
Sonoma-Lake-Napa Unit  
(707) 987-3089  
[Chris.Vallergera@fire.ca.gov](mailto:Chris.Vallergera@fire.ca.gov)

Cc: Greg Bertelli, Division Chief, LNU North Division  
Willie Sapeta, Fire Chief, Lake County Fire Protection District  
LNU PRC 4290 File

**COUNTY OF LAKE  
MAJOR USE PERMIT, UP 18-23  
INITIAL STUDY, IS 18-28  
WILL DAWSON  
CONDITIONS OF APPROVAL**

**EXPIRES IF NOT USED BY: April 11, 2029**

Pursuant to the approval of the Planning Commission on April 11, 2019, there is hereby granted to WILL DAWSON a Major Use Permit, UP 18-23 with the following conditions of approval to allow the Commercial Cannabis Cultivation for one A-Type 3 License, which allows 43,560 square feet of canopy area and 65,000 square feet of cultivation area on property located at 15232 Spruce Grove Road, Lower Lake, CA; and further described as APN: 013-060-18 subject to the following terms and conditions.

**A. GENERAL**

1. The use hereby permitted shall substantially conform to the **Site Plan(s), Project Description and Property Management Plan** and any conditions of approval imposed by the **Major Use Permit** and Review Authority for the outdoor cultivation of 43,560 square feet of canopy area, and 65,000 square feet of cultivation area as shown on the approved site plan for this action. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts. Applicant shall be in substantial conformance with the following:
  - a. Property Management Plan, undated, received June 1, 2018
  - b. Site plans, undated, received June 1, 2018
  - c. Support documentation provided by the Applicant
2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as may be required from each agency.
3. The applicant shall adhere to all the regulations and/or requirements of the Lake County Building Department, who administers all regulations associated with the California Public Resources Code, sections 4290 and 4291.
4. The permit holder is responsible for insuring that all project workers are informed of, understand, and agree to abide by the approved plans and project conditions.
5. All necessary permits shall be obtained from applicable Federal, State and County agencies having jurisdiction over this project **prior to cultivation activities** including but not limited to, Department of Cannabis Control, Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, Department of Public Health, and Department of Consumer Affairs.
6. The Applicant shall comply with the State of California Track and Trace requirements.
7. The applicant shall not sell, transfer and/or give cannabis or cannabis products to any person under the age of 21 and/or allow any person under the age of 21 into the cultivations area and/or employ or retain persons under the age of 21 years old.
8. An applicant shall keep accurate records of commercial cannabis activity. All records related to commercial cannabis activity as defined by the State Licensing Authorities shall be maintained for a minimum of seven (7) years.
  - *The County may examine the books and records of an applicant and inspect the premises of a permittee when the County deems necessary to perform its duties under this division. All inspections shall be conducted during standard business hours of the permitted facility or at any other reasonable time.*
  - *Applicants shall keep records identified by the County on the premises of the location permitted and the County may make any examination of the records of any applicant. Applicants shall also provide and deliver copies of such documents to the County upon request.*

**Attachment 4**

- *An applicant, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the applicant pursuant to this section, has engaged in a violation of this article.*

9. All applicants and/or employees shall undergo a background check by the Lake County Sheriff Department. An individual may fail the background check if employee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the sheriff determines that the applicant or permittee is otherwise suitable to be issued a license and granting the license would not compromise public safety, the sheriff shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant, and shall evaluate the suitability of the applicant or permittee be issued a license based on the evidence found through the review. In determining which offenses are substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, the sheriff shall include, but not be limited to, the conditions described in Section 26057 of the California Business and Professions Code.
10. All structure(s) used for commercial cultivation shall meet accessibility standards. Please contact the Community Development Department - Building Division for more information.
11. All employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.
12. The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place or harborage for pest.
13. The applicant shall maintain a record of all complaints and resolution of complaints and provide tally and summary of the issues in the Annual Performance Review Report.
14. **This use permit approval shall not become effective, operative, vested or final until the applicant** until the applicant has paid the Cannabis Cultivation Tax. Said tax shall be paid within thirty (30) days of permit issuance. Proof of payment is required to be submitted to the Community Development Department. Failure to pay said tax will result in the initiation of permit revocation proceedings.
15. This permit shall be null and void if not used by **April 11, 2021** or if the use is abandoned for a period of two (2) years.
16. **Prior this use permit becoming effective, operative, vested or final** the applicant must first pay the second installment of the Cannabis Program Service Fee in the amount of \$1,623.50 to the Community Development Department.
17. The California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be submitted to the Community Development Department within five days of approval of the mitigated negative declaration.
18. **Prior to any cultivation activities**, the applicant(s) shall submit to the Community Development Department a summary response in writing establishing compliance with these conditions of approval, as well as documenting compliance with all obligations of the Property Management Plan, including dates of compliance and referencing documents or other evidence of compliance.

**B. AESTHETICS**

1. All outdoor lighting shall be directed downward onto the project site and not onto adjacent properties. All lighting equipment shall comply with the recommendations of [www.darksky.org](http://www.darksky.org) and provisions of Section 21.48 of the Zoning Ordinance.
2. All indoor lighting shall be fully contained within structures or otherwise shielded to fully contain any light or glare. Artificial light shall be completely shielded between sunset and sunrise.

3. Security lighting shall be motion activated and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.

**C. AIR QUALITY**

1. Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and for any diesel powered equipment and/or other equipment with potential for air emissions.
2. All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines.
3. The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.
4. All vegetation removed during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, or waste material is prohibited.
5. The permit holder shall minimize vehicular and fugitive dust during ongoing use operation by use of water, paving, or other acceptable dust palliatives. A dust mitigation plan may be required in the event that the permit holder fails to maintain adequate dust controls. The use of White Rock is prohibited for any road surfacing, including parking areas as it breaks down and would create excessive dust.

**D. CULTURAL RESOURCES:**

1. Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the Middletown Rancheria or other local overseeing Tribe shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5. Mitigation measure CUL-1.
2. All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the Middletown Rancheria or other local overseeing Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.

**E. BIOLOGICAL RESOURCES**

1. Prior to any land clearing activities, a pre-construction special status species survey would be required in order to obtain a Grading Permit.
2. The applicant shall preserve existing vegetation where not otherwise specified for removal.
3. The applicant shall only use previously disturbed areas for project staging of materials and/or equipment. No area shall be newly-developed for the purpose of staging.
4. The applicant shall maintain a minimum of a one-hundred (100) foot setback from the top of bank of any creek (perennial and intermittent), edge of lake, delineated wetland and/or vernal pool on the lot of record of land.

**F. GEOLOGY & SOILS**

1. The applicant shall submit Erosion and Sediment Control Plans to the Community Development Department for review and approval within thirty (30) days of use permit approval. Said plans shall incorporate Best Management Practices (BMPs) to

the maximum extent practicable to prevent and/or reduce discharge of all construction or post construction pollutants into the County Storm Drainage System and/or nearby waterways. BMPs include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code. *(Typical BMPs can be found in the California Storm Water Quality Association Storm and Water Best Management Practices Handbooks, including the Construction Handbook and the New Development and Redevelopment Handbooks. Handbooks are available for purchase or download at <http://www.cabmphandbooks.com>).*

2. If more than fifty (50) cubic yards of earth will be moved during site preparation for buildings and/or cultivation areas, a Grading Permit shall be required prior to any new cultivation and/or earth movement.

**G. HAZARDS & HAZARDOUS MATERIALS**

1. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.
2. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state and federal regulations.
3. Storage of potentially hazardous materials shall be in its original package, and shall be clearly labeled to display the volume and type of material stored. These packages will be kept inside a storm-proof shed, a locked storage area that will only be accessible to authorized staff. When removing materials from storage the employee name, the type of material, date, and time will be entered into a hazardous waste manifest located within the secure storage area and will be stored for five years. When returning material into storage, the type of material, volume used, name of employee, date and time will be entered into the manifest. Storage areas containing hazardous waste will be inspected weekly by staff/employees to ensure accurate record keeping and safe storage conditions. Mitigation measure MM HHM-1.
4. The applicant shall only apply fertilizers/pesticides when the wind is blowing in opposite direction of any waterway and/or water body and shall not drift into flowering plants. Spraying fertilizers/pesticides when pollinators and/or directly onto any water surface is prohibited. The use of any pesticide that has been banned for use in the United State is prohibited.
5. The storage of any potentially hazardous materials, including fertilizer/pesticides shall not be within 100 feet of any springs, top of bank of any creek or seasonal stream, edge of lake, delineated wetland or vernal pool. These materials shall not be allowed to leak onto the ground and/or contaminate any surface water.
6. All employees and/or staff member shall be properly be trained in and wear Personnel Protective Equipment in accordance with all Federal, State and local regulations regarding handling any Biological and Chemical agents.
7. Hazardous waste (including industrial waste) must be handled according to all Hazardous Waste Control and Generator regulations. Waste shall not be disposed of on-site without review or permits from EHD, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material.

