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January 10, 2020

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With Originals (Including Exhibits) to Follow By Hand Delivery*

Board of Supervisors
County of Lake
255 N. Forbes Street
Lakeport, California 95453



Re: Appellants: Antonio Guerra-Freire and Doris Guerra-Freire, Property Owners
Applicants: Will Dawson and Laura Miller, Property Owner
Project Site: 15232 Spruce Grove Road, Lower Lake, CA [A.P.N. - -]
Matters: Appeal AB 19-02 Re MUP 18-23 and IS 18-28)

To the Honorable Members of the Lake County Board of Supervisors:

Mr. Antonio Guerra-Freire and Mrs. Doris Guerra-Freire ("Appellants") are submitting this letter brief, along with the attached exhibits, in support of an appeal, timely filed on April 18, 2019, of the Lake County Planning Commission's ("LCPC") actions of April 11, 2019, in relation to IS-18-28 and UP-23.

All of the attached exhibits, numbered 1 through 13, including an April 2019 .mp4 format video clip of the Appellants' real property of approximately five minutes duration, will be the subject matter of a short oral presentation by legal counsel at the upcoming hearing.

As was communicated to the Lake County Community Development Department ("CDD") on April 30, 2019, the Appellants' goal throughout this entire planning process has not been to stop the Applicants' commercial cannabis operation. Instead, the Appellants have been working very hard in order to steer the Applicants' commercial cannabis operation away from their residence so that all of the purported benefits of that operation, and all of the actual costs, risks and other burdens of the commercial operation- including public safety costs, security and surveillance costs- are properly concentrated on the Applicants' real property, and all of the Appellants' security, privacy and other property rights are lawfully protected.

In short, the Appellants' are respectfully asking your Board to instruct CDD to require the Applicants, as a condition of their major use permit, to install and utilize a code-compliant, fire-safe and dedicated commercial entrance/driveway abutting onto Spruce Grove Road in order to provide safe and secure round-the-clock commercial access to and from the Applicants' commercial cannabis operation without overburdening the Appellants' property rights.

With respect to the facts underlying this appeal, a dedicated commercial driveway serving the Applicants' cannabis operation will enhance public safety and private security, and will likely serve, over time, to increase the market value of the Applicants' property. In addition, a dedicated commercial driveway serving the Applicants' cannabis operation will reduce the emotional and economic costs and other burdens

currently being imposed upon the Appellants' property, their personal security, their privacy and their quality of life.

CDD staff have prepared and submitted to your Board a "Memo" dated December 13, 2019 ("Staff Memo") which recommends, in pertinent part, the your Board deny this appeal. Unfortunately, the Staff Memo itself incorrectly and improperly construes those provisions of the California Public Resources Code and Code of Regulations ("CCR's") which actually governed the Applicant's real property at the time of the Lake County Planning Commission's ("LCPC") actions by virtue of the subject real property being located within the State of California's "State Responsibility Area" ("SRA"). The relevant statutes and regulations are attached to the letter-brief as Exhibit "7" Page(s) 1 thorough 28.

Unfortunately, the Staff Memo contains several errors, some superficial and others more substantive, which would likely render the Board's reliance upon the recommendations made in the Staff Memo legally erroneous and subject to an immediate legal challenge. Setting cosmetic mistakes aside, the Staff Memo attempts to argue, incorrectly, that because the Appellant's driveway constitutes a "dead-end road" under a (mis-cited) section of the Public Resources Code, the turn-out requirement (not "turn-around") actually found in CCR § 1273.09 should not apply.¹ The Staff Memo recites, in pertinent part, as follows:

"This PRC section exempts the requirements for turn-arounds every 400 feet that would otherwise be required if this were not a dead-end road. This negates the basis of this appeal. The appellant claims that this proposal does not meet PRC 4290 and/or 4291, the Cal-Fire requirements for private properties, however PRC 1273.09 eliminates the requirement for turnarounds on dead-end roads that meet the definition of a dead-end road, and that comply with (a), (b) and (c)."

Somewhere buried in this circular description of dead-end roads and turn-arounds, CDD staff argue that the fire-safe regulations, found in 14 CCR § 1273.10, which actually governed within the State of California's SRA at the time of the Planning Commission's approval of MUP 18-23, need not be applied in this instance. Fortunately, your Board need not try to unwind this woolly ball of yarn. Title 14 CCR § 1270.04 allows local jurisdictions in the State of California to tailor local ordinances, rules, regulations and/or general plan elements provided that such local fire-safety provisions are equal to, or more stringent than, the minimum standards established under Public Resources Code Section 4290 and Title 14 of the California Code of Regulations.

In addition to the above described legal issue, there exists an equally important and easily identifiable deficiency in the Staff Memo presented to your Board which has significant bearing on your Board's decision on appeal. Specifically, at Page 5, Par. 1 the Staff Memo states as follows:

¹ In actuality, Section 1271.00 of Title 14, California Code of Regulations only contains definitions of specified legal terms used elsewhere within the California Code of Regulations with respect to Fire Safe Regulations. Section 1271.00 of the CCR's says nothing whatsoever about "dead-end roads" being exempted from the State of California's fire safety requirements under the governing regulations.

“The Guerra easement is by definition a 20' wide dead-end road measuring slightly more than 1000 feet in length; this dead-end road is addressed in greater detail later in this report. **Use of the 30' access easement directly to Spruce Grove Road from Applicant's property is unfeasible due to the grade differential according to the Applicant Dawson.**” [Emphasis added in bold.]

This contention of fact purportedly made by Mr. Dawson that the construction of a dedicated commercial driveway leading from Spruce Grove Road to the Applicant's commercial cannabis facility is “unfeasible” has not, to date, been supported by any evidence, e.g. photographs, documents or declarations, indicating that such an improvement to the Dawson property would be impracticable, unworkable or physically impossible. Thus, your Board need not give that contention much weight in this matter.

If Mr. Dawson were to contend that the installation of a dedicated commercial driveway would likely be technically impossible or prohibitively expensive, and he was able to support that contention with evidence, e.g. photographs and/or a contractor's report, then your Board could and very likely would give such evidence significant weight. The Applicants have not yet attempted to document either the impossibility or unworkability of the relief being requested by the Appellants in this matter on appeal. The Appellants, however, have engaged a duly licensed California contractor to visually evaluate site conditions along the points where Spruce Grove Road intersects with the Applicants' real property, and they have established the feasibility and do-ability of the Applicants' installing a dedicated commercial driveway. [See Exhibit “4” attached hereto at Pages 1 to 5]

On April 11, 2019, Mr. Guerra appeared before the LCPC in order to make a public record of his legitimate and substantial objections to the Applicants' overuse of his residential driveway for their commercial cannabis operation. Attached hereto as Exhibit “2” is a true and correct photocopy of Mr. Guerra's written comments as previously registered with the LCPC. All of Mr. Guerra objections, both verbal and written, are hereby reiterated and incorporated by reference into this letter brief. Exhibit “5” attached hereto contains a Google Earth satellite photograph taken on or about July 18, 2019 showing an aerial view of the scope and intensity of Mr. Dawson's commercial cannabis project in relation to the location of the Guerra property.

During Summer of 2019, Mrs. Guerra has, on the basis of her own special concerns relating to the Guerras' safety, security, privacy and right to quietly enjoy their residential real property, prepared a written log of the vehicular traffic that has crossed the Guerras' residential property as a result of her neighbors' commercial cannabis project. Attached hereto as Exhibit “3” is a true and correct photocopy of Mrs. Guerra's verified Declaration in Support of the Guerras' Appeal of Actions Taken by the Lake County Planning Commission. In her declaration signed under penalty of perjury Mrs. Guerra testifies as to her own substantial emotional distress arising in relation to the physical intrusions and interruptions being generated by Mr. Dawson's commercial cannabis operations.

Exhibits “7” through “13” attached hereto pertain to the laws that govern this appeal and the Appellants' lawful efforts and voluntary engagement in the County of Lake's ongoing appeal process. Those exhibits may likely be the subject of review and further discussion at your Board's public hearing on this appeal

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To date, this appeal has required a substantial investment of time and financial resources by Appellants and by all involved decision makers including CDD Staff and the members of the Planning Commission. That investment of time and resources should be acknowledged by all concerned parties. The Guerras are basing their appeal on facts supported by credible and admissible evidence and upon a correct interpretation and application of California law.

Most importantly, the relief requested by the Appellants, if granted, will ultimately create a “win-win” for all involved parties. Any dollars spent by the Applicants in order to improve public access to the Applicants’ property, and to enhance the security of their commercial cannabis operation will, ultimately accrue to the Applicants’ benefit. Moreover, this appeal affords your Board an opportunity to demonstrate to all members of the general public, including Lake County voters, that regulatory disputes between local property owners and those persons engaged in Lake County’s newest industry, i.e. commercial cannabis cultivation, can reasonably depend upon local government to fairly, lawfully, rationally and effectively manage those public disputes which will inevitably arise as the cannabis industry moves forward.

Please do not hesitate to bring any questions or concerns regarding any of the foregoing matters to my immediate attention, and I thank each of you now for your anticipated consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Andre M. Ross", with a long horizontal flourish extending to the right.

Andre M. Ross for
EWING & ASSOCIATES

cc: Appellants

Encl: Exhibits 1 through 13

AP 19-02
15202 Spruce Grove Rd.
"Exhibit 1"
Guerra Video

Exhibit 1

Page _____ of _____

My name is Antonio Guerra, my wife and I are the owners of the property located at 15202 Spruce Grove Road, in Lower Lake, adjacent to the property owned by Laura Miller, and to which Will Dawson is applying for a Major Use Permit. I am here this morning at this hearing to enlighten the Commission members on facts that they may not be aware of, as regards to the creation, construction and development of this project.

This project began taking shape in the Spring of 2017. After a return from an extended vacation, we noticed that, what we thought was a vegetable garden, had sprung up almost overnight, bordered by a six-foot high wooden fence measuring approximately 200 by 100 feet. It was not until several months later that people more "savvy" than ourselves brought to our realization that what we were looking at was a "pot farm." My wife, in order to confirm this, went online for a satellite view, and discovered that there were 48 separate marijuana plants within this enclosure. In late 2017, we noticed that the wooden fence was being taken down, bit by bit. 2018 saw the beginnings of a continuous caravan, spanning several months, of large industrial trucks, bringing in cisterns, PVC plumbing piping, backhoes and agricultural equipment, and large round, concrete planters. This was now followed by 2 weeks of continuous, 10-ton truckloads of topsoil that unloaded daily from 8 am to 4 pm. Finally, truckloads of cyclone wire arrived, which quickly became an eight-foot enclosure, which now had **tripled** the area in size. The distance from the principal roadway to Ms. Miller's property line is approximately 400 yards. This roadway is dirt, and the soft earth of Spring has left our roadway permanently rutted and full of potholes. Exhibit 1, are photos recently taken of the current damage. Concurrent with the aforementioned, was the noise that had effectively negated the "peace and quiet" that was original reason for buying this, our retirement property. Added to this, was the constant dust created by these large, commercial vehicles, which forced us to keep our doors and windows closed because I suffer breathing problems due to dust and pollen, which I believe the Lake County Air Quality Management District lists as a possible **Roadway** air quality hazard under its **PROHIBITIONS AND STANDARDS**, under Section 251.1. I am a VietNam veteran and am being treated by the VA for this breathing condition. With all of the current lying and false misrepresentation by non-veterans, which is currently a criminal offense under federal law, exhibit 2 is a photo copy of proof of my veterans' status.

With this said, I would now like to offer the first objection to the granting of a permit for the commercial cultivation of marijuana as it now stands.

Exhibit 2

California voters have had their voices heard, and as a result, marijuana, and its cultivation is now legal, and is projected to rake in a whopping \$5.1 billion in revenues. What has not been considered, is the part where part of that payoff is Murder. In Sonoma County, some officials are complaining that all of this legal weed business has spawned an increase in "home invasions, violent crimes and robberies," as was reported in a recent issue of the *Cloverdale Reveille* (See exhibit 3). According to the article, criminals from the East Coast are traveling around the country with the sole purpose of robbing legal marijuana growing concerns. These types of crimes have become a common occurrence in the areas of Cloverdale, Santa Rosa, Sebastopol and Petaluma. How long will it be before this wave of violent, criminal behavior moves in to our county, which is just next door? In **our** specific case, the petitioning Dawson Cannabis Project lies right next door to **our** property, and it requires anyone contemplating robbing **that** entity, to traverse our home, and property in order to get to their intended victim. Crime and violence will always exist where there's big money involved. The Planning Commission's approval of the Dawson Cannabis Project puts us smack in the middle of any form of future criminal activity, which we are totally opposed to having some county agency unwittingly put us in harm's way.

Right-of-way easements have existed since the 1800's, most commonly being, what is referred to as the "Dominant and subservient estate" type. Laura Miller, the absentee owner of 15232 Spruce Grove Road, holds such an easement (see exhibit 4). This type of easement was granted to allow the owner of parcel A to use a driveway through parcel B to gain access to A's house. This particular easement was granted, according to existing records, in 1992. It is fair to assume that these two parcels were residential dwellings, and that the vehicles used were cars for personal usage. The current resident at 15232 Spruce Grove Road, is Mr. Jack Cowan, the father of Laura Miller, who has lived there alone at this address since our moving in next door in 2010. Mr. Cowan owns one vehicle, a late model Toyota 4Runner SUV. This type of vehicle, in and of its own, has made very little impact on our driveway which Mr. Cowan has used for personal passage through our property.

Since 2017, these conditions, and their impact upon our roadway, have drastically changed the physical dynamic usage of this referenced roadway. What was originally intended for residential usage, has now become a throughway for commercial usage, not what it was originally designed, and intended for. In my opening statements I have delineated how, the current Applicant, Mr. Will Dawson, has availed himself of

Exhibit 2

roadway, without our knowledge, or permission, to establish a commercial enterprise, and the physical and environmental results to a roadway, that never was intended for commercial usage, since its inception 27 years ago.

We want to make it perfectly clear that we are opposed to the Committee granting a commercial permit to the Dawson Enterprise, as it currently exists, that is, the utilization of the current easement for the exploitation of a commercial venture.