**H. HYDROLOGY & WATER QUALITY**

1. **Prior to this permit having any force or effect**, the permit holder shall provide a water availability analysis, prepared by a qualified professional, indicating that there is sufficient water available to sustain the proposed use. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually.

2. The illicit discharge of irrigation or storm water from the project parcel, as defined in Title 40 of the Code of Federal regulation, Sections 122.26, which may result in degradation of water quality of any water body is prohibited.
3. **Prior to this permit having any force or effect**, the applicant shall submit a Storm Water Management Plan based on the requirements of the California Regional Water Quality Control Board – Central valley region to the Community Development Department for review and approval. Said plan shall include the following:
  - *Identification of any Lake County maintained drainage or conveyance system that the storm water is discharged into and documentation that the storm water discharge is in compliance with the design parameters of those structures.*
  - *Identification of any public roads and bridges that are downstream of the discharge point and documentation that the storm water discharge is in compliance with the design parameters of any such bridges.*
  - *Documentation that the discharge of storm water from the site will not increase the volume of water that historically has flow onto adjacent properties.*
  - *Documentation that the discharge of storm water will not increase flood elevations downstream of the discharge point.*
  - *Documentation that the discharge of storm water will not degrade water quality of any water body.*
  - *Documentation of compliance with the requirements of Chapter 29, Storm Water Management Ordinance of the Lake County Ordinance Code.*
  - *Describe the proposed grading of the property.*
  - *Describe the storm water management system.*
  - *Describe the best management practices (BMPs) that will be used during construction and those that will be used post-construction. Post-construction BMPs shall be maintained through the life of the permit.*
  - *Describe what parameters will be monitored and the methodology of the monitoring program.*
4. The applicant shall maintain all necessary permits from the Central Valley Regional Water Quality Control Board and submit written verification to the Community Development Department. The applicant shall contact the Central Valley Water Control Board for details.
5. The applicant shall have a legal water source on the premises, and shall obtain and maintain all necessary Federal, State or local permits required to utilize the water source. If the permitted activity utilizes a shared source of water from another site, such source shall be a legal source, have all Federal, State or local permits required to utilize the water source, and have a written agreement between the property owner of the site where the source is located and the permitted activity agreeing to the use of the water source and all terms and conditions of that use.
6. The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water-vending machine, or a retail water facility is prohibited.
7. The utilization of water that has been or is illegal diverted from any lake, springs, wetland, stream, creek, vernal pool and/or river is prohibited. The applicant shall not engage in unlawful or unpermitted drawing of surface water.
8. The applicant may use water supplied by a licensed retail water supplier, as defined in Section 13575 of the Water Code, on an emergency basis only. The applicant shall notify the Community Development Department within seven (7) days of the emergency and provide the following information: (a) A detailed description of the emergency; (b) Identification of the retail water supplier including license number; (c) The volume of water supplied and actions taken to prevent the emergency in the future.
- I. **NOISE**
  1. All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.

2. Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 45 dBA between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.
3. The operation of Air Filtration Systems shall not individually exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.

**J. TRANSPORTATION & TRAFFIC**

1. All deliveries and/or pickups shall during the hours of Monday through Saturday from 7:00AM to 7:00 p.m. and Sundays from 12:00 p.m. to 5:00 p.m.
2. The applicant shall provide a minimum of one (1) parking space per employee on the shift having the largest number of employees. The applicant is proposing up nine (9) employees, therefore there shall be a minimum of nine (9) employee parking spaces and one (1) Accessibility Compliant Parking Space.
3. The applicant shall comply with the State of California Weights and Measures requirements found in the California Food and Agriculture Code, California Code of Regulations, and the California Business and Professions Code.
4. The project site(s) shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works.
  - a) *All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body*
  - b) *The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district.*
  - c) *Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes.*
5. Driveway encroachments onto County-maintained roadways shall be maintained to current federal, State or local Standards and shall be constructed with an encroachment permit.
6. First fifty (50) feet of a driveway beginning at the edge of the existing improved surface shall be constructed and maintained with an all-weather surface. An all-weather surface includes: Six (6) inches of gravel or crushed rock, an oil and rock surface, asphaltic concrete, or concrete as to prevent road surfaces and fill material from discharging to any surface water body. The use of white rock is prohibited for any road surfacing.
7. The applicant shall meet and maintain all the requirements and/or regulations as define in 14 California Code of Regulations (CCR), Division 1.5, Chapter 7, Subchapter 2, Article 2, §1273.00 through §1273.11 of the California Department of Forestry and Fire Protection (Cal Fire) for Emergency Access and Egress Requirements.
  - *According to a letter from the Department of Forestry and Fire Protection (Cal Fire) dated May 22, 2018 a site inspection was conducted on May 21, 2018 and the existing road system meets the intent of the Emergency Access and Egress requirements as defined in 14 CCR, Division 1.5, Chapter 7, Subchapter 2, Article 2, §1273.00 through §1273.11.*
8. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes. A Knox box is required on all gated entrances.

9. All handicap parking areas, routes of travel, building access and bathrooms shall meet American with Disabilities Act (ADA) requirements and be subject to review and approval of a CASP, Certified Accessibility Access Specialist.

**K. TIMING & MITIGATION MONITORING**

1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
2. The applicant shall submit an Annual Performance Review Report their initial date of operation for review and approval by the Planning Commission. The Planning Commission may delegate review of the Annual Performance Review Report to the Community Development Director at the time of the initial hearing or at any time thereafter. The Annual Performance Review Report shall identify the effectiveness of the approved Major Use Permit, Operations Manual, Operating Standards, and Conditions of Approval, as well as the identification and implementation of additional procedures deemed necessary. In the event the Planning Commission identifies issues with the Annual Performance Review Report, it may lead to revocation of the approved use and/or the Planning Commission may require the submittal of more frequent Performance Review Reports. Additionally, the Performance Review Report shall include the following:
  - *The project parcel shall be inspected by the Community Development Department on an Annual Basis and/or less frequently if approved by the Community Development Director. A copy of the results from said inspection shall be provided to the applicant to for inclusion in their Performance Review Report.*
  - *A Compliance Monitoring Fee of \$760.00 shall be paid by applicant and accompany the Performance Review Report.*
  - *A Compliance Monitoring Inspection of the Cultivation Site shall be conducted annually during growing season. The applicant shall contact the Community Development Department to schedule such inspection.*
  - *If there are no violation of the use permit and/or State License during the first five (5) years, the inspections may be reduced by the Community Development Director to not less than once every 5 years*
  - *Non-compliance by the applicant in allowing the inspection by the Community Development Department, or refusal to pay the required fees, or noncompliance in submitting the annual "Performance Review Report" for review by the Planning Commission shall be deemed grounds for a revocation of the development permit or use permit and subject the holder of the permit(s) to the penalties outlined in this Code.*
3. The applicant(s) shall submit an application for **renewal** of the authorized use to the Community Development Department a minimum of 180 days prior to the expirations date of said use. Failure to submit an application for renew by (October 11, 2028) may result in the expiration of the permit. Applicant shall submit the required application, associated fees and the following additional information which may include but is not limited to:
  - *A copy of all licenses, permits, and conditions of such licenses or permits related to the project from state agencies as appropriate including, but not limited to the California Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, and the Department of Public Health.*
  - *A copy of all reports provided the County and State agencies as determined by the Director.*
  - *A list of all employees on the premise during the past year and a copy of the background checks certification for each.*
  - *Documentation that the applicant is still qualified to be an applicant.*
  - *Any proposed changes to the use permit or how the site will be operated.*
  - *Payment of all fees as established by resolution by the Board of Supervisors.*
4. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This

permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

Michalyn DeValle, Director  
COMMUNITY DEVELOPMENT DEPARTMENT

Prepared by: EJP

By: \_\_\_\_\_  
Danae Bowen, Office Assistant III

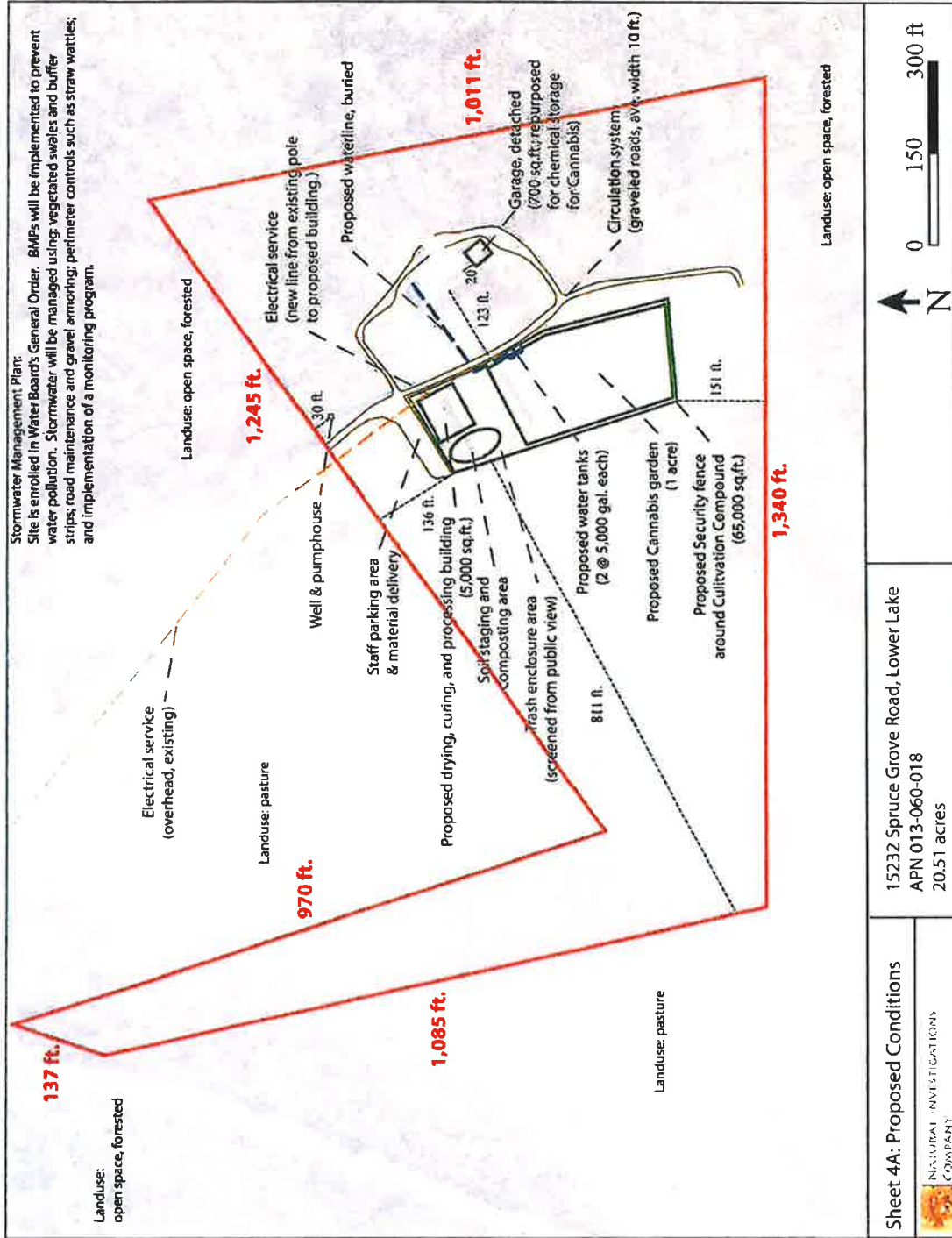
ACCEPTANCE

I have read and understand the foregoing Major Use Permit and agree to each and every term and condition thereof.

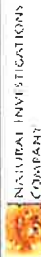
Date: \_\_\_\_\_

\_\_\_\_\_  
Applicant or Authorized Agent Signature

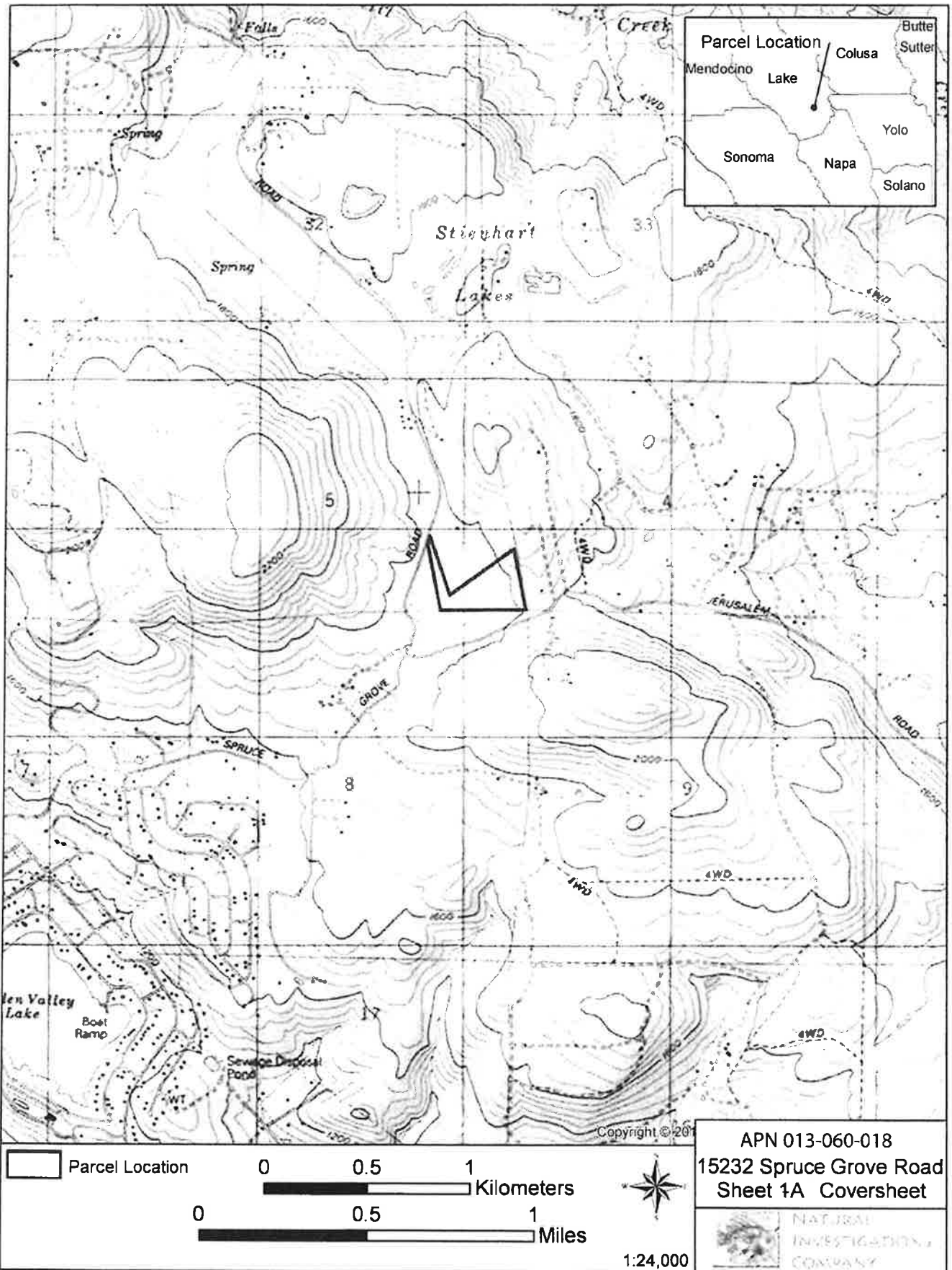
\_\_\_\_\_  
Printed Name of Authorized Agent



Sheet 4A: Proposed Conditions

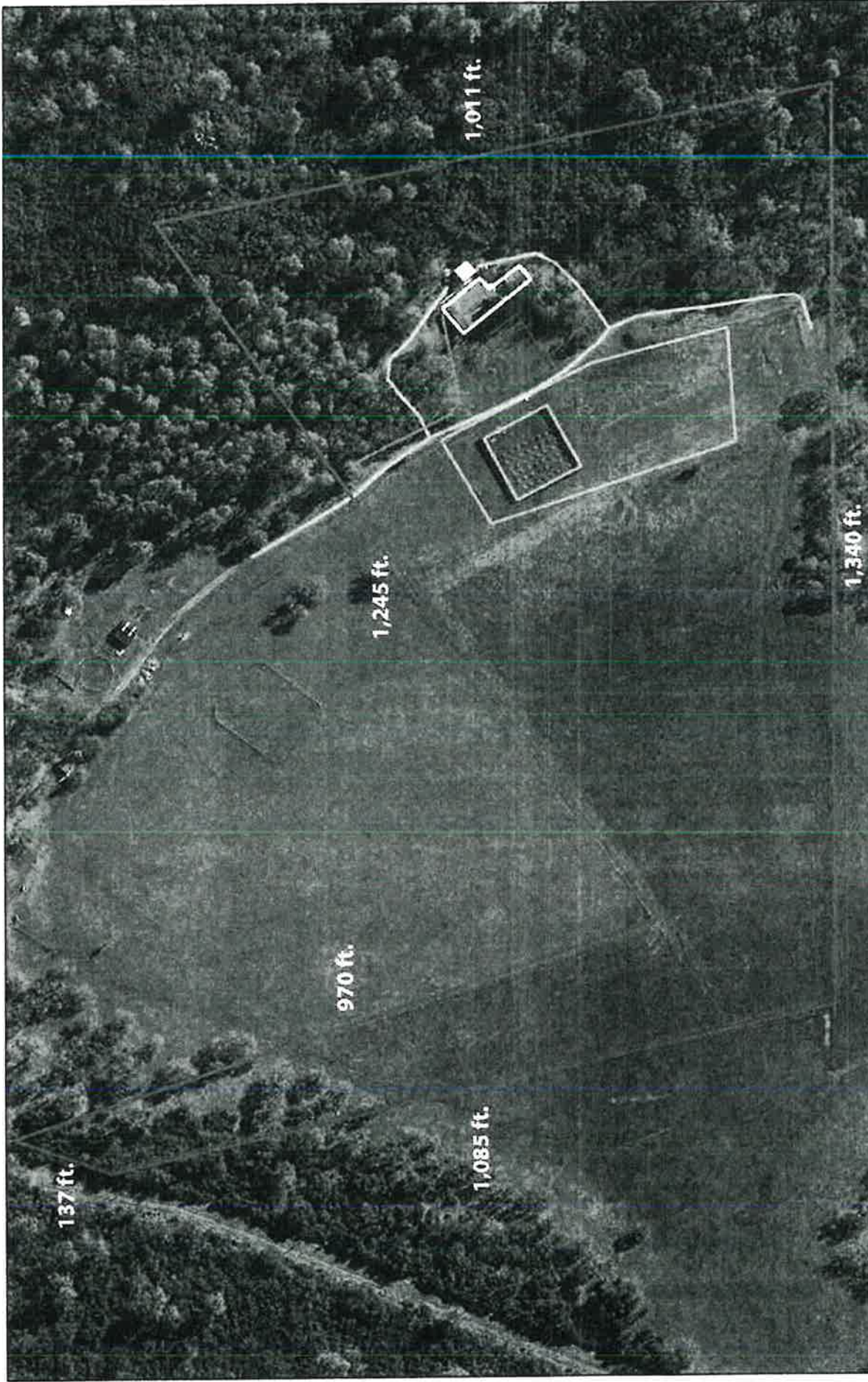


15232 Spruce Grove Road, Lower Lake  
APN 013-060-018  
20.51 acres



Map Date 4/12/2018 Middletown 1998 Quadrange: Township 11N, Range 6W, Section 5

Attachment 5



**Sheet 1B: Cover Sheet**

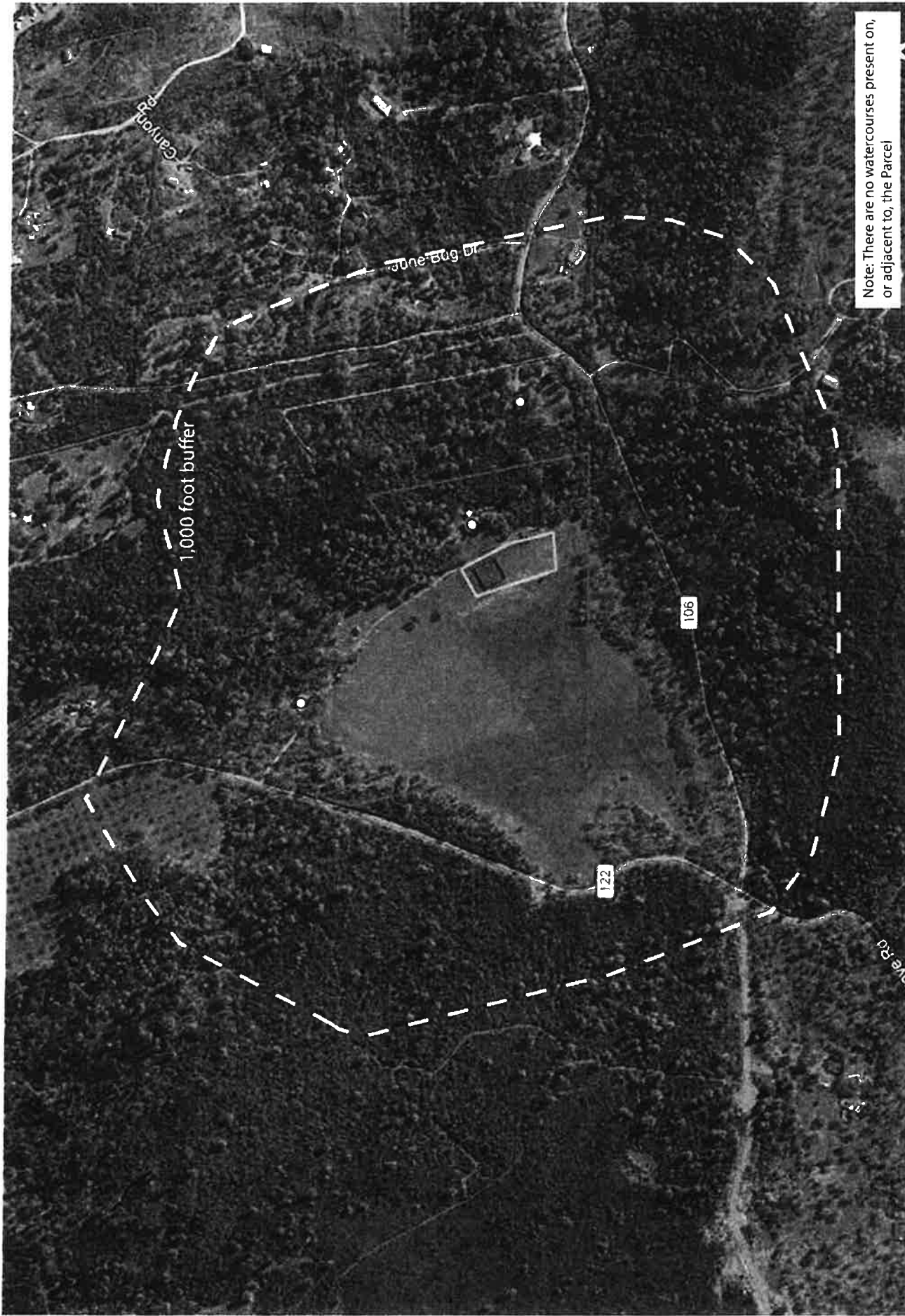
15232 Spruce Grove Road, Lower Lake  
APN 013-060-018  
20.51 acres

**Property Owner:**  
Laura Miller  
15232 Spruce Grove Rd.  
Lower Lake, CA 95457  
(707) 583-6575  
lamhorses02@yahoo.com




**Applicant:**  
William Dawson  
15232 Spruce Grove Rd.  
Lower Lake, CA 95457  
(951) 334-2511  
willdawson0184@gmail.com