I have investigated, using the Assessor's Office, Survey Office, Community Development and City Planning Office, to determine the exact extent of the physical parameters of the land listed as 15232 Spruce Grove Road. What has come to light is, the fact that Laura Miller's property has two abutments that border on public roadways; to the West onto Spruce Grove Road, and to the East onto Jerusalem Grade Road (see exhibit 5). It is our contention that, if Lake County Planning Commission decides to grant a permit, that it be **conditionally binding** on Mr. Will Dawson and Laura Miller, to construct a passable roadway for commercial purposes onto Jerusalem Grade Road.

In summation, I am informing this commission that I have already retained legal counsel, and should this commission decide to disregard the arguments that we have set forth at this meeting, it is my intention to file in Superior Court for an injunction against the property owner of 15232 Spruce Grove Road, with a motion to rescind the current easement through our property. I thank the committee members for taking the time to listen to our plea, and their consideration in this matter.

I declare under penalty of perjury that the forgoing facts are true and correct and that the foregoing opinions are my true and honest opinions. This Declaration is executed this tenth day of April, 2019 in Lakeport, California.

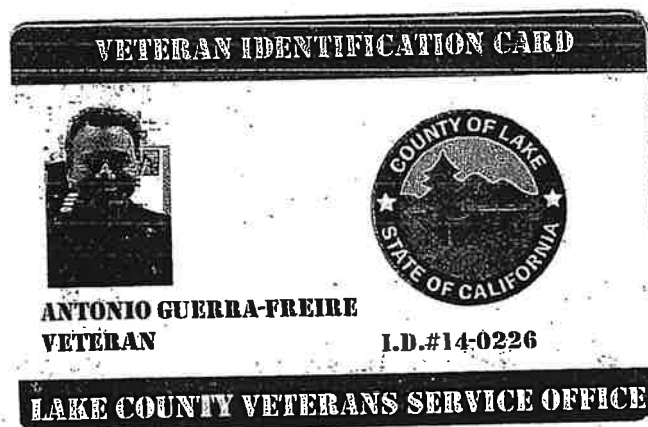
Antonio Guerra-Freiré
Antonio Guerra-Freiré

4-10-19
Date

Doris Guerra-Freiré
Doris Guerra-Freiré

4/10/19
Date

Exhibit 2



California Officials Say Marijuana Legalization Causing More Violent Crime

Mike Adams

Contributor

I cover various facets of the cannabis culture.

While California's recreational marijuana market is projected to rake in a whopping \$5.1 billion in 2018, some parts of the state say the payoff is murder. In Sonoma County, which is around 100 miles outside San Francisco, some officials are complaining that all of this legal weed business has done nothing for their community but spawn "home invasions, violent crimes and robberies," according to a report from the *Cloverdale Reveille*.

It seems that bad mama jama's from the East Coast are traveling across the country with the sole intention of using the Golden State's legal marijuana status to run a racket of extreme thievery. These types of crimes have become a common occurrence in the areas of Coverdale, Santa Rosa, Sebastopol and Petaluma. The goal of these criminal organizations, the report reads, is to get their hands on marijuana, by any means necessary, and then transport it back to the east coast for sale on the black market.

Sergeant Spencer Crum of the Sonoma County Sheriff's Department claims "bodies have piled up," as a result of this scheme.

This is not the first time legal marijuana has been associated with an increase in violent crime. It was just last year that U.S. Attorney General Jeff Sessions pointed the finger at legal pot sales in Colorado as the culprit behind an increase in violence in outlying areas.

"We're seeing real violence around [legal marijuana]," Sessions told reporters during a 2017 press briefing. "Experts are telling me there's more violence around marijuana than one would think and there's big money involved."

But is this claim real?

Interestingly, a study published earlier this year in the *Economic Journal* found that the legalization of marijuana is actually contributing to lower crime rates in the United States and Mexico. Crimes, including robberies, murders and aggravate assaults have all dropped by around 13 percent in areas close to medical marijuana states. The logic is that since people living in these legal jurisdictions are now allowed to cultivate and buy marijuana through legal channels, there is no need for them to engage in dangerous black market activity.

Exhibit 2

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EXHIBIT "A"

LEGAL DESCRIPTION

Tract One:

Parcel 2 as shown on that certain map filed October 17, 1994 in Book 34 of Parcel Maps at page 19, Lake County Records.

Tract Two:

A 20' (foot) wide Roadway and Public Utility Easement across Parcel 1 as shown on that certain Parcel Map filed in the office of the Lake County Recorder in Book 34 of Parcel Maps at page 19, filed October 17, 1994, the center-line of which is described as follows:

Beginning at a point on the Easterly right-of-way line of Spruce Grove Road, as shown on said Parcel Map, that is located South 19° 06' 02" West, a distance of 31.40' (feet) from a point on said right-of-way line that is South 15° 13' 25" West, a distance of 195.53' (feet) from the most Northwesterly corner of Parcel 1 as shown on said Parcel Map; thence leaving said right-of-way line, and running South 52° 24' 59" East, 234.72' (feet); thence South 56° 48' 56" East, 65.07' (feet); thence South 61° 28' 34" East, 232.80' (feet); thence South 44° 59' 45" East, 168.09' (feet); thence South 55° 48' 18" East, 82.85' (feet); thence South 44° 06' 05" East, 91.54' (feet); thence South 36° 25' 02" East, 131.52' (feet); thence South 25° 14' 21" East, 114.82' (feet); thence South 46° 38' 09" East, 31.39' (feet) to a point on the most Southerly line of said Parcel 1, said point lying North 39° 46' 32" West, a distance of 902.99' (feet) from the Section Corner common to Sections 5, 4, 7, & 9 in Township 11 North, Range 6 West, M.D.M.

APN: 013-060-180-000

A non-exclusive, perpetual easement and "right of way" generally for street and utility purposes.

Exhibit

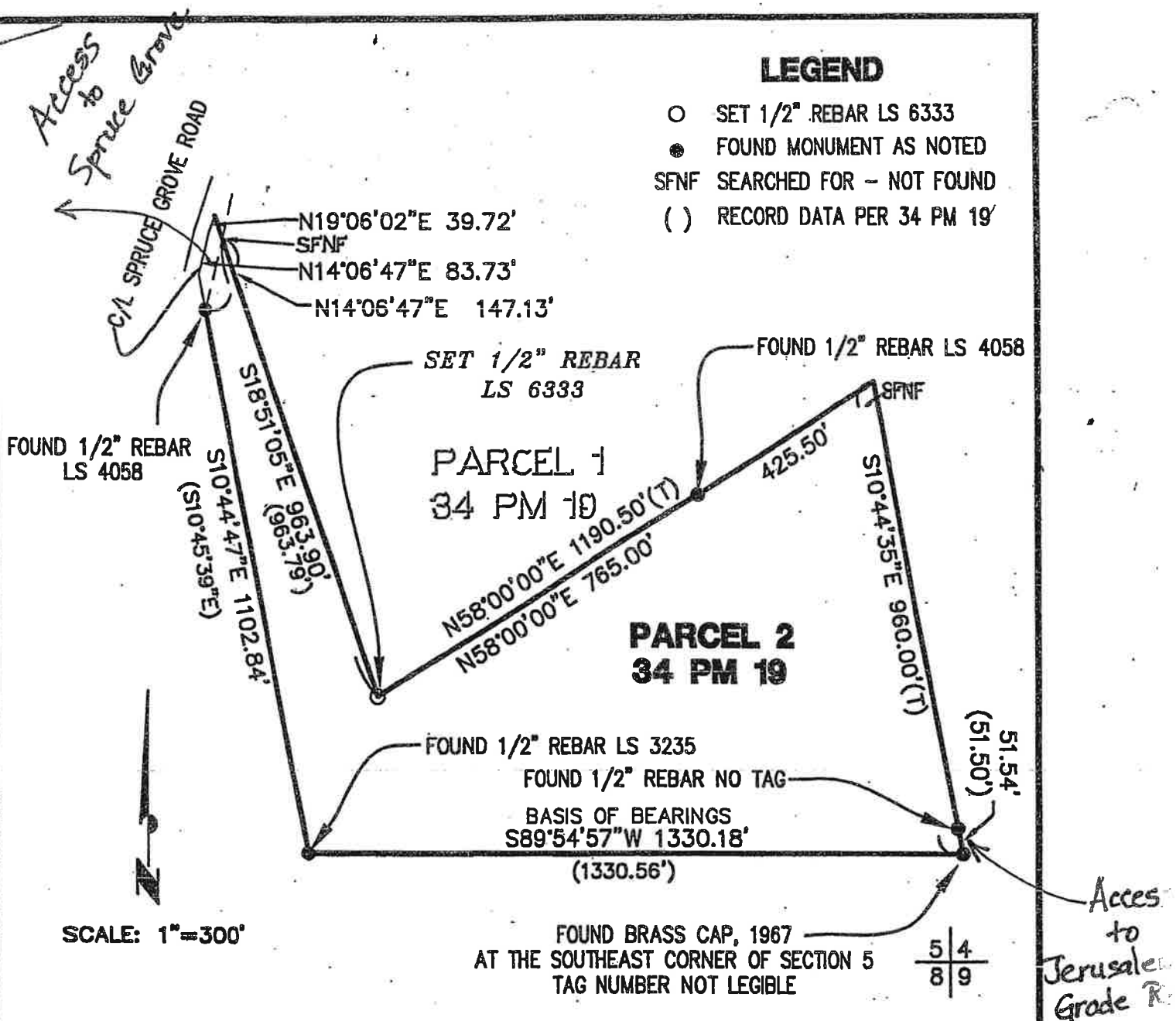
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of

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BASIS OF BEARINGS

TAKEN AS: N 89°54'57" E BETWEEN FOUND SECTION CORNER AND REBAR LS 3235, AS SHOWN ON THE PARCEL MAP, FILED IN BOOK 34 OF PARCEL MAPS AT PAGE 19, LAKE COUNTY RECORDS.



CORNER RECORD

PARCEL 2, BOOK 34 PM 19

15232 Spruce Grove Rd

LAKE COUNTY CALIFORNIA

JUNE 2014

Page

DRAWN BY: MJM

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9 Attorneys for Appellants DORIS GUERRA-FREIRE AND
10 ANTONIO GUERRA-FREIRE

11 APPEAL BEFORE THE BOARD OF SUPERVISORS
12 IN AND FOR THE COUNTY OF LAKE

13 *IN THE MATTER OF:*

14 PROPERTY OWNERS' ANTONIO
15 GUERRA-FREIRE AND DORIS
16 GUERRA-FREIRE APPEAL OF
17 ACTIONS TAKEN BY THE LAKE
18 COUNTY PLANNING COMMISSION
19 IN RELATION TO MAJOR USE
20 PERMIT UP 18-23 AND INITIAL
21 STUDY IS 18-28

Matter No.: AB 19-02

Date: January 14, 2010
Time: 9:00 a.m.
Dept: BOS Chambers

**DECLARATION OF DORIS
GUERRA-FREIRE IN SUPPORT
OF HER APPEAL OF ACTIONS
TAKEN BY THE LAKE COUNTY
PLANNING COMMISSION TO
THE LAKE COUNTY BOARD OF
SUPERVISORS**

Actions Taken: March 27, 2019

22 I, DORIS GUERRA FREIRE declare as follows:

- 23 1. I am an adult, female, 58 years of age.
- 24 2. I am married to my husband ANTONIO GUERRA-FREIRE. We have been
25 together and/or married for twenty years.
- 26 3. My husband and I reside in Lower Lake, California at: 15202 Spruce Grove
27 Road, Lower Lake, California. We have resided at that address full-time
28 since 2010.
4. Throughout the Summer of 2019, beginning in approximately June, and
continuing through October, I have personally kept a log of vehicle traffic
crossing our residential property in relation to the commercial cannabis

Exhibit

3

Page

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of

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1 operation operated by Mr. Will Dawson on a next-door property owned by
2 Ms. Laura Miller. My husband and I have a camera system installed on our
3 property which monitors our residential driveway when we are gone. When
4 we are home, and specifically because of my concerns for our personal
5 safety, our privacy and our quiet enjoyment of our property, I have taken
6 care to pay attention to, and record, the comings and goings of commercial
7 traffic through our property. Our concerns for our personal safety, security
8 and privacy have created a substantial emotional burden for myself and for
9 my husband. The increased use of our driveway due to commercial cannabis
10 traffic interfere with our quiet enjoyment of our residential property.

- 11 5. Attached hereto are eleven (11) pages of the log I have kept of vehicle
12 traffic crossing our property in relation to our neighbors' commercial
13 cannabis operation. I personally input the information reflected on pages
14 one through six into my computer. I personally wrote down the information
15 reflected on pages eight to eleven. The information reflected on my log was
16 recorded at or about the same time when commercial traffic was observed.
17 To the best of my knowledge, the information reflected on the attached log
18 is true and correct. I acknowledge that the possibility exists that there may
19 have been additional commercial traffic that is not reflected on the attached
20 log. Nevertheless, the noticeable increase in commercial traffic and other
21 strangers coming and going across our residential driveway has substantially
22 impaired our sense of personal safety, our privacy and our quiet enjoyment
23 of our home.

24
25 I declare under penalty or perjury under the laws of the State of California
26 that the foregoing facts are true and correct, that the foregoing opinions are my
27 true and honest opinions, and that this declaration was executed this 10th, day of
28 January, 2020 in Lower Lake, California.