**Cannabis cultivation  
area**

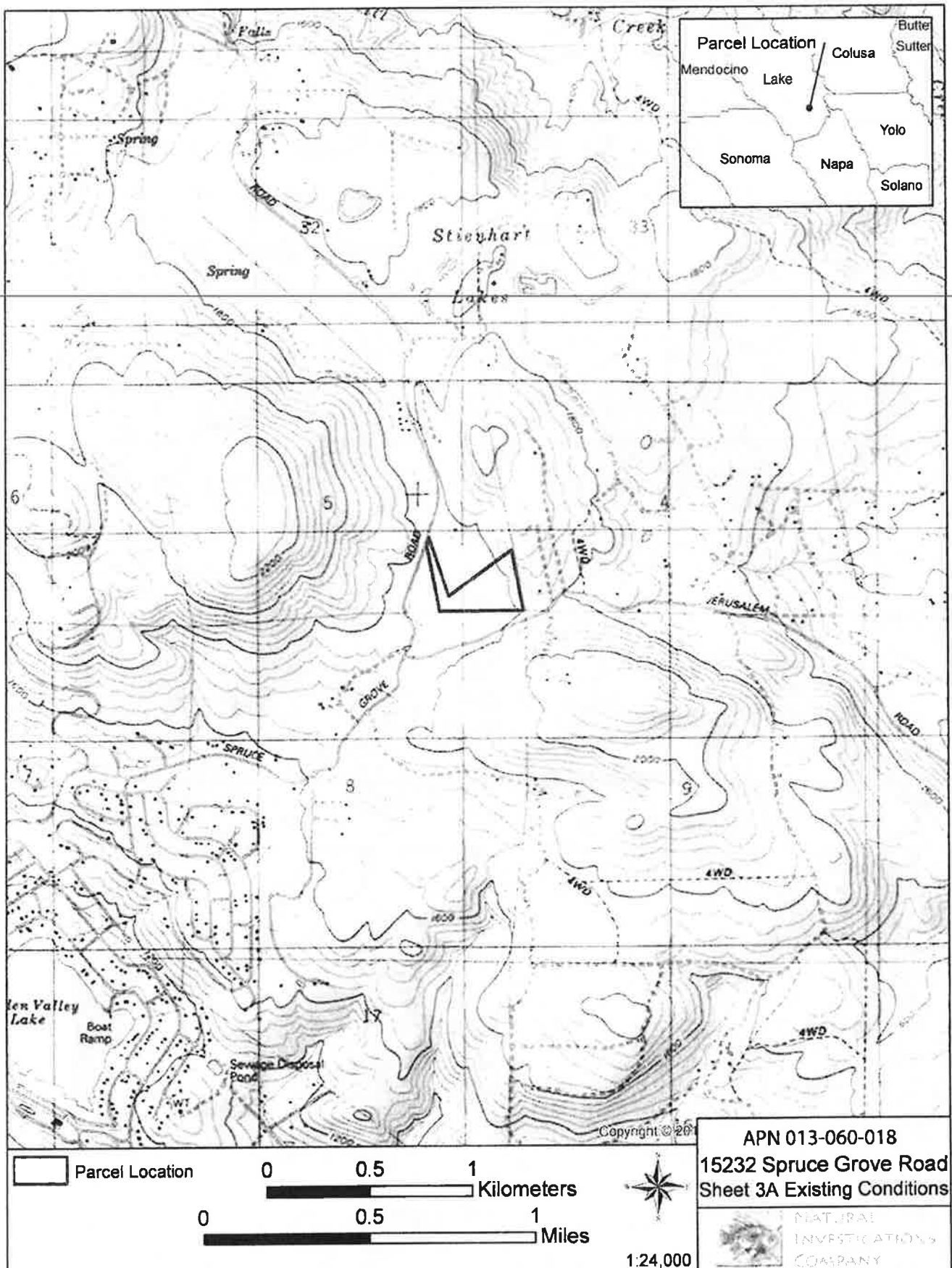


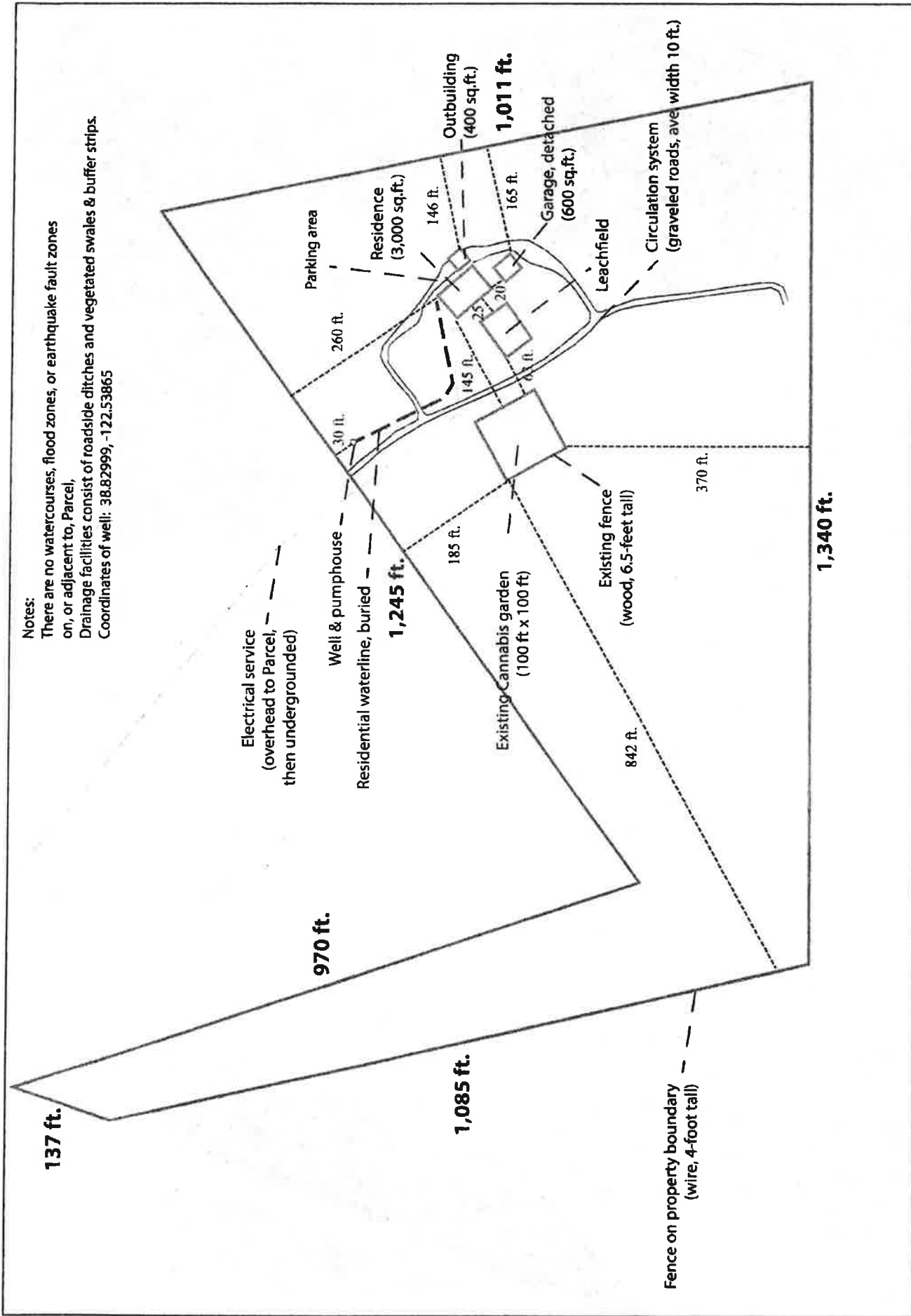


Note: There are no watercourses present on, or adjacent to, the Parcel

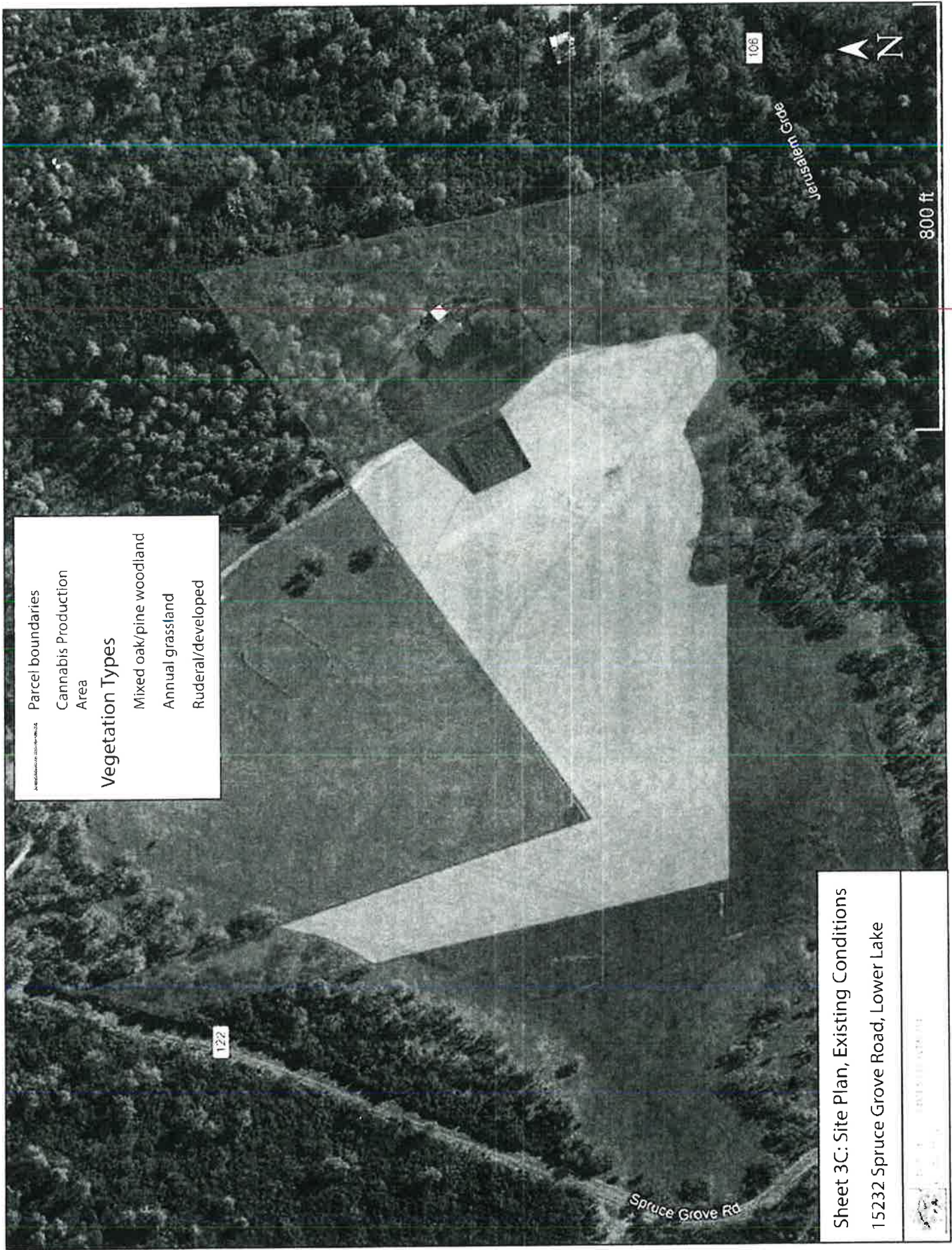
<b>Sheet 2: Surrounding Area Aerial</b>	15232 Spruce Grove Road, Lower Lake APN 013-060-018 20.51 acres	
	 Parcel	 Residences within 250 feet  Cannabis