By: Doris Guerra-Freire
DORIS GUERRA-FREIRE

Exhibit 3

July 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 0713 White truck 0726 White truck 1206 Green Subaru 1334 Green Subaru 1347 Black Ford truck 1409 White truck 1545 White truck 1651 Green Subaru 2038 Black Ford truck 2206 Green Subaru 2232 Green Subaru	2 0548 White truck 0614 Black Ford truck 0824 White truck 0954 White truck 1233 White truck 1448 White truck 1529 White truck 2302 Black Ford truck	3 0613 White truck 0903 Black Ford truck 1033 White truck 1111 White truck 1230 White truck 1808 Blk Ford w/ATV 1821 Blk Ford w/ATV 2142 Blk Ford w/ATV	4 0710 Blk Ford w/ATV 0951 White truck 1409 Green Subaru 1411 Green Subaru 1735 Black Ford truck 1757 Black Ford truck	5 0638 White truck 1045 White truck 1051 Black Ford truck 1125 Green Subaru 1150 Black Ford truck 1235 Green Subaru 1426 Green Subaru 1559 Green Subaru 1648 Black Ford truck	6 0841 Black Ford truck 1020 Blue SUV 1029 Blue SUV 1948 Dk Blk/Blk 2010 Dk Blk/Blk 2019 Black Ford truck 20147 Black Ford truck
7 0513 Green Subaru 0640 Green Subaru 1134 Green Subaru 1237 Green Subaru 1504 Green Subaru 1631 Black Ford truck	8 0613 White truck 0919 White truck 0953 White truck 1322 White truck 1333 Black Ford truck 2102 Green Subaru 2236 Blk Ford w/ATV	9 0544 White truck 0726 White truck 0736 Blk Ford w/ATV 0842 Green Subaru 1013 Green Subaru 1243 Gray SUV 1442 Green Subaru 1606 Green Subaru 1655 Black Ford truck 1704 Black Ford truck 1805 Gray SUV	10 0506 Green Subaru 0616 Green Subaru 1751 Green Subaru 2140 Black Ford truck	11 0147 Green Subaru 0620 Black Ford truck 1041 White truck 10:58 Green Subaru 2154 Black Ford truck	12 0745 Black Ford truck 2026 Green Subaru & White Sedan 2101 Green Subaru & White Sedan 2104 Green Subaru 2108 Green Subaru 2146 Blk Ford truck 2224 Green Subaru	13 0844 Blk Ford truck 1506 Black Ford truck 1550 Black Ford truck
14 0438 Green Subaru 0556 Green Subaru 0842 Green Subaru 1202 Green Subaru 1226 Black Ford truck 1332 Green Subaru 2202 Black Ford truck	15 0851 White truck 1052 Green Subaru 1156 Green Subaru 1227 Black Ford truck 2147 Black Ford truck	16 0646 Black Ford truck 0746 Green Subaru 1110 White truck 2211 Burgundy truck 1247 Burgundy truck 1438 Green Subaru 1627 Green Subaru 2308 Blk Ford w/ATV	17 0635 White truck 0807 Blk Ford w/ATV 1037 White truck 1620 Green Subaru 2120 Green Subaru 2102 Green Subaru 2117 Black Ford truck 2230 Black Ford truck 2333 Black Ford truck	18 0959 Green Subaru 1003 White truck 1233 Green Subaru 1246 Black Ford truck 1313 White truck 1754 Black Ford truck 1935 Black Ford truck 2134 Black Ford truck	19 0625 Black Ford truck 0703 White truck 0727 White truck 0934 White truck 1403 Green Subaru 1431 Green Subaru 1809 White truck 1903 Green Subaru	20 1302 Black Ford truck 1613 Black Ford truck
21 0843 Green Subaru 1001 Green Subaru 1120 Black Ford truck 1307 Green Subaru 1752 Black Ford truck 2021 Black Ford truck	22 1836 Black Ford truck	23 0013 Black Ford truck 0145 Black Ford truck 0155 Black Ford truck 0540 Green Subaru 0658 Green Subaru 0759 White truck 0832 White truck	24 0600 White truck 0606 White truck 0703 Wht male dropped off by white sedan - walking towards Cowan's property 0719 Black Ford truck 1019 Green Subaru 1045 Green Subaru 1400 Green Subaru 1630 Green Subaru 1924 Green Subaru 2257 Blk Ford w/trailer	25 0536 Blk Ford w/trailer 0613 White truck 0633 White truck 0821 White truck 0852 White truck 1421 Green Subaru 1451 Green Subaru 1512 White truck 1516 White truck & Green Subaru 1525 Green Subaru 2135 Unk Vehicle 2142 Unk Vehicle	26 0612 White truck 0633 White truck 0947 White truck 1136 White truck 1254 White truck 1412 Green Subaru 1456 Silver SUV 1626 Silver SUV 1653 Wht truck w/equip in tow	27 0819 White truck 0928 Silver sedan 0947 White truck 1038 Silver sedan 1059 White truck 1831 White truck 2301 White truck

<p>0053 White truck 0213 White truck 0613 White truck 0813 White truck 0922 White truck 1225 White truck 1236 Green Subaru 1450 White truck</p>	<p>28</p>	<p>0659 White truck 0732 White truck 0858 White truck 0934 White truck 0950 White truck 1157 White truck 1356 White truck 1448 White truck 1719 White truck 2054 White truck 2115 White truck</p>	<p>29</p>	<p>0603 White truck 0622 White truck 0720 White truck 1032 White truck 1136 Silver SUV 1148 White truck 1210 White truck 1243 White truck 1302 White truck 1303 White truck 1324 White truck 1416 White truck 1422 Green Subaru 1543 Green Subaru 1649 Silver SUV 1719 White truck 2319 White truck</p>	<p>30</p>	<p>0617 White truck 0620 White truck 1002 White SUV 1008 White SUV 1008 White SUV 1009 White SUV 1410 Green Subaru 1412 Green Subaru 1500 Green Subaru 2136 Green Subaru</p>	<p>31</p>			
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Exhibit

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of

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August 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				0617 White truck 0620 White truck 1003 White SUV 1008 White SUV 1009 White SUV 1053 White SUV 1410 Green Subaru 1412 Green Subaru 1500 Green Subaru 2136 Green Subaru	0622 White truck 0717 White truck 0739 White truck 0744 White truck 1145 Green Subaru 2250 White truck	1607 White truck 2251 White truck
0657 Green Subaru 0821 Green Subaru 1600 White truck 1636 White truck 1738 White Mini Cooper 2048 Green Subaru	0909 Green Subaru 0946 Green Subaru 1253 White truck 1354 White truck 1444 White truck 1919 White truck	0604 White truck 0634 White truck 0844 White sedan 0847 White sedan 0905 White truck 1123 White truck 1147 White truck 1202 White truck 1230 White truck 1505 White SUV	0601 White truck 0850 White truck 0946 White truck 1259 White truck 2211 White truck	0910 White truck 1123 White SUV 1251 White SUV 1625 White truck 1640 White Mini-Cooper 1646 White truck 2153 White truck 2157 White truck 2253 White truck	0850 White truck 1650 White Mini Cooper 1841 White Mini Cooper 1924 White truck 1924 Gray SUV 2233 Gray SUV	1357 White truck 1428 White truck 1652 White truck 1746 Gray SUV 0805 White truck 0928 White truck
0048 Gray SUV 0719 White truck 0818 White truck 0910 White truck 1148 Gray SUV 1152 Gray SUV 1253 White Mini Cooper 1256 White truck 1400 White Mini Cooper 1407 White truck 1412 White truck 1450 White Mini Cooper 1805 Green Subaru 2341 White truck	0726 White truck 0752 White truck 1107 White truck 1220 White SUV 1311 Green Subaru 1319 White SUV 1347 Green Subaru 1706 Green Subaru 2326 White truck	0636 White truck 1208 Gray truck 1244 Gray truck 1327 Green Subaru 1329 Green Subaru 1343 Green Subaru 1414 Green Subaru 1500 White truck 1716 White truck 1740 White truck 1750 Green Subaru 1757 Green Subaru 1802 Green Subaru 2023 Gray truck 2151 Gray truck 2256 Green Subaru	0409 Gray SUV 0617 White truck 0721 White truck 0926 White truck 0952 White truck 1125 White truck 1123 White truck 1132 White truck 1305 White truck 1433 Gray truck 1436 White truck 1521 White Mini Cooper 1545 White Mini Cooper 1844 White Mini Cooper 2050 White truck 2129 Gray truck	0707 White truck 0712 White truck 0904 Gray truck 1212 Green Subaru 1242 White Mini Cooper 1954 Gray truck 2042 White sedan	0034 White Sedan 0732 White Sedan 0736 White Sedan 0845 Gray truck 1150 Gray SUV 1246 White Utility truck (speeding) 1252 White Utility truck (speeding) 1332 Gray SUV 2126 Gray truck 2131 Dark truck speeding 2151 Gray truck 2155 Gray truck 2305 Gray truck 2337 Dark truck speeding	1128 Green Subaru 1227 White truck 1331 Green Subaru 1903 Gray truck 1952 Gray truck 1953 White truck 2236 Gray truck 2244 White station wagon 2249 White station wagon 2354 Gray truck
0737 White truck 0828 White truck 0857 White truck 1150 White truck 1318 Gray truck 1423 White truck 1746 White truck 1809 Green Subaru 1840 Green Subaru 2128 Light color sedan 2147 Light color sedan 2147 Gray truck	0830 Gray truck 0939 White truck 1025 Green Subaru 1100 Green Subaru 1348 White Utility truck (speeding) 1352 White Utility truck (speeding) 1649 White truck 1739 Green Subaru 2026 White truck 2243 Gray truck 2335 White sedan	0831 White sedan 0932 White truck 1202 White truck 1208 Silver SUV 1325 White truck 1406 White truck 2313 Gray truck	0632 White truck 0732 White sedan 0735 White sedan 0856 White truck 0936 Gray truck 1109 White 2-tone truck 1113 White 2-tone truck 1154 White truck 1225 White truck 1314 Green Subaru 1316 Green Subaru 1336 Green Subaru 1352 Green Subaru 1651 White truck 1726 Green Subaru 1745 White truck	0707 Green Subaru 0811 White truck (speeding) 0908 Gray truck 1229 White Utility truck (speeding) 1233 White Utility truck (speeding) 1538 Silver Station Wgn 1832 White truck 1932 White jeep 1938 White jeep 2128 Gray truck 2142 White jeep	0036 Gray truck 0116 Gray truck 0431 White jeep 0758 White sedan 0802 White sedan 0832 Green Subaru 0841 Green Subaru 1008 White truck 1032 Gray truck 1139 White truck 1310 Green Subaru 1340 Green Subaru 2317 Gray truck	0957 Gray truck 1300 White truck 1315 White truck 1319 White truck

			21 Continued 1932 Gray truck speeding 2040 Black truck 2101 Gray truck										
0237 Gray truck 0643 White truck 0751 White truck 1025 White truck 1121 White truck 1140 Black truck 1153 White truck 1219 Black truck 1257 White truck 1328 White truck 1343 Green Subaru 1427 Green Subaru 1934 Gray truck 2024 Gray truck 2143 Gray truck	25	0605 White truck 0635 Gray truck 0722 White truck 1104 White truck 1132 White truck 1308 Green truck 1356 Green Subaru 1454 Green Subaru 1457 Green Subaru 1928 Gray truck 1929 White jeep 1936 White jeep 2009 Gray truck 2150 White jeep 2241 Gray truck 2249 White jeep	26	0633 White truck 0643 Gray truck 0709 White truck 0837 White truck 1013 White truck 1109 White truck 1122 White truck 1200 White truck 1250 White truck 1552 Green Subaru 1621 Green Subaru 1831 Gray truck 1929 Gray truck 2014 Gray truck 2057 White truck 2057 Dark Station Wgn 2135 Dark Station Wgn 2210 Gray truck 2347 Green Subaru	27	0907 Green Subaru 0909 Green Subaru 0926 White Mini Cooper 1116 White truck 1854 White Mini Cooper	28	0622 White truck 0706 White truck 1247 White truck 1402 White truck 1538 White Mini Cooper 1712 Green Subaru 1719 Green Subaru 1721 White truck w/trailer 1746 White truck w/trailer 1748 Green Subaru 1748 Green Subaru 1804 White Mini Cooper 1824 White station wagon 1830 White station wagon 2114 White station wagon 2131 White station wagon 2221 White station wagon	29	0551 White station wagon 0612 White truck 0730 White truck 0850 White truck 1043 White truck 1136 Green Subaru 1211 Green Subaru 1401 Black sedan 1402 Black sedan 1420 Gray SUV 1703 Black sedan 1711 Black truck 1750 Gray SUV	30	1112 White Mini Cooper 1115 White Mini Cooper 1222 Gray SUV 1321 Gray SUV 1437 White Mini Cooper 1543 White Mini Cooper	31

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September 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 1051 White Mini Cooper 1721 White Mini Cooper	2 0630 Green Subaru 0838 Green Subaru 1215 Green Subaru 1234 Green Subaru 1336 White Mini Cooper 1607 Green Subaru 1611 Green Subaru 1611 White sedan 1757 White sedan 1815 Black sedan 1816 Black sedan 1906 White sedan 1912 White sedan 2124 White sedan 2129 White sedan	3 0838 White truck 0901 White truck 1036 Green Subaru 1100 Green Subaru 1258 Green Subaru 1315 Green Subaru 1758 White Utility truck (speeding) 1805 White Utility truck 2014 Green Subaru 2015 Black sedan	4 0635 Green Subaru 0657 Green Subaru 0707 White truck 0743 White truck 1203 Green Subaru 1340 Green Subaru 1451 Green Subaru 1501 Green Subaru 1635 Black sedan 1644 Green Subaru 2211 Green Subaru	5 0645 Green Subaru 0704 Green Subaru 0726 White truck 0843 White truck 1043 White truck 1226 White truck 1420 Green Subaru 1439 Green Subaru 1618 Black sedan 1618 Black truck 1620 White truck 1650 Black truck 1726 Green Subaru 1750 Black truck 1757 Green Subaru 1906 Black truck 1939 Black sedan 1954 Black truck 1957 Dark color SUV 2005 White truck	6 0240 Dark color sedan 1129 Dark color sedan 1803 Green Subaru 1837 Green Subaru 2012 Green Subaru 2021 Black truck 2030 Green Subaru	7 1051 Blue SUV 1119 White truck 1133 Blue SUV 1144 White truck 2108 Black truck 2157 Black truck
8 1248 Black truck 2226 Black truck	9 0644 Gray sedan 0653 White truck 0656 White truck 0800 Black truck 1029 Green Subaru 1036 Green Subaru 1431 Gray sedan 1619 White sedan 1624 White sedan 1758 Green Subaru 1800 Green Subaru 1911 Black truck	10 0715 White truck 0726 Gray sedan 0741 White truck 1050 Black truck 1411 White truck 1506 White truck 1707 Black sedan 1911 Black truck 2050 Black sedan 2329 Black sedan	11 0012 Gray sedan 0014 Black truck w/boat 0729 White truck 0746 Gray sedan 0805 White truck 0928 White truck 1057 White truck 1131 Dark Red truck 1132 White truck 1218 Dark Red truck 1241 Black truck 1424 Gray sedan 1426 Gray sedan 1434 Gray sedan 1453 White truck 1807 Green Subaru 2214 Green Subaru 2223 Black truck	12 0834 Gray sedan 1306 Black truck 1355 Black truck 1406 Gray sedan 1651 Black truck 1819 White truck 2103 White truck 2359 Black truck	13 0032 Black truck 0701 White truck 0747 White truck 0850 White truck 0957 White truck 1102 Black truck 1123 White truck 1147 Black truck 1308 Black truck 1353 Black truck 1504 Black truck 1511 Black truck 1532 Black truck w/boat 1536 White truck	14 0656 Gray sedan 0807 Black truck w/boat 0817 Black truck w/boat 0946 White truck 1009 Green Subaru 1343 Gray sedan 1728 Black truck 1906 Black truck 1926 Green Subaru 2129 White truck
15 0212 Black truck 0653 Gray sedan 0941 White truck 1233 Gray sedan 1237 Black SUV 1241 Black SUV 1253 Green Subaru 1338 Black truck 1743 Black truck 1951 Black truck 2056 White truck	16 0709 White truck 0841 Gray sedan 0850 White truck 0859 Black truck 0942 White truck 1249 White sedan 1315 Gray sedan 1459 Gray sedan 1640 White sedan 1644 White sedan 1830 White sedan 1840 White sedan 2026 White truck 2354 Black truck	17 0553 White truck 0710 White truck 0745 Gray sedan 1016 White truck 1157 Gray sedan 1311 Gray sedan 1405 Gray sedan 1412 Black truck 1746 Green Subaru 1801 Green Subaru 1904 Black truck 2115 White truck	18 0856 White truck 1229 White truck 1305 Black sedan 1402 Black sedan 1408 Red VW Bug 1432 Black truck 1435 Black truck 1502 Gray sedan 1514 Red VW Bug 1538 White truck 1625 Black truck 1626 Red VW Bug 1645 Green Subaru 1738 Red VW Bug 2224 White truck	19 0614 White truck 0733 White truck 0847 Gray sedan 0932 Red VW Bug 1033 Red VW Bug 1039 White truck 1129 White truck 1415 Green Subaru 1424 Gray sedan 1455 Green Subaru 1718 White truck 1725 White truck 1955 White truck	20 0728 Gray sedan 0752 White truck 0846 White truck 0904 White truck 0942 Black truck 1043 White truck pest control 1105 White truck pest control 1157 Red VW Bug 1350 Gray sedan 1417 White Mini cooper 1658 Red VW 2028 Blk truck	21 1133 Dark gray hatchback 1146 Black truck 1232 Dark gray hatchback 1240 Gray SUV 1642 Gray SUV 2112 White truck