 N  
  
0 500 1,000 ft





Sheet 3B: Existing Conditions	15232 Spruce Grove Road, Lower Lake APN 013-060-018 20.51 acres	<div data-bbox="1380 588 1494 640"> </div> <div data-bbox="1421 189 1485 546"> </div>
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Parcel boundaries

Cannabis Production  
Area

### Vegetation Types

Mixed oak/pine woodland

Annual grassland

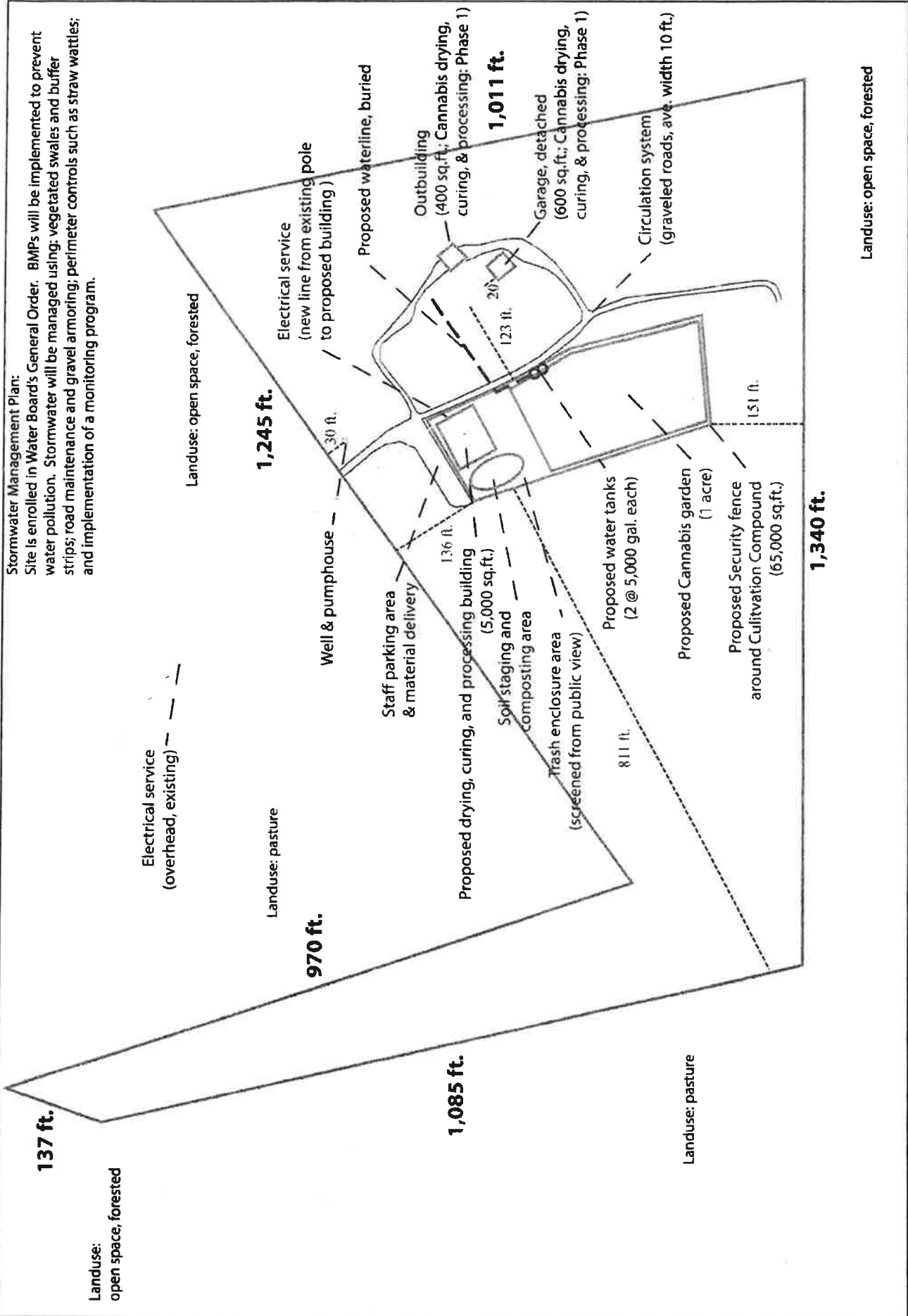
Ruderal/developed