22	0803 White truck 1107 Gray SUV 1200 Black truck 1251 Gray SUV 1356 Gray SUV 1457 Green Subaru 1507 Gray SUV 1537 Green Subaru 1828 Red VW 1830 White Mini Cooper 2156 White truck	23	0617 White truck 0727 Gray sedan 0728 White truck 0732 White truck 0901 Gray sedan 0934 Gray sedan 1222 White truck 1234 White truck 1258 Gray sedan 1319 Green Subaru 1328 Black truck 1518 Black truck 2145 White truck	24	0726 Gray sedan 0745 Green Subaru 0821 White truck 1011 White truck 1021 White truck 1324 Gray sedan 1503 Black truck 1521 Blue Sedan 1743 Blue Sedan 2206 White truck 2229 Black truck	25	0649 Black truck 0721 Green Subaru 0802 Gray sedan 0815 White truck 0849 Green Subaru 1151 Gray sedan 1448 Gray sedan 1454 White truck 1654 Black truck 1824 Black sedan 1958 Black sedan 2053 Black sedan 2119 White truck	26		27		28	
29		30											

<u>9/25 Cont</u>		<u>9/30 Cont</u>	
2023	Blk sedan	1555	Wht sedan
		1558	" "
<u>9/30</u>		1718	Blk sedan
0313	DK trk	1719	Wht trk
0319	" "	2033	Wht trk
0706	Blk sed		
0752	Gry sed.	1011	
0902	Wht trk	0711	Wht trk
0920	" "	0820	Blk sed.
0932	" "	0823	Gry sed.
1015	Gry sed	1024	Wht trk
1059	" "	1244	" "
⁵¹ 123	Blk sed	1251	Gry sedan
1352	Wht trk	1259	Blk sed
1400	Gry sed	1341	Wht trk
1509	Blk sed.	1502	Gry sed
1521	Wht trk	1507 ^{silver}	Wht trk
		1529	Gry sed.

<u>10/1 Cont.</u>		<u>10/2 Cont.</u>	
1532	Slvr/Wht trk	1923	Gm Sub
1710	Wht trk	1931	" "
1725	Blk sed.		
1920	Blk trk	10/3	
2008	Blk sed	0745	Gry Sedan
2009	Wht trk	0814	Blk Sedan
		0824	Wht trk
10/2		0829	Slv/Wht trk
0720	Gry sedan	0833	" " "
0723	Wht trk	0954	Wht trk
0904	Gm Sub	1013	Gry Sed.
1412	Gry sed.	1034	Wht trk
1425	Blue Hatch	1244	Gry Sed.
1634	" "	1316	Gry sed.
1723	Wht trk		

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9/25	9/26
0649 Blk trk	0219 Blk sed
0721 Grn Sub	0642 Wht trk
0802 Gry Sed.	0812 " "
0815 Wht trk	0832 Gry Sed.
0849 Grn Sub	0855 Blk trk
1151 Gry Sed.	0953 Wht trk
1448 Gry Sed.	1122 " "
1454 Wht trk	1145 " "
1654 Blk trk	1153 " "
1824 Blk sed	1429 " "
1958 Gry Blk Sed.	1500 Gry sed.
2053 Blk sed.	1608 Wht sed.
2119 Wht trk	1902 Blk trk w/boat
2230	2053 Blk trk
	2212 Wht trk

<u>9/27</u>	<u>9/28 Cont</u>
0716 Wht trk	1103 Wht trk
0758 Gry Sed.	1315 Blk sed.
0826 Wht trk	1445 " "
0908 Blk trk	1526 Gry sed.
1413 Wht trk	1841 Grn Sub
1449 " "	2136 Blk trk
1614 " "	
1629 Gry Sed.	<u>9/29</u>
1821 Blk trk	0905 Gry Sed.
1837 off road veh. ATV	1142 DK Blue trk
2139 Wht trk	1155 " " "
2322 A TV	1234 Blk sed
	1410 Gry Sedan
<u>9/28</u>	1443 Wht trk
0735 Wht trk	1609 Blk sed
0839 Gry sed.	1642 " "

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10/3	Cont
1353	Silver sed
1355	Wht SUV
1429	" "
1700	Blk sedan
1709	Wht trk
1713	" "
1907	Grn ^{Sub} sed
1938	Blk sedan
2230	ATV
10/4	
1103	Gry Sed.
1300	Gry Sed
1454	" "
1854	Grn Sub
1900	" "
2135	Wht trk

Exhibit 3

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AJ Construction
Joseph Jakubowski, Owner
9297 Riverview Drive
Lower Lake, CA 95457
707-995-1535

April 18, 2019

Re: Road Encroachment/Clearing for access road:
15232 Spruce Grove Road, APN: 013-060-18

Inspected abutment for North-Western end of property, as described in the **CORNER RECORD, Parcel 2, Book 34 PM 19, for the property listed as 15232 Spruce Grove Road, Lower Lake, California**, as determined by dk CONSULTING, Walnut Creek, California, in June 2014, and registered at Lake County Records. The potential access was defined as **N19° 06'02" E 30.72'** (searched for marker but not found). The measured distance between the aforementioned monument marker, to the southmost marker, described as, "**1/2" REBAR LS 4058,**" is 121 feet. The following is what is needed to create a roadway onto Spruce Grove Road at this point:

Removing trees/scrub brush
Rough cut and grade to create access
Lay roadway gravel to surface road for encroachment
Owner-builder permit required for encroachment

Revised Work Estimate - \$20,000.-25,000.



Joseph Jakubowski

4/18/19

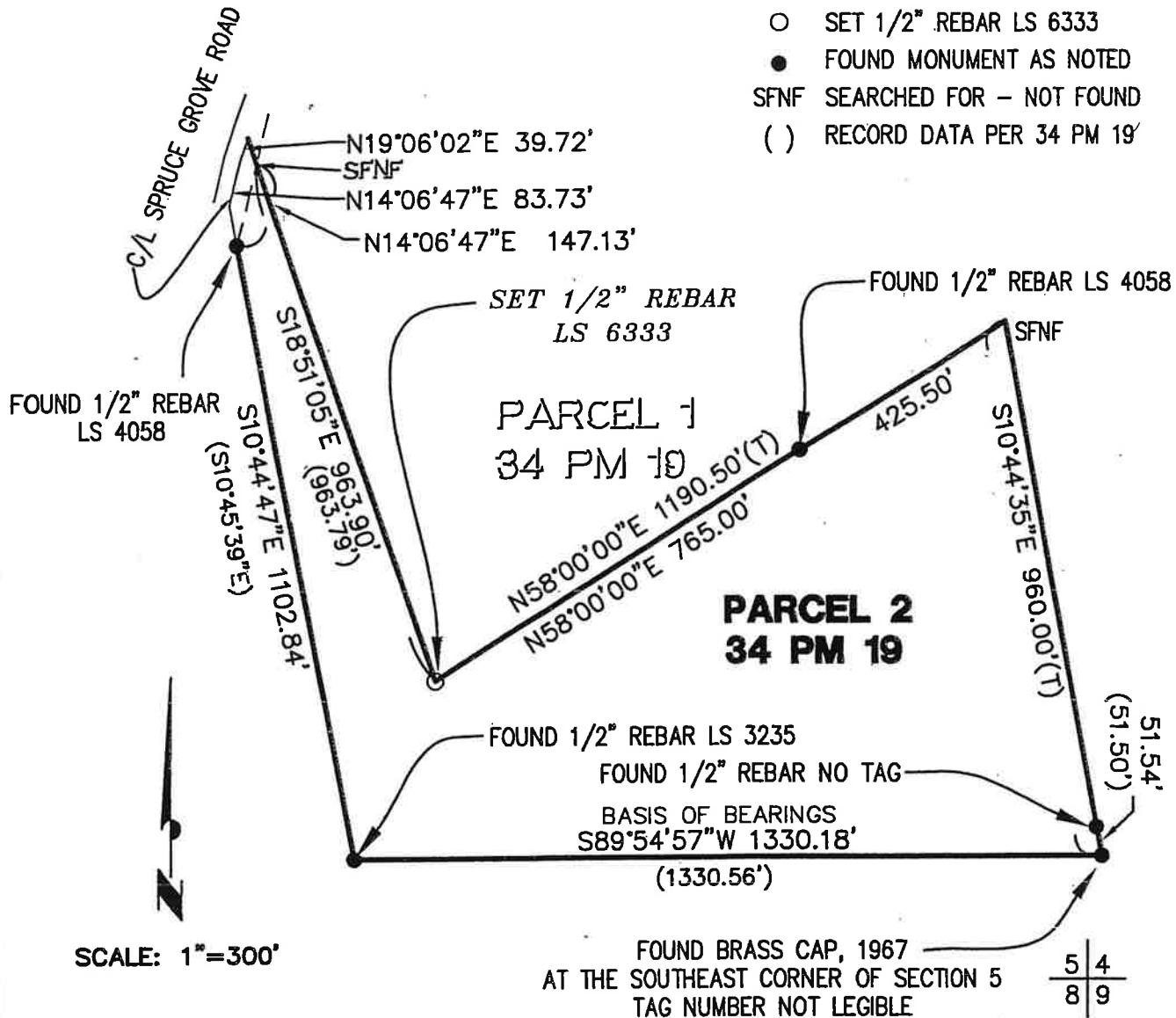
Date

Exhibit 4

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LEGEND

- SET 1/2" REBAR LS 6333
- FOUND MONUMENT AS NOTED
- SFNF SEARCHED FOR - NOT FOUND
- () RECORD DATA PER 34 PM 19



BASIS OF BEARINGS

TAKEN AS: N 89°54'57" E BETWEEN FOUND SECTION CORNER AND REBAR LS 3235, AS SHOWN ON THE PARCEL MAP, FILED IN BOOK 34 OF PARCEL MAPS AT PAGE 19, LAKE COUNTY RECORDS.



CORNER RECORD

PARCEL 2, BOOK 34 PM 19
15232 Spruce Grove Rd
LAKE COUNTY CALIFORNIA

JUNE 2014

DRAWN BY: MJM

CORNER RECORD

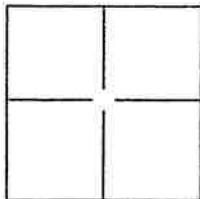
Document Number

PM-79

City of _____

County of Lake

California

Brief Legal Description Parcel 2, Book 34 Parcel Maps at Page 19**CORNER TYPE****COORDINATES(Optional)**Government Corner ☐Control ☐Meander ☐Property ☒Rancho ☐Other ☐

Date of Survey _____

N. _____

E. _____

Zone _____ NAD27 ☐ NAD83 ☐

NAD83 Epoch _____

Elev. _____

Vert. Datum: NGVD29

NADV88 ☐Meas. Units: Metric ☐Imperial ☐**Corner -**Left as found ☒Found and tagged ☐Established ☐Reestablished ☒Rebuilt ☐

Identification and type of corner found: Evidence used to identify or procedure used to establish or reestablish the corner:

FOUND PROPERTY CORNERS AS SHOWN ON THE PARCEL MAP AT NW, SW, SE AND POINT ON THE NORTH LINE.

A description of the physical condition of the monument as found and as set or reset: _____

THE ANGLE POINTS ON THE NORTH LINE WERE SEARCHED FOR AND NOT FOUND. SET A REBAR AND CAP LS 6333 AT THE SW END OF LINE DELINEATED AS N 58°00'00"E 765.00'.