Sheet 3C: Site Plan, Existing Conditions

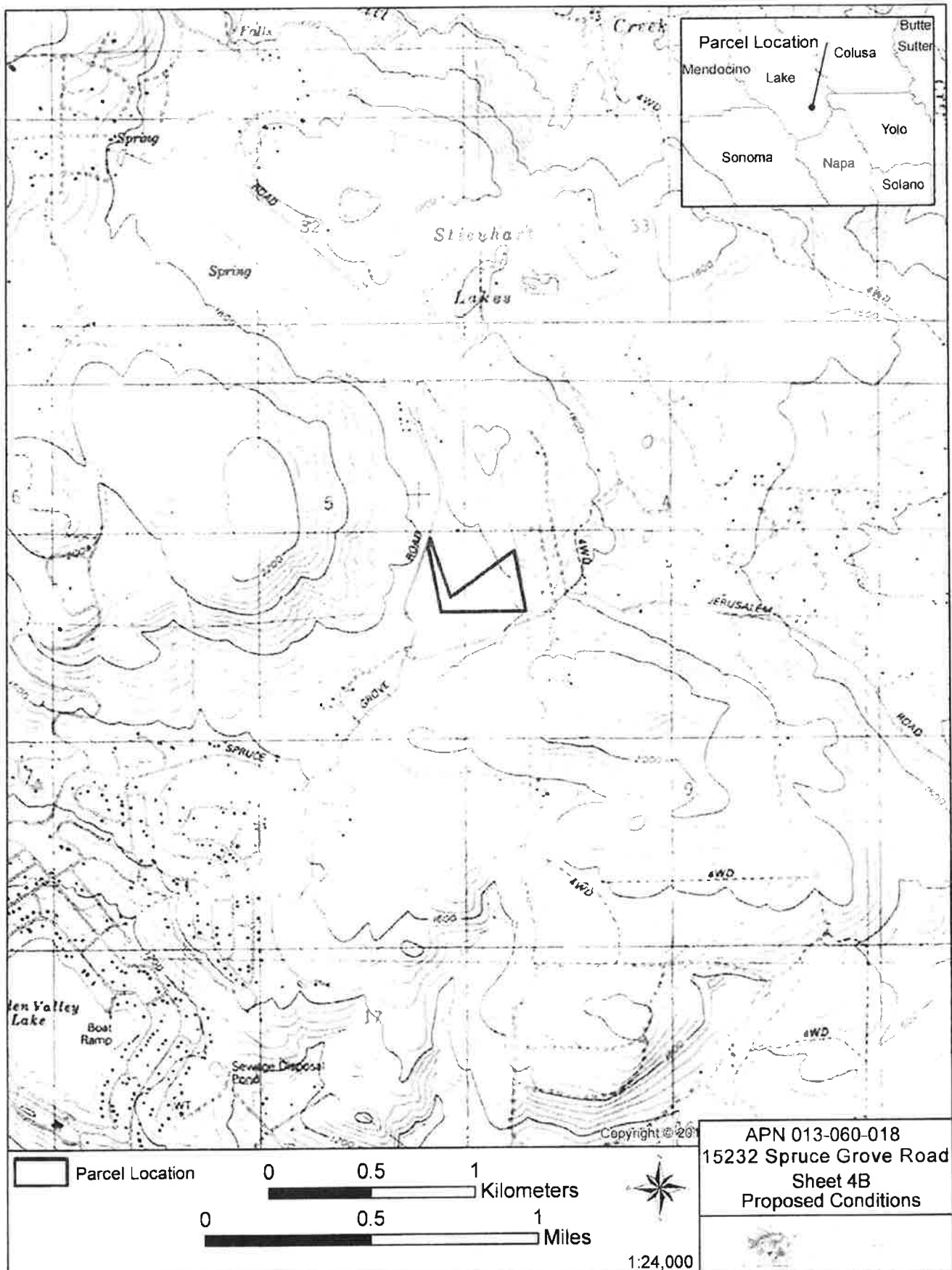
15232 Spruce Grove Road, Lower Lake

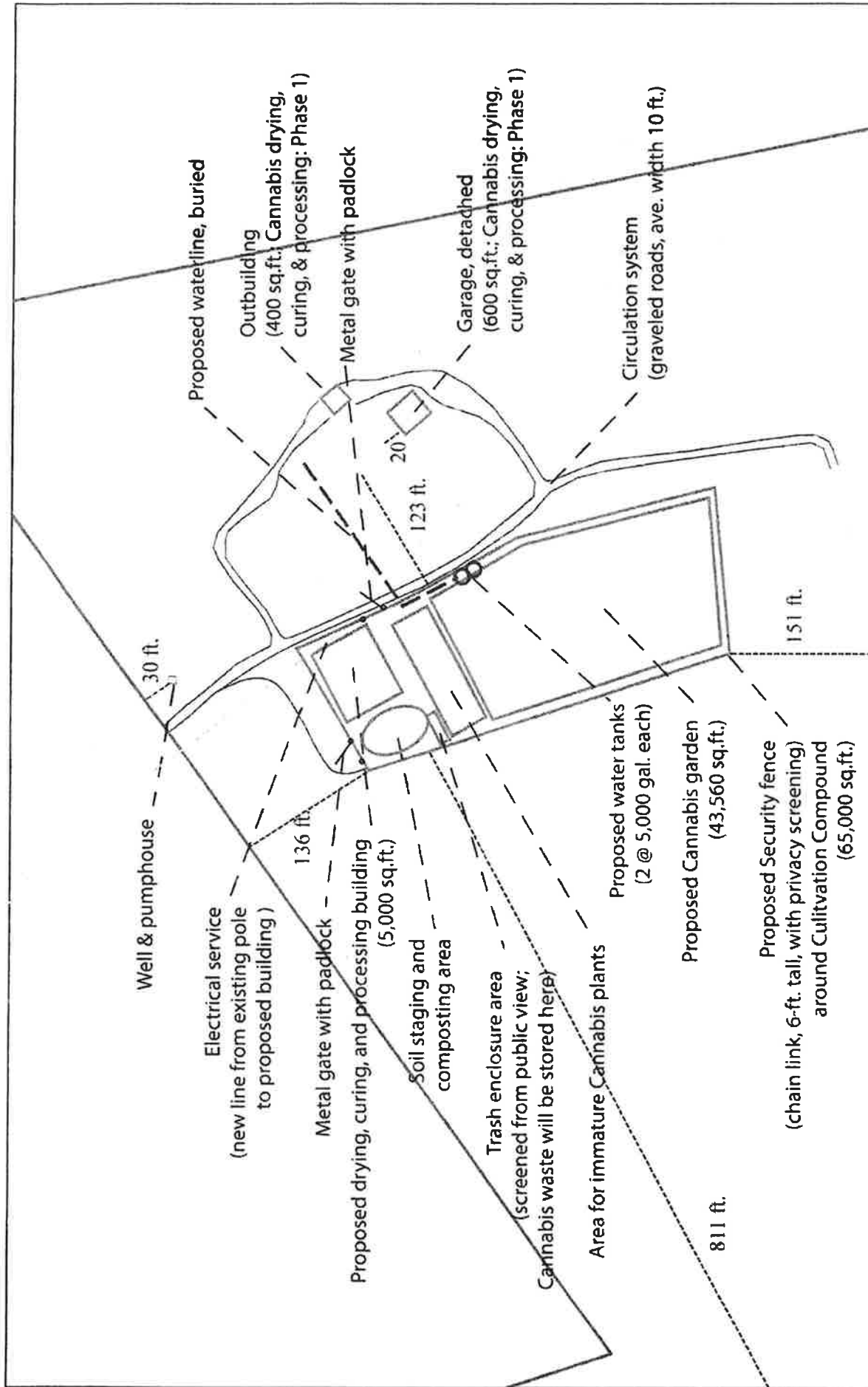
DATE: 10/10/2018





<p>Sheet 4A: Proposed Conditions</p>	<p>15232 Spruce Grove Road, Lower Lake          APN 013-060-018          20.51 acres</p>	<p>Landuse: open space, forested</p> <p>0 150 300 ft</p> <p>N</p>
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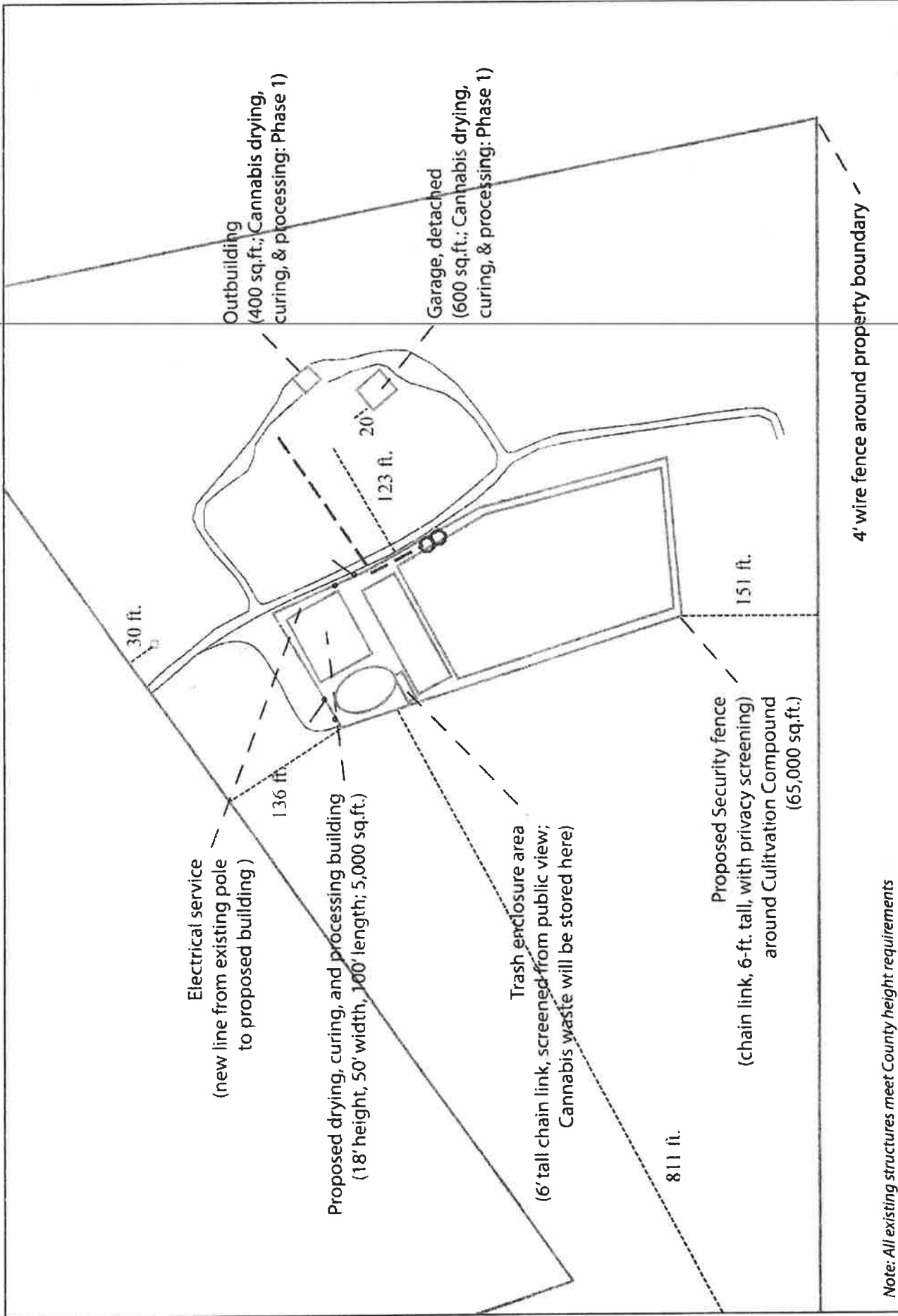