SURVEYOR'S STATEMENTThis Corner Record was prepared by me or under my direction in conformance with the Land Surveyor's Act on 11/19, 12.Signed [Signature]

P.L.S. or R.C.E. No.:

LS 6333**COUNTY SURVEYOR'S STATEMENT**This Corner Record was received January 23, 2017 and examined and filed January 25, 2017.Signed Gordon M. Haggitt

P.L.S. or R.C.E. No.:

6352Title County Surveyor

County Surveyor's Comment _____

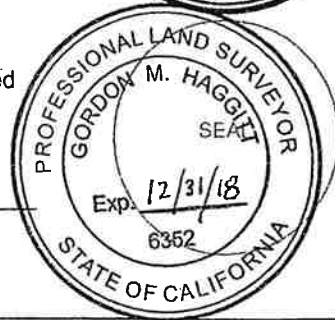
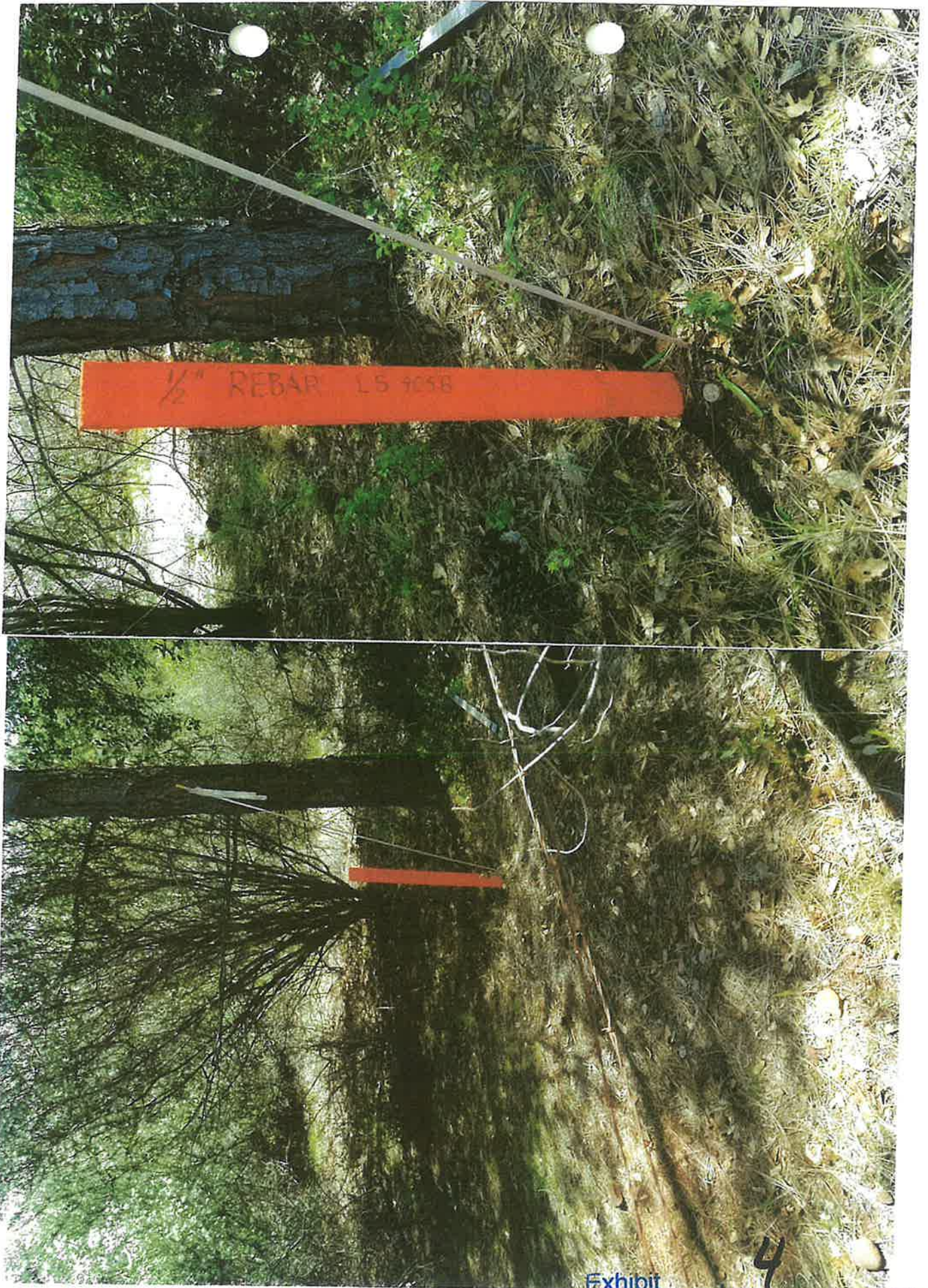
Exhibit 4Page 3 of 6



Exhibit 4

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Exhibit

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Exhibit
This aerial view of 15232 Spruce Grove Road, Lower Lake was taken 18 July 2019, and represents the fact that Will Dawson currently has 419 Cannabis plants in full bloom. Please note that his crop appears to be heading towards our property line.



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

21095 STATE HIGHWAY 175
MIDDLETOWN, CALIFORNIA 95461
(707) 987-3089
Website: www.fire.ca.gov

June 12th, 2018

Mark Roberts
Associate Planner
County of Lake
Community Development Department
255 North Forbes Street
Lakeport, California 95453

Subject: Major Use Permit UP 18-23 – M-Type 3, Initial Study, IS 18-28 and Early Activation, EA 18-18

APN(s): 013-060-18
15232 Spruce Grove Road, Lower Lake CA

Mark,

The Sonoma-Lake-Napa Unit has received the Request for Review for the above referenced project. After review, it is determined that this project is within the State Responsibility Area of the State of California as defined in Public Resources Code Sections 4125 thru 4127.

The Director of the Department of Forestry and Fire Protection has designated the Fire Hazard Severity Zone for this project area as being classified as:

- ☐ Very High
☒ High,
☐ Moderate

*Per Public Resources Code Sections 4201 thru 4204.

As such, this project shall adhere as applicable to the following Public Resources Code and Title 14 California Code of Regulation Sections:

☒ **Public Resources Code 4290**

- Road Standards
- Standards for identifying streets, roads and buildings
- Minimum private water supplies for emergency water use (Wildland Fires)
- Fuel Breaks and Greenbelts

Exhibit 6

"The Department of Forestry and Fire Protection serves and safeguards the people and protects the property and resources of California."

Page 1 of 1

West's Annotated California Codes

Public Resources Code (Refs & Annos)

Division 4. Forests, Forestry and Range and Forage Lands (Refs & Annos)

Part 2. Protection of Forest, Range and Forage Lands (Refs & Annos)

Chapter 3. Mountainous, Forest-, Brush- and Grass-Covered Lands (Refs & Annos)

West's Ann.Cal.Pub.Res.Code § 4290

§ 4290. Regulations implementing minimum fire safety standards related to defensible space applicable to state responsibility area lands

Effective: January 1, 2019

Currentness

(a) The board shall adopt regulations implementing minimum fire safety standards related to defensible space that are applicable to state responsibility area lands under the authority of the department, and to lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code. These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code after July 1, 2021. The board may not adopt building standards, as defined in Section 18909 of the Health and Safety Code, under the authority of this section. As an integral part of fire safety standards, the State Fire Marshal has the authority to adopt regulations for roof coverings and openings into the attic areas of buildings specified in Section 13108.5 of the Health and Safety Code. The regulations apply to the placement of mobile homes as defined by National Fire Protection Association standards. These regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991, if the final map for the tentative map is approved within the time prescribed by the local ordinance. The regulations shall include all of the following:

- (1) Road standards for fire equipment access.
- (2) Standards for signs identifying streets, roads, and buildings.
- (3) Minimum private water supply reserves for emergency fire use.
- (4) Fuel breaks and greenbelts.

(b) The board shall, on and after July 1, 2021, periodically update regulations for fuel breaks and greenbelts near communities to provide greater fire safety for the perimeters to all residential, commercial, and industrial building construction within state responsibility areas and lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code, after July 1, 2021. These regulations shall include measures to preserve undeveloped ridgelines to reduce fire risk and improve fire protection. The board shall, by regulation, define "ridgeline" for purposes of this

subdivision.

(c) These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

(d) The board may enter into contracts with technical experts to meet the requirements of this section.

Credits

(Added by Stats.1987, c. 955, § 2. Amended by Stats.1989, c. 60, § 1, eff. June 28, 1989; Stats.2018, c. 626 (S.B.901), § 9, eff. Jan. 1, 2019.)

West's Ann. Cal. Pub. Res. Code § 4290, CA PUB RES § 4290
Current with all laws through Ch. 870 of 2019 Reg.Sess.
End of Document

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KeyCite Yellow Flag - Negative Treatment

Proposed Legislation

West's Annotated California Codes

Public Resources Code (Refs & Annos)

Division 4. Forests, Forestry and Range and Forage Lands (Refs & Annos)

Part 2. Protection of Forest, Range and Forage Lands (Refs & Annos)

Chapter 3. Mountainous, Forest-, Brush- and Grass-Covered Lands (Refs & Annos)

West's Ann.Cal.Pub.Res.Code § 4291

§ 4291. Buildings and structures

Effective: January 1, 2019

Currentness

(a) A person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material, shall at all times do all of the following:

(1) Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line except as provided in paragraph (2). The 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.

Exhibit

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(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 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 that are fire resistant or drought tolerant, or both, 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

Exhibit 7

corporation.

Credits

(Added by Stats.1965, c. 1144, p. 2838, § 9.6. Amended by Stats.1969, c. 688, p. 1356, § 1; Stats.1976, c. 1300, p. 5830, § 58; Stats.1979, c. 1152, p. 4319, § 214; Stats.2004, c. 720 (S.B.1369), § 2; Stats.2005, c. 260 (S.B.502), § 3; Stats.2005, c. 346 (A.B.1718), § 2.5; Stats.2008, c. 366 (S.B.1595), § 8; Stats.2009, c. 140 (A.B.1164), § 155; Stats.2009, c. 208 (S.B.833), § 4; Stats.2018, c. 641 (A.B.2911), § 7, eff. Jan. 1, 2019.)

West's Ann. Cal. Pub. Res. Code § 4291, CA PUB RES § 4291
Current with all laws through Ch. 870 of 2019 Reg.Sess.

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14 CAADC § 1270.01

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Article 1. Administration

14 CCR § 1270.01

§ 1270.01. Purpose.

(a) These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area (SRA).

(b) The future design and construction of structures, subdivisions and developments in the SRA shall provide for basic emergency access and perimeter wildfire protection measures as specified in the following articles.

(c) These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification. The fire protection standards which follow shall specify the minimums for such measures.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).

2. Amendment filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

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14 CCR § 1270.01, 14 CAADC § 1270.01

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14 CAADC § 1270.02

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14 CCR § 1270.02

§ 1270.02. Scope.

(a) These regulations shall apply to:

- (1) the perimeters and access to all residential, commercial, and industrial building construction within the SRA approved after January 1, 1991 except as set forth below in subsection (b.);
- (2) the siting of newly installed commercial modulars, manufactured homes, mobilehomes, and factory-built housing, as defined in Health and Safety Code sections 18001.8, 18007, 18008, and 19971;
- (3) all tentative and parcel maps or other developments approved after January 1, 1991; and
- (4) applications for building permits on a parcel approved in a pre-1991 parcel or tentative map to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative map.

(b) These regulations do not apply where an application for a building permit is filed after January 1, 1991 for building construction on a parcel that was formed from a parcel map or tentative map (if the final map for the tentative map is approved within the time prescribed by the local ordinance) approved prior to January 1, 1991, to the extent that conditions relating to the perimeters and access to the buildings were imposed by the parcel map or final tentative map approved prior to January 1, 1991.

(c) Affected activities include, but are not limited to:

- (1) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d);
- (2) application for a building permit for new construction, not relating to an existing structure;
- (3) application for a use permit;
- (4) road construction, including construction of a road that does not currently exist, or extension of an existing road.



(d) EXEMPTION: Roads used solely for agricultural, mining, or the management and harvesting of wood products.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

- 1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).
- 2. Amendment filed 1-31-2013; operative 4-1-2013 (Register 2013, No. 5).
- 3. Amendment filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

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14 CA ADC § 1270.03

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Article 1. Administration

14 CCR § 1270.03

§ 1270.03. Provisions for Application of These Regulations.

This subchapter shall be applied as follows:

(a) the local jurisdictions shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE) or their designee with notice of applications for building permits, tentative parcel maps, tentative maps, and installation or use permits for construction or development within the SRA.

(b) the Director or their designee may review and make fire protection recommendations on applicable construction or development permits or maps provided by the local jurisdiction.

(c) the local jurisdiction shall ensure that the applicable sections of this subchapter become a condition of approval of any applicable construction or development permit or map.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).
2. Amendment of section and Note filed 1-31-2013; operative 4-1-2013 (Register 2013, No. 5).
3. Amendment of section heading and section filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

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14 CA ADC § 1270.04

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14 CCR § 1270.04

§ 1270.04. Local Ordinances.

(a) Nothing contained in these regulations shall be considered as abrogating the provisions of any ordinance, rule or regulation of any state or local jurisdiction provided that such ordinance, rule, regulation or general plan element is equal to or more stringent than these minimum standards.

(b) The Board may certify local ordinances as equaling or exceeding these regulations when they provide the same practical effect.

(c) Counties may submit their local ordinances for certification via email to the Board.

(d) The Board's certification of local ordinances pursuant to this section is rendered invalid when previously certified ordinances are subsequently amended by local jurisdictions without Board re-certification of the amended ordinances. The Board's regulations supersede the amended local ordinance(s) when the amended local ordinance(s) are not re-certified by the Board. Amendments made by local jurisdictions to previously certified ordinances shall be submitted for re-certification.

Note: Authority cited: Sections 4111 and 4290, Public Resources Code. Reference: Sections 4117 and 4290, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).
2. Amendment of subsection (b) filed 1-31-2013; operative 4-1-2013 (Register 2013, No. 5).
3. Amendment of section heading, section and Note filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

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14 CA ADC § 1270.06

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14 CCR § 1270.06

§ 1270.06. Exceptions to Standards.

(a) Upon request by the applicant, exceptions to standards within this subchapter or to local jurisdiction certified ordinances may be allowed by the inspection entity listed in 14 CCR § 1270.05, where the exceptions provide the same practical effect as these regulations towards providing defensible space. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be made on a case-by-case basis only. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be forwarded to the appropriate CAL FIRE Unit Office that administers SRA fire protection in that county and shall be retained on file at the Unit Office.

(b) Requests for an exception shall be made in writing to the inspection entity listed in 14 CCR § 1270.05 by the applicant or the applicant's authorized representative. At a minimum, the request shall state the specific section(s) for which an exception is requested, material facts supporting the contention of the applicant, the details of the exception proposed, and a map showing the proposed location and siting of the exception. Local jurisdictions listed in 14 CCR section 1270.05 may establish additional procedures or requirements for exception requests.

(c) Where an exception is not granted by the inspection entity, the applicant may appeal such denial to the local jurisdiction. The local jurisdiction may establish or utilize an appeal process consistent with existing local building or planning department appeal processes.

(d) Before the local jurisdiction makes a determination on an appeal, the inspection authority shall be consulted and shall provide to that local jurisdiction documentation outlining the effects of the requested exception on wildfire protection.

(e) If an appeal is granted, the local jurisdiction shall make findings that the decision meets the intent of providing defensible space consistent with these regulations. Such findings shall include a statement of reasons for the decision. A written copy of these findings shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in that local jurisdiction.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).
2. Amendment filed 1-31-2013; operative 4-1-2013 (Register 2013, No. 5).
3. Amendment of section heading and section filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

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Article 1. Administration

14 CCR § 1271.00

§ 1271.00. Definitions.

Agriculture: Land used for agricultural purposes as defined in a local jurisdiction's zoning ordinances.

Building: Any structure used or intended for supporting or sheltering any use or occupancy, except Utility and Miscellaneous Group U buildings.

CAL FIRE: California Department of Forestry and Fire Protection.

Dead-end road: A road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

Defensible space: The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, road names and building identification, and fuel modification measures.

Development: As defined in section 66418.1 of the California Government Code.

Director: Director of the Department of Forestry and Fire Protection or their designee.

Driveway: A vehicular access that serves up to two (2) parcels with no more than two (2) residential units and any number of non-commercial or industrial buildings on each parcel.

Distance Measurements: All specified or referenced distances are measured along the ground, unless otherwise stated.

Exception: An alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.

Fire valve: see hydrant.

Fuel modification area: An area where the volume of flammable vegetation has been reduced, providing reduced fire intensity and duration.

Greenbelts: A facility or land-use, designed for a use other than fire protection, which will slow or resist the spread of a wildfire. Includes parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards or annual crops that do not cure in the field.

Hammerhead/T: A road or driveway that provides a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road that serves it.

Hydrant: A valved connection on a water supply or storage system, having either one two and a half (2 1/2) inch or one four and a half (4 1/2) inch outlet, with male American National Fire Hose Screw Threads (NH), used to supply fire apparatus and hoses with water.

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Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that issues or approves building permits, use permits, tentative maps or tentative parcel maps, or has authority to regulate development and construction activity.

Occupancy: The purpose for which a building, or part thereof, is used or intended to be used.

One-way road: A minimum of one traffic lane width designed for traffic flow in one direction only.

Residential unit: Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and/or sanitation for one or more persons. Manufactured homes, mobilehomes, and factory-built housing are considered residential units for the purposes of mandatory measures required in 14 CCR § 1270.01(c).

Road: Vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

Road or driveway structures: Bridges, culverts, and other appurtenant structures which supplement the traffic lane or shoulders.

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

- (a) access for emergency wildland fire equipment,
 - (b) safe civilian evacuation,
 - (c) signing that avoids delays in emergency equipment response,
 - (d) available and accessible water to effectively attack wildfire or defend a structure from wildfire, and
 - (e) fuel modification sufficient for civilian and fire fighter safety.
- Shoulder: Vehicular access adjacent to the traffic lane.

State Board of Forestry and Fire Protection (Board): As defined in Public Resources Code section 730.

State Responsibility Area (SRA): As defined in Public Resources Code sections 4126-4127; and the California Code of Regulations, title 14, division 1.5, chapter 7, article 1, sections 1220-1220.5.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Subdivision: As defined in section 66424 of the Government Code.

Traffic lane: The portion of a road or driveway that provides a single line of vehicle travel.

Turnaround: A road or driveway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be a hammerhead/T or terminus bulb.

Turnouts: A widening in a road or driveway to allow vehicles to pass.

Utility and Miscellaneous Group U building: A structure of an accessory character or a miscellaneous structure not classified in any specific occupancy permitted, constructed, equipped, and maintained to conform to the requirements of Title 24, California Building Standards Code.

Vertical clearance: The minimum specified height of a bridge or overhead projection above the road or driveway.

Wildfire: As defined in Public Resources Code Section 4103 and 4104.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).
2. Amendment filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

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Article 2. Emergency Access and Egress

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[§ 1273.04. Radius.](#)

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14 CA ADC § 1273.00

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Subchapter 2. SRA Fire Safe Regulations

Article 2. Emergency Access and Egress

14 CCR § 1273.00

§ 1273.00. Intent.

Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).
2. Amendment of article heading filed 4-27-2015; operative 1-1-2016 (Register 2015, No. 18).
3. Amendment filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

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14 CCR § 1273.00, 14 CA ADC § 1273.00

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[Home](#) [Table of Contents](#)**§ 1273.01. Width.**

14 CA ADC § 1273.01

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Article 2. Emergency Access and Egress

14 CCR § 1273.01

§ 1273.01. Width.

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.

(b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.

(2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).

2. Amendment filed 4-27-2015; operative 1-1-2016 (Register 2015, No. 18).

3. Amendment of section heading and section filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

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14 CA ADC § 1273.05

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14 CCR § 1273.05

§ 1273.05. Turnarounds.

(a) Turnarounds are required on driveways and dead-end roads.

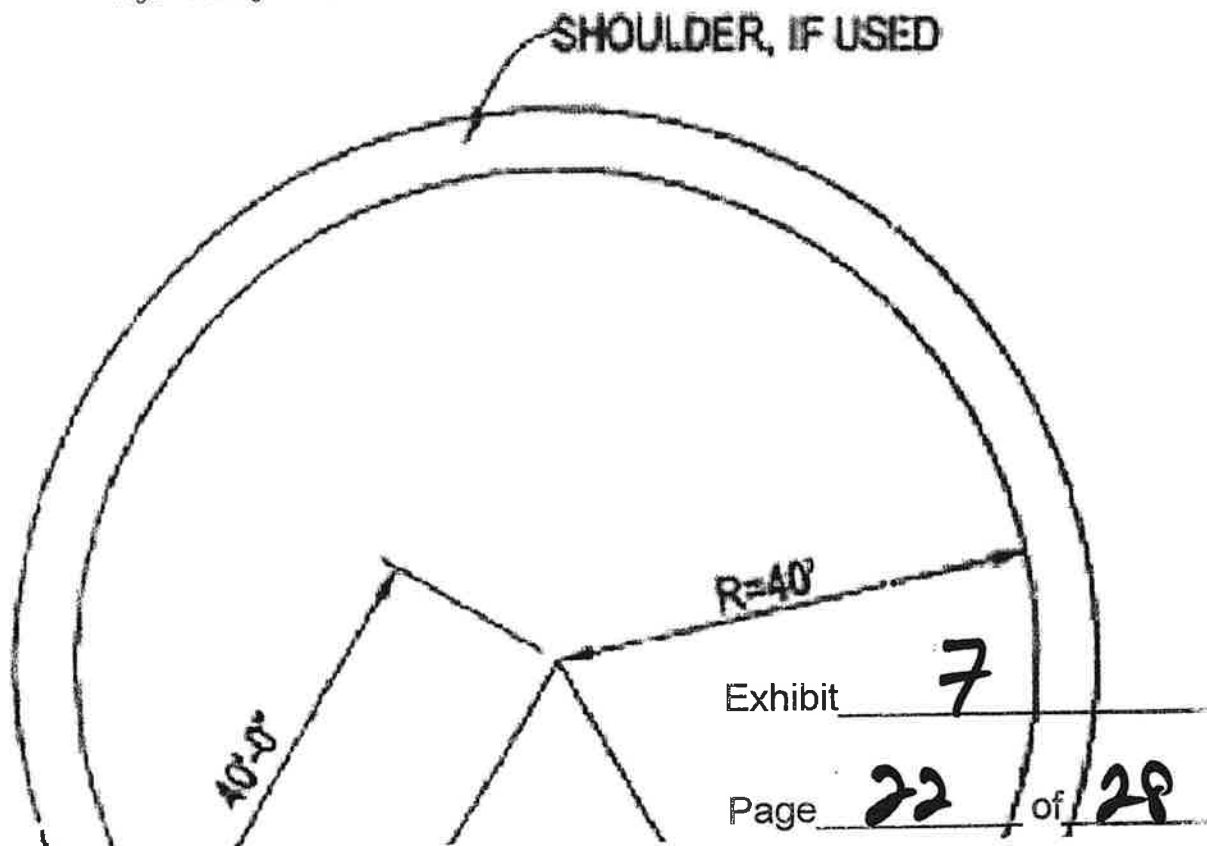
(b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.

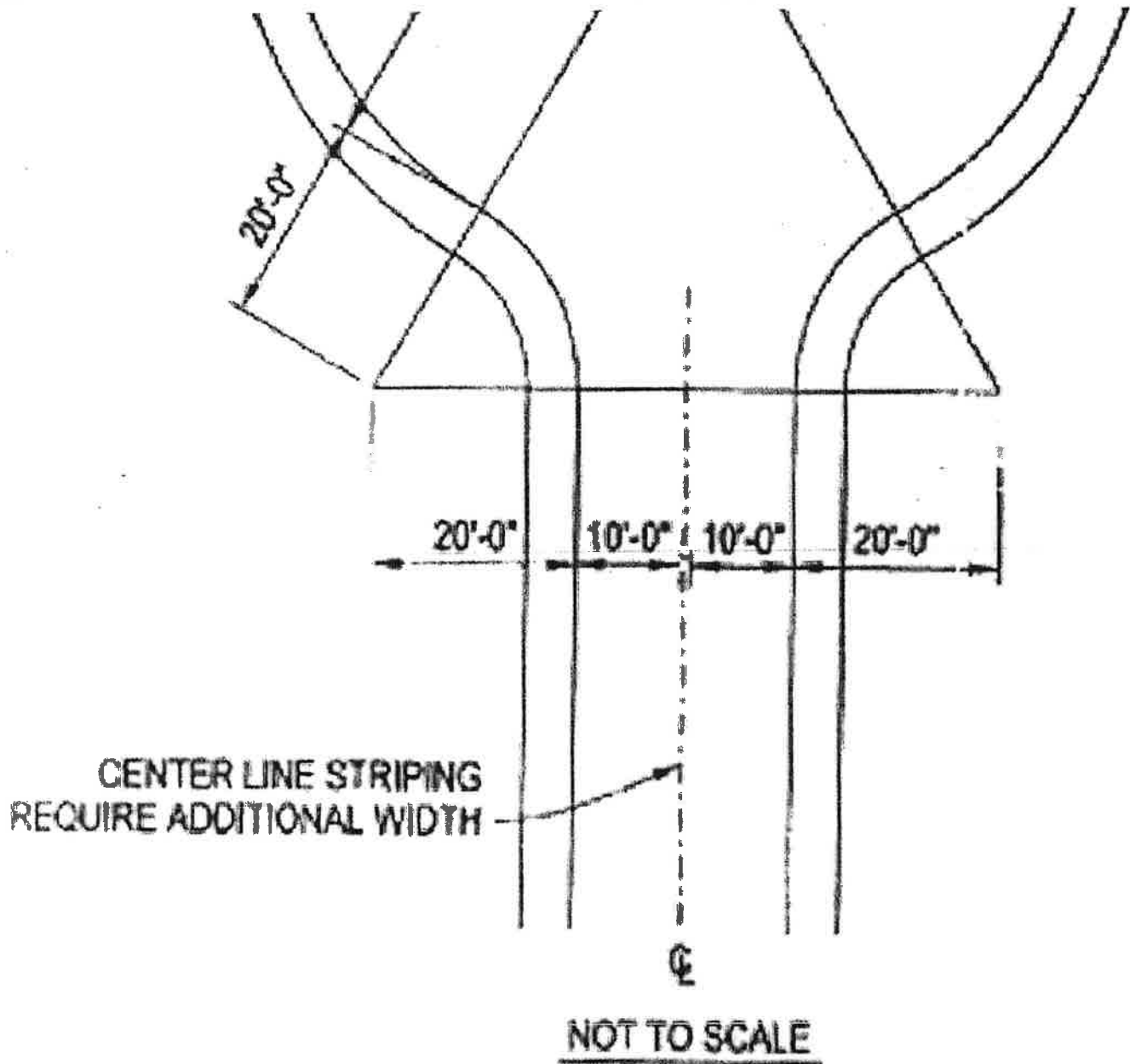
(c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.

(d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.

(d) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.

(e) Figure A. Turnarounds on roads with two ten-foot traffic lanes.

Figure A/Image 1 is a visual representation of paragraph (b).



(f) Figure B. Turnarounds on driveways with one ten-foot traffic lane.

Figure B/Image 2 is a visual representation of paragraph (b).