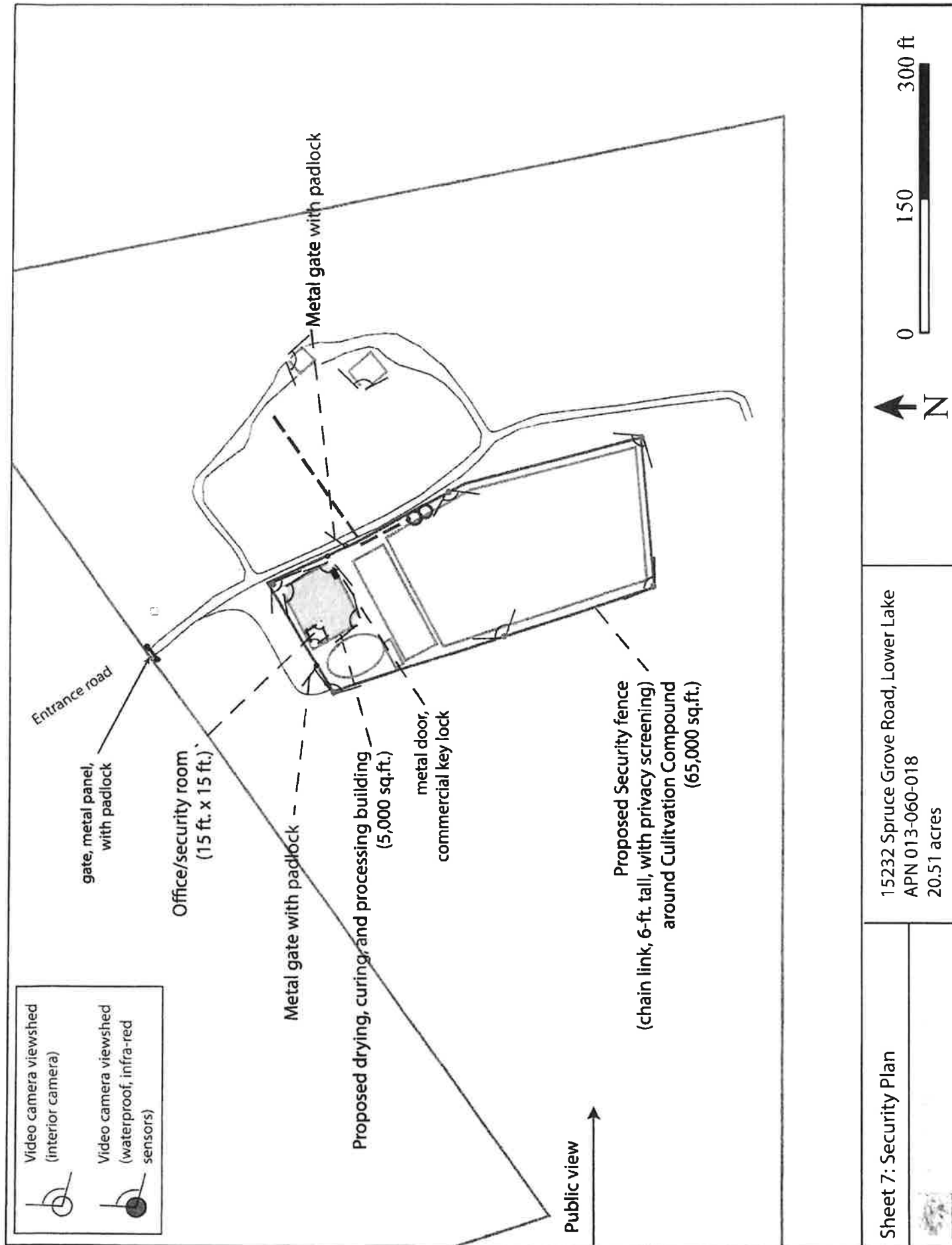
15232 Spruce Grove Road, Lower Lake  
APN 013-060-018  
20.51 acres

Sheet 5: Cannabis Cultivation Site





<p><i>Note: All existing structures meet County height requirements</i></p>		<p>15232 Spruce Grove Road, Lower Lake APN 013-060-018 20.51 acres</p>	<p>↑ N</p> <p>0 150 300 ft</p>
<p>Sheet 6A: Cannabis-related Bldg. Layouts</p>			



Sheet 7: Security Plan

15232 Spruce Grove Road, Lower Lake  
APN 013-060-018  
20.51 acres

Counter  
Copy  
2/27/2019

- ☒ State Clearinghouse
- ☒ Interested Parties
- ☒ County Clerk

**COUNTY OF LAKE  
NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE DECLARATION**

**Project Title: Dawson Commercial Cannabis Cultivation Project**

**Project Location: 15232 Spruce Grove Road, Lower Lake;  
APN 013-060-18**

**Project Description:** The project applicant requests approval of a Major Use Permit to obtain a Cultivation License for *"outdoor cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 10,001 square feet to one (1) acre, inclusive, of total canopy size on one (1) premises."*

No adverse environmental impacts are anticipated. Identified potential impacts would be less than significant with mitigation measures incorporated. Air quality and erosion control best management practices (BMPs) will be implemented to keep dust, emissions, and sediment from leaving the site. Mitigation measures and conditions of approval would ensure that any potential effects are reduced to a less than significant level.

**The public review period for the respective proposed Mitigated Negative Declaration based on the Initial Study will begin on March 1, 2019 and end on April 1, 2019.** You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221**. Written comments may be submitted to the Planning Division or via email at [peggy.barthel@lakecountycalifornia.gov](mailto:peggy.barthel@lakecountycalifornia.gov).

**Attachment 6**



psb

**COUNTY OF LAKE**

COMMUNITY DEVELOPMENT DEPARTMENT  
COURTHOUSE – 255 N FORBES ST  
LAKEPORT, CA 95453

**2702**



**COUNTY OF LAKE**  
COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division  
Courthouse - 255 N Forbes Street  
Lakeport, California 95453  
Telephone 707/263-2221 FAX 707/263-2225

February 27, 2019

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (IS18-28)**

1. **Project Title:** William Dawson Type 3 Commercial Cannabis Cultivation
2. **Permit Numbers:** Major Use Permit UP18-23  
Early Activation EA 18-19  
Initial Study IS 18-28
3. **Lead Agency Name and Address:** County of Lake  
Community Development Department  
Courthouse – 255 North Forbes Street  
Lakeport CA 95453
4. **Contact Person:** Peggy Barthel, Associate Resource Planner  
(707) 263-2221
5. **Project Location(s):** 15232 Spruce Grove Road, Lower Lake, CA 95457  
APN: 013-060-18
6. **Project Sponsor's Name/Address:** William Dawson  
15232 Spruce Grove Road  
Lower Lake, California 95457
7. **General Plan Designation:** Rural Lands
8. **Zoning:** "RL" Rural Lands
9. **Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).**

Supervisor District:	District 1; Simon
Flood Zone:	Not within a designated flood zone.
Slope:	Relatively flat to moderately steep
Fire Hazard Severity Zone:	High Fire
Earthquake Fault Zone:	Not within a fault zone
Dam Failure Inundation Area:	Not within dam failure zone
Parcel Size:	Approximately 19 acres

The applicant is requesting approval of a Major Use Permit to obtain a Type 3 Cultivation License for *"outdoor cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 10,001 square feet to one (1) acre, inclusive, of total canopy size on one (1) premises."*

For this cultivation operation, the Project Area is approximately 1.5 acres in size and consists of a fenced operational area; a full-sun garden; soil staging and material storage areas; irrigation system; and access roads. Operations will be implemented in accordance with the Property Management Plan dated May 14, 2018.