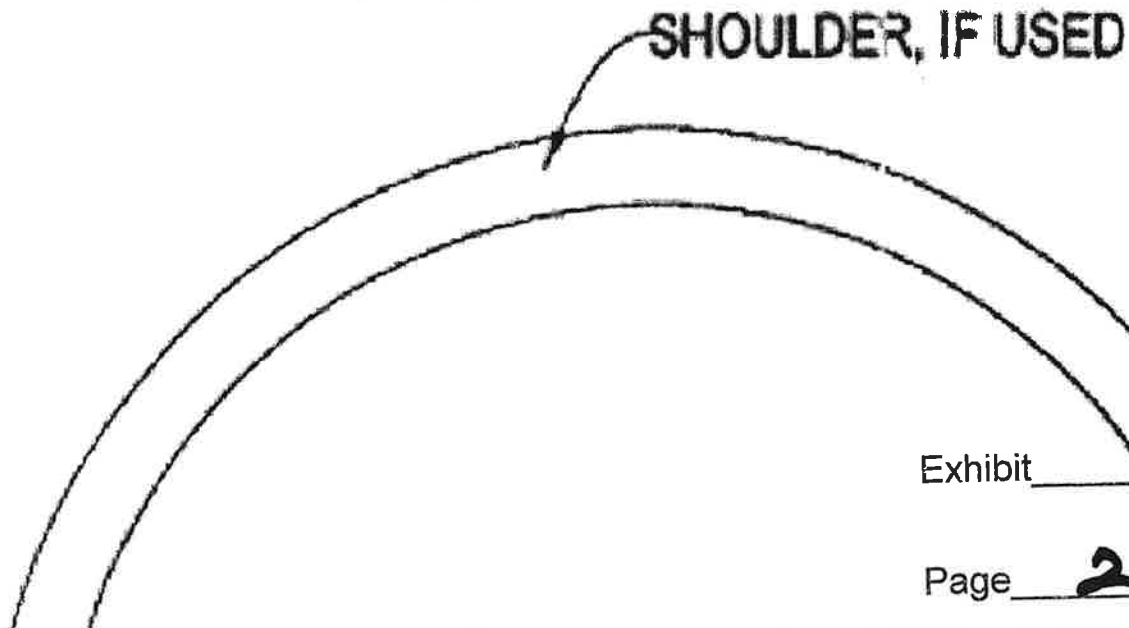
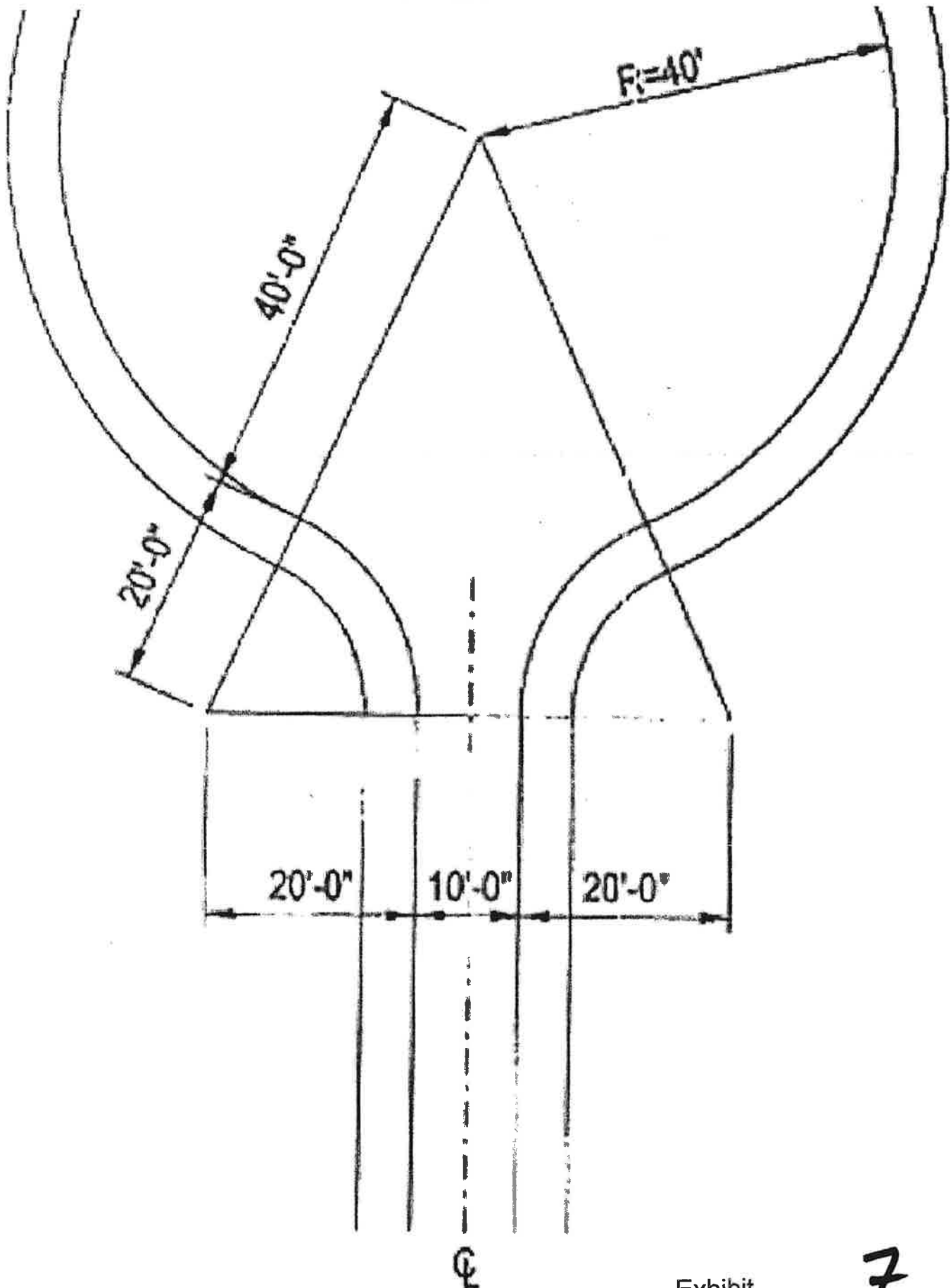


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Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).
2. Amendment of section and new illustration filed 4-27-2015; operative 1-1-2016 (Register 2015, No. 18).
3. Amendment of section heading and section filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

This database is current through 12/27/19 Register 2019, No. 52

14 CCR § 1273.05, 14 CA ADC § 1273.05

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Exhibit 7
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WESTLAW California Code of Regulations

[Home](#) [Table of Contents](#)

§ 1273.06. Turnouts.

14 CA ADC § 1273.06

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations Currentness

Title 14. Natural Resources

Division 1.5. Department of Forestry and Fire Protection

Chapter 7. Fire Protection [FNA2]

Subchapter 2. SRA Fire Safe Regulations

Article 2. Emergency Access and Egress

14 CCR § 1273.06

§ 1273.06. Turnouts.

Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).
2. Amendment filed 4-27-2015; operative 1-1-2016 (Register 2015, No. 18).
3. Amendment of section heading filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

This database is current through 12/27/19 Register 2019, No. 52

14 CCR § 1273.06, 14 CA ADC § 1273.06

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Exhibit 7

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THOMSON REUTERS

WESTLAW California Code of Regulations

[Home](#) [Table of Contents](#)**§ 1273.08. Dead-end Roads.**

14 CA ADC § 1273.08

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 1.5. Department of Forestry and Fire Protection

Chapter 7. Fire Protection [FNA2]

Subchapter 2. SRA Fire Safe Regulations

Article 2. Emergency Access and Egress

14 CCR § 1273.08

§ 1273.08. Dead-end Roads.

(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

parcels zoned for less than one acre - 800 feet

parcels zoned for 1 acre to 4.99 acres - 1,320 feet

parcels zoned for 5 acres to 19.99 acres - 2,640 feet

parcels zoned for 20 acres or larger - 5,280 feet

All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.

(b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).

2. Amendment filed 4-27-2015; operative 1-1-2016 (Register 2015, No. 18).

3. Amendment of section heading and section filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

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14 CCR § 1273.08, 14 CA ADC § 1273.08

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THOMSON REUTERS

WESTLAW California Code of Regulations[Home Table of Contents](#)**§ 1273.09. Gate Entrances.**

14 CA ADC § 1273.09

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONSBarclays Official California Code of Regulations Currentness

Title 14. Natural Resources

Division 1.5. Department of Forestry and Fire Protection

Chapter 7. Fire Protection [FNA2]

Subchapter 2. SRA Fire Safe Regulations

Article 2. Emergency Access and Egress

14 CCR § 1273.09

§ 1273.09. Gate Entrances.

(a) Gate entrances shall be at least two (2) feet wider than the width of the traffic lane(s) serving that gate and a minimum width of fourteen (14) feet unobstructed horizontal clearance and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

(b) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(c) Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used.

(d) Security gates shall not be installed without approval. Where security gates are installed, they shall have an approved means of emergency operation. Approval shall be by the local authority having jurisdiction. The security gates and the emergency operation shall be maintained operational at all times.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

HISTORY

1. New section filed 5-30-91; operative 5-30-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 27).

2. Amendment of section heading and section filed 9-6-2019; operative 1-1-2020 (Register 2019, No. 36).

This database is current through 12/27/19 Register 2019, No. 52

14 CCR § 1273.09, 14 CA ADC § 1273.09

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Exhibit 7

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LAKE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF ISSUANCE OF CANNABIS CULTIVATION PERMIT

Date: June 26, 2018

Cultivation Permit Applicant: William Dawson

Applicant Address: 15232 Spruce Grove Road, Lower Lake, CA 95457

Permit Number: UP 18-23 – Early Activation, EA 18-19

Permit Location: 15232 Spruce Grove Road, Lower Lake

Cultivation Site Assessor's Parcel No. (APN) 013-060-18

Type of Cultivation Permitted (outdoor, indoor, or mixed-light) Outdoor

The Community Development Department has Determined the Square Footage
Subject to Taxation Pursuant to Lake County Ordinance No. 3047 is

43,560

Total Tax Due: \$ 22,436.38

Date of Permit Issuance: June 26, 2018

PAID

JUN 28 2018

CO. OF LAKE
TREASURY / TAX COLLECTOR

FOR COMPLETION BY THE TAX COLLECTOR - ORIGINAL RETAINED
BY TAX COLLECTOR AND COPY SENT TO COMMUNITY
DEVELOPMENT

Tax Payment Received On 6/28/18

Amount Received 22,436.38

Copy of this Form Sent to the Community Development Department on

6/28/18 by [Signature]

Permit Effective as of 6/28/18

Exhibit 8

Page 1 of 1



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

Receipt No.: 49277
Receipt Date: 04/18/2019

RECEIPT

RECORD & PAYER INFORMATION

Record ID: AB19-02
Record Type: Planning Entitlement
Property Address: 15232 SPRUCE GROVE RD, MIDDLETOWN 95461
Parcel Number: 013-060-18
Description of Work: Appeal to Board of Supervisors for UP 18-23
Job Value: \$0.00
Payer: Ewing and Associates
Applicant: Antonio Guerra
, CA
Owner: MILLER LAURA A

PAYMENT DETAIL

Date	Payment Method	Reference	Cashier	Comments	Amount
04/18/2019	Check	4726	COUNTER		\$1,136.30

FEE DETAIL

Fee Description	Account Code	Fee Amount	Current Paid
Appeal to the Board	001-2702-492.79-90	\$1,000.00	\$1,000.00
Appeal to the Board	001-1908-492.79-90	\$65.00	\$65.00
General Plan Maintenance	001-2702-461.66-21	\$50.00	\$50.00
Technology Recovery 2% Cost	001-2702-461.66-19	\$21.30	\$21.30
		<u>\$1,136.30</u>	<u>\$1,136.30</u>

Andre M. Ross

From: Andre M. Ross <ross@lakeportlawyers.com>
Sent: Tuesday, April 30, 2019 16:07
To: 'Eric Porter'
Subject: RE: Guerra Appeal Re Dawson MUP 18-23

Mr. Porter:

We will gratefully accommodate CDD's planning and permitting process.

The Guerras' unavailability due to pre-planned travel was not intentional.

The Guerras' appeal is not seeking to halt the neighbor's project.

The Guerras' hope to see the project succeed with the benefit of a code-compliant, fire-safe and dedicated commercial driveway.

Please let me know if/when my office can be of further assistance.

Thank you.

Sincerely,

Andre M. Ross

Andre M. Ross for
EWING & ASSOCIATES
P.O. Box 400
995 South Main Street
Lakeport, California 95453
Tel: (707) 263-6400
Fax: (707) 263-7047
E-M: ross@lakeportlawyers.com
www.lakeportlawyers.com
<http://www.lakeportlawyers.com/andre-ross.asp>

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Exhibit 10
Page 1 of 4

Thank you.

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From: Eric Porter [<mailto:Eric.Porter@lakecountyca.gov>]

Sent: Tuesday, April 30, 2019 15:36

To: ross@lakeportlawyers.com

Subject: RE: Guerra Appeal Re Dawson MUP 18-23

Good afternoon Mr. Ross,

We have received your email dated April 30, 2019, 11:10 am. Enclosed was Mr. Guerra's request to delay the hearing until the Guerra's return from their vacation on or after June 25, 2019. Attached to the email were a construction estimate for grading what appears to be a new driveway onto the Cowan property, and a receipt for the appeal that was filed by you on behalf of Mr. Guerra.

Given the notification period coupled with my time preparing the appeal Memo to the Board, it's possible that the Guerra's requested hearing time frame could be in line with the time-frame that would have otherwise occurred without a request for delayed hearing. We shall see.

Take care,

Eric Porter
County of Lake
Community Development Department

From: Andre M. Ross [<mailto:ross@lakeportlawyers.com>]

Sent: Tuesday, April 30, 2019 11:10 AM

To: Eric Porter <Eric.Porter@lakecountyca.gov>

Subject: Guerra Appeal Re Dawson MUP 18-23

Mr. Porter:

Exhibit 10

Page 2 of 4

It has been a number of days since you and I last touched base with respect the Dawson MUP 18-23 Commercial Cannabis Project ("CC Project"). I understood from an earlier e-mail received that you were going to be out of the office for a number of days. I hope that this e-mail finds you back in the office hale, hearty and productive.

The purpose of this e-mail is to inform you that my clients Antonio and Doris Guerra ("Guerras") have timely submitted an appeal of the Planning Commission's April 11, 2019 decision re the CC Project.

I anticipate that my office will be submitting additional written and/or printed materials, photographs and possibly video in relation to the relief the Guerras are requesting from the Board of Supervisors. This e-mail concerns- however- pre-existing limits on the Guerras immediate availability. Specifically, as of this Thursday, May 2, 2019 the Guerras will be traveling outside of Lake County on a long-scheduled trip abroad until June 17, 2019. Thus, their availability will be limited to e-mail and telephone, and they will be in a different time zone until their return to Lake County.

If possible, I think it would make good sense to schedule the BOS' hearing on the Guerras' appeal until June 25th or thereafter. Presumably, Mr. Dawson's commercial cannabis farm will, by that time, be in Summertime growth mode, and Mr. Dawson will no longer be busy with Spring planting activities. At or about that same time, it will also be possible for the Guerras to fully document any excessive wear and tear, or other physical damage, caused to that portion of the Guerra's residential property impacted by the current residential easement.

The good news here is that the Guerras are NOT attempting to stop the Applicants' CC Project. Instead, they are attempting to steer the Applicants' CC Project so that all of the benefits thereof, and all of the public safety and surveillance burdens, and all of the associated risks are lawfully situated on the Applicants' real property.

The Guerras have engaged a local contractor to opine with respect to the feasibility, anticipated scope and estimated cost of eventually constructing a code-compliant, fire-safe and dedicated commercial driveway abutting onto Spruce Grove Road in order to provide safe and secure commercial access to and from the Applicants' CC Project.

Such a dedicated driveway will enhance public safety, will reduce the burdens to be imposed on the CC Project's neighbors, and will support the future success of the Applicants' CC Project as it continues to grow and likely expand in both scope and volume.

Attached is one document that will likely be incorporated as one exhibit to my eventual letter-brief to the Board of Supervisors. Please confirm your receipt of this e-mail and let me know how my office can be of further assistance.

I remain at your/CDD's disposal with respect to anticipated scheduling and other related matters.

Thank you.

Please

Exhibit 10
Page 3 of 4

Sincerely,

Andre M. Ross

Andre M. Ross for
EWING & ASSOCIATES
P.O. Box 400
995 South Main Street
Lakeport, California 95453
Tel: (707) 263-6400
Fax: (707) 263-7047
E-M: ross@lakeportlawyers.com
www.lakeportlawyers.com
<http://www.lakeportlawyers.com/andre-ross.asp>

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Andre M. Ross

From: Andre M. Ross <ross@lakeportlawyers.com>
Sent: Monday, July 22, 2019 16:45
To: 'Eric Porter'
Subject: Guerra Appeal Re Dawson MUP 18.30
Attachments: Guerra.Two Images Re Dawson Cannabis Project MUP 18.23 .20190722.pdf

Delivered By E-Mail and Facsimile Transmission To: (707) 263-2225

Dear Mr. Porter:

The attached scan contains two (2) color images showing the current level of commercial cannabis activity currently ongoing at project which is the subject matter of MUP 18.30.

Mr. Guerra's appeal of the Planning Commission's April 11th decision has now been pending for ninety-five (95) days without further follow-up with respect to scheduling of a hearing.

Please be advised that the Appellant now has an additional period of unavailability due to already booked travel currently scheduled between August 15, 2019 and August 29, 2019. Thus, any hearing before the BOS will likely have to be noticed for a date after August 29, 2019.

Please advise as to the current status of Mr. Guerra's pending appeal to the Lake County Board of Supervisors.

My office remains at your disposal in relation to this matter.

Thank you.

Sincerely,


Andre M. Ross

Andre M. Ross for
EWING & ASSOCIATES
P.O. Box 400
995 South Main Street
Lakeport, California 95453
Tel: (707) 263-6400
Fax: (707) 263-7047
E-M: ross@lakeportlawyers.com
www.lakeportlawyers.com
<http://www.lakeportlawyers.com/andre-ross.asp>

Exhibit 11

Page 1 of 4

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Page 2 of 4

EWING & ASSOCIATES

995 South Main St.

P.O. Box 400

Lakeport, CA 95453

Tel.: (707) 263-6400 - Fax.: (707) 263-7047

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TO:

Mr. Eric Porter

FAX #:

(707) 263-2225

FROM:

Am Ross

DATE:

7/22/19

SUBJECT:

MUP 18. ~~BO~~ 23

PAGES:

____ (including cover sheet)

Exhibit

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of

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TRANSMISSION VERIFICATION REPORT

TIME : 07/22/2019 16:50
NAME :
FAX :
TEL :
SER.# : BROG6J496943

DATE, TIME
FAX NO./NAME
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995 South Main St.

P.O. Box 400

Lakeport, CA 95453

Tel.: (707) 263-6400 - Fax.: (707) 263-7047

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TO:

Mr. Eric Porter

FAX #:

(707) 263-2225

FROM:

Am Ross

Exhibit

11

DATE:

7/22/19

Page

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of

4

LAW OFFICES OF:
EWING & ASSOCIATES

MIKE EWING
TERRI L. CIPPONERI
ANDRE M. ROSS

POST OFFICE BOX 400
995 SOUTH MAIN STREET
LAKEPORT, CALIFORNIA 95453-0400

TELEPHONE (707) 263-6400
FACSIMILE (707) 263-7047
www.lakeportlawyers.com

October 2, 2019

RECEIVED

***Transmitted By Hand Delivery; Copy to Follow
By First Class Mail***

OCT 02 2019

COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Attn: Ms. Michalyn DelValle, Director
255 N. Forbes Street, Room 323
Lakeport, CA 95453

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

RE: Public Records Act Request under Govt. Code 6250 *et seq.*

To Whom It May Concern:

Pursuant to the California Public Records Act, i.e. Government Code Section 6250 *et seq.* (the "Act"), I am hereby asking to obtain hard copies of the following public records, which I understand are currently maintained by the Community Development Department-Planning Division (the "Agency") for the County of Lake:

1. All forms of "Application for Appeal" received by the Agency concerning all appeals made to the Lake County Board of Supervisors of any decisions and/or determinations made by the Lake County Planning Commission from January 1, 2019 to the date of this public records request.
2. All forms of "Planning Division Application" received by the Agency concerning all appeals made to the Lake County Board of Supervisors of any decisions and/or determinations made by the Lake County Planning Commission from January 1, 2019 to the date of this public records request including, but not limited to, all "At-Cost Project Reimbursement" forms received by the Agency in conjunction with any such appeals.
3. All forms of "Meeting Minutes-Final" approved by the Lake County Board of Supervisors reflecting the Board's consideration and/or determination of all appeals submitted to the Agency of any decisions and/or determinations made by the Lake County Planning Commission from January 1, 2019 to the date of this public records request.

4. All forms of "Application for Appeal" received by the Agency concerning all appeals made to the Lake County Board of Supervisors of any decisions and/or determinations made by the Lake County Planning Commission from January 1, 2018 to December 31, 2018.

5. All forms of "Planning Division Application" received by the Agency concerning all appeals made to the Lake County Board of Supervisors of any decisions and/or determinations made by the Lake County Planning Commission from January 1, 2018 to December 31, 2018, including, but not limited to, all "At-Cost Project Reimbursement" forms received by the Agency in conjunction with any such appeals.

6. All forms of "Meeting Minutes-Final" approved by the Lake County Board of Supervisors" reflecting the Board's consideration and/or determination of all appeals submitted to the Agency of any decisions and/or determinations made by the Lake County Planning Commission from January 1, 2018 to December 31, 2018.

7. All forms of reports, memoranda and other documents, including electronic documents, maintained by the Agency concerning, or making reference to, the Agency's general policies and procedures governing the scheduling of appeals made to the Lake County Board of Supervisors of decisions and/or determinations made by the Lake County Planning Commission from January 1, 2018 to the date of this public records request. Please note, this request IS NOT directed at obtaining Agency records pertaining to any particular planning matter that was the subject of an appeal to the Board of Supervisors, or any other planning matters that were not the subject of any appeal.

I hereby request a determination on this public records request within fifteen (15) days of the Agency's receipt of this request, and a prompter reply if the Agency can manage to make such a determination without having to review the records in question.

If the Agency should determine that any or all of the information requested herein qualifies for an exemption from public disclosure, I request that the Agency please note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary, in this case, for the Agency to exercise its discretion to withhold such information.

If the Agency should determine that some, but not all, of the information requested is exempt from disclosure, and that the Agency intends to withhold such information, I ask that the Agency simply redact any information exempt from disclosure for the time being and make the remaining information available in a timely manner.

Exhibit 12

In any event, please provide a signed notification citing those legal authorities, if any, on which the Agency is relying if the Agency should determine that any or all of the information requested herein is exempt from disclosure and thus will not be disclosed.

I further request that you please notify me of any duplication costs potentially exceeding \$ 50.00 before you duplicate the records so that I may decide which records I want to have photocopied. I do not want to burden CDD staff with any unnecessary/avoidable photocopying time.

With respect to any "Meeting Minutes- Final" responsive to the above requests, i.e. Items 3 and 6, I would be very happy to receive electronic copies of such minutes, in .pdf format or, alternatively, a list correctly identifying each of the dates on which any of the subject appeals were heard or considered by the Board of Supervisors, as the Board's final minutes are readily available to the general public at: www.countyoflake.legistar.com.

Please accept my thanks in advance for the Agency's time and attention to this request.

Sincerely,



Andre M. Ross

Exhibit 12

Andre M. Ross

From: Andre M. Ross <ross@lakeportlawyers.com>
Sent: Monday, November 25, 2019 14:33
To: 'Michalyn DelValle'
Cc: 'Byron Turner'; 'Eric Porter'
Subject: Guerra Re Dawson UP 18-23 at 15232 Spruce Grove Road, Middletown, CA 95461
Attachments: Scan.Appeal Rules..pdf

Delivered By E-Mail, First Class U.S. Mail and Facsimile Transmission To: (707) 263-2225 and (707) 263-0702

Ms. Michelyn DelValle, Director
Mr. Byron Turner, Principal Planner
c/o Community Development Dept.
County of Lake
255 N. Forbes Street, Rm 323
Lakeport, CA 95453

Cc: County Counsel's Office

Dear Ms. Del Valle:
Dear Mr. Turner:
Dear Mr. Porter:

PLEASE TAKE NOTICE that 221 days have passed since Mr. Antonio Guerra, together with his spouse, filed their pending appeal to the Board of Supervisors of the Planning Commission's prior action on their neighbors' commercial cannabis cultivation project under UP 18-23.

The Project Applicant's 2019 commercial cannabis crop has since been cultivated, and harvested, without any further action having been undertaken by the County of Lake Planning Department in relation to the Guerras' pending appeal.

Nevertheless, and for the duration of what was a long, hot, and uncertain Summer, Mr. and Mrs. Guerra's narrow, unpaved residential easement has been used- without interruption or improvement- as an entirely overburdened commercial easement/driveway for an as yet unpermitted commercial operation.

PLEASE TAKE FURTHER NOTICE that Mr. Guerra's counsel of record now have no further dates available for any contemplated hearing of this matter between Tuesday, December 3, 2019 and Tuesday, January 7, 2020.


Please make every reasonable effort to lawfully schedule any upcoming hearing(s) on this Appeal sometime after Tuesday, January 7, 2020. Please provide the Guerras' legal

Exhibit 13
Page 1 of 5

counsel with prior notice as to any contemplated scheduling, on or after January 7, 2020.

Thank you.

Sincerely,

Andre M. Ross 

Andre M. Ross for
EWING & ASSOCIATES
P.O. Box 400
995 South Main Street
Lakeport, California 95453
Tel: (707) 263-6400
Fax: (707) 263-7047
E-M: ross@lakeportlawyers.com
www.lakeportlawyers.com
<http://www.lakeportlawyers.com/andre-ross.asp>

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APPEALS TO THE BOARD OF SUPERVISORS OF PLANNING COMMISSION DECISIONS

1. Any interested party may file an appeal of a Planning Commission decision to the Board of Supervisors within the appeal period. Article 58 of the zoning ordinance describes this appeal process.
2. To process an appeal, counter staff should accept a completed Board of Supervisors appeal form and a filing fee from the appellant. The appeal must include a written statement setting forth the grounds upon which the appellant asserts there was an error abuse of discretion by the Planning Commission.
3. After making sure it is complete, assign an AB case number, date stamp it and issue a receipt to the appellant.
4. Deliver forms to the Clerk of the Board the day it is received. They will date stamp as received and keep a copy. Stamped copies should then also be given to:
 - A. Secretary of the Planning Commission
 - B. County Counsel
 - C. Community Development Department Director
 - D. Project Planner(original copy for file)
5. Any further action on a project that is the subject of an appeal is suspended until the appeal review authority makes a final determination.
6. The Planner should prepare a report to the Board (Memo) including pertinent materials and setting forth the reasons for the decision by the Planning Commission in the following order.
 - A. Memo to the Board
 - B. Appeal form and any documents from the appellant
 - C. Planning Commission Staff report
 - D. Minutes of the Planning Commission
7. After the memo and PC minutes are completed then please email the Department Secretary the following information and she will find out when your project can be scheduled before the Board. Please coordinate dates with your appellant, applicant and or owner.
 - A. Type of Project
 - B. Length of Legal Notice (10 or 20 day)
 - C. Is the project contentious?
 - C. Estimate of time.

Once the date and time is confirmed by the Department Secretary please forward the Planning Commission legal notice (to use as a sample) and mailing labels to the Clerk of the Board for scheduling so the legal notification process described by Section 21-57 can be completed.

Exhibit

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**APPEALS TO THE BOARD OF SUPERVISORS OF
PLANNING COMMISSION DECISIONS**

8. The word version of the memo and attachments in PDF should be emailed to the Department Secretary, including the applicants name and time of hearing in the email who will then upload into Granicus including the following items top to bottom:
 - A. Memo to the Board
 - B. Appeal form and any documents from the appellant
 - C. Planning Commission Staff report
 - D. Minutes of the Planning Commission
9. Please deliver the original memo and attachments to the Department Secretary who will make a copy for you. All documents need to be given to the Secretary in order, free of staples, upright, and Exhibits labeled. The Secretary needs to receive the documents ready to be copied. She will deliver the Memo downstairs to the Admin Office.
10. Word for word transcripts are available for an hourly fee from the Clerk of the Board.
11. The Board shall render its decision within forty-five days after the close of their public appeal hearing and mail notice within 15 days of its decision to the appellant and/or applicant.

**COUNTY OF LAKE**

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

Receipt No.: **49277**Receipt Date: **04/18/2019****RECEIPT****RECORD & PAYER INFORMATION**

Record ID: AB19-02
Record Type: Planning Entitlement
Property Address: 15232 SPRUCE GROVE RD, MIDDLETOWN 95461
Parcel Number: 013-060-18
Description of Work: Appeal to Board of Supervisors for UP 18-23
Job Value: \$0.00
Payer: Ewing and Associates
Applicant: Antonio Guerra
, CA
Owner: MILLER LAURA A

PAYMENT DETAIL

Date	Payment Method	Reference	Cashier	Comments	Amount
04/18/2019	Check	4726	COUNTER		\$1,136.30

FEE DETAIL

Fee Description	Account Code	Fee Amount	Current Paid
Appeal to the Board	001-2702-492.79-90	\$1,000.00	\$1,000.00
Appeal to the Board	001-1908-492.79-90	\$65.00	\$65.00
General Plan Maintenance	001-2702-461.66-21	\$50.00	\$50.00
Technology Recovery 2% Cost	001-2702-461.66-19	\$21.30	\$21.30
		<u>\$1,136.30</u>	<u>\$1,136.30</u>

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