



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: January 10, 2019

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Burr Valley Farms LLC Special Permit**
Application Number 12479
Case Number SP-16-542
Assessor's Parcel Number (APNs) 210-231-012

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Please contact Steven A. Santos, Senior Planner, at 707-268-3749 or by email at sasantos@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
January 10, 2019	Special Permit	Steven A. Santos

Project Description A Special Permit for Burr Valley Farms LLC consisting of approximately 10,000 square feet of existing outdoor cannabis cultivation. The proposed project is located on Assessor's Parcel Number (APN) 210-231-012, which is approximately 40 acres in area.

Project Location: The project is located in Humboldt County, in the Dinsmore area, on the west side of Burr Valley Road, approximately 2.7 miles southeast from the intersection of State Highway 36 and Burr Valley Road, then northwest on a private road for approximately 0.54 miles, on the property known as 2520 Burr Valley Road.

Present Plan Land Use Designations: Residential Agriculture (RA40), Humboldt County General Plan, Density: One dwelling unit per 40 acres, Slope Stability: High Instability (3)

Present Zoning: Forestry Recreation (FR), Minimum building site area 40 acres (B-5(40))

Application Number: 12479

Case Number: SP-16-542

Assessor Parcel Numbers: 210-231-012

Applicant

Burr Valley Farms LLC
Cody Strandburg
PO Box 490
Hydesville CA 95547

Owner

Cody Strandburg
Chelsea Gaddy
PO Box 490
Hydesville CA 95547

Agent

AgDynamix
Teisha Machetti
732 5th Street Suite I
Eureka, CA 95501

Environmental Review: The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.

State Appeal Status: The proposed project is NOT appealable to the California Coastal Commission

Major Issues: Submitted documentation is not sufficient to verify cultivation prior to January 1, 2016 as required by HCC Section 314-4.8.2.2 and 314-4.9.4

BURR VALLEY FARMS LLC
Case Number SP-16-542
Assessor's Parcel Numbers 210-231-012

Recommended Commission Action

1. Describe the application as a public hearing;
2. Request that staff present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and take the following action:

Find the project exempt from environmental review pursuant to State CEQA Guidelines Section 15270, make the finding that the applicant has not provided sufficient documentation of cultivation prior to January 1, 2016 as required by Humboldt County Code 314-55.4.8.2.2 and 314-55.4.9.4, and adopt the Resolution denying the proposed Burr Valley Farms, LLC project.

Executive Summary: For Planning Commission consideration is an application under the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) for a Special Permit for Burr Valley Farms, LLC consisting of approximately 10,000 square feet of existing outdoor cannabis cultivation. The proposed project is located on Assessor's Parcel Number (APN) 210-231-012, which is approximately 40 acres in area. Staff is recommending denial of the project because Humboldt County Code (HCC) 314-55.4.8.2.2 requires that the cultivation area be in existence prior to January 1, 2016. The applicant has not provided sufficient documentation of prior cultivation per HCC 314-55.4.9.4. In addition, the subject parcel does not qualify for new cultivation under per HCC 314-55.4.8.2.1 because the parcel is zoned Forestry Recreation (FR-B-5(40)). At the conclusion of the August 16, 2018 Planning Commission hearing, the applicant was given the option to provide additional evidence of prior cultivation or convert the application to new cultivation under ordinance 2.0. The applicant submitted a report prepared by Natural Resources Management. Review of the report and a follow up meeting with the applicant determined that additional study was required to successfully resolve the question of prior cultivation.

Analysis: Following the August 16, 2018 Planning Commission hearing, the applicant was sent a letter requesting a decision regarding the options provided by the Commission (Attachment 1). The Department received a response from the applicant's agent on August 30, 2018. The response from the agent sought to clarify testimony given at the hearing by Larry Strandburg. The agent's response states that the prior cultivation was in the open area in the northwestern portion of the parcel and not a guerilla grow in the trees as testified by Mr. Strandburg. The email from the agent informs the department that the applicant's desire was to convert the application to new cultivation under ordinance 2.0. On September 6, 2018, department staff replied to the agent communicating that the department was willing to work with the applicant on either option. Both the agent's response and the department reply can be found in Attachment 2.

On September 20, 2018 the Planning Commission continued the agenda item to a date uncertain. Also on that date, the department received the first version of a Cannabis Grow History Report from Natural Resources Management. The department subsequently received a revised version to the Cannabis Grow History Report on November 2, 2018. Both versions of the report can be found in Attachment 3. Receipt of the reports was interpreted by staff to mean the applicant had changed their mind and wished to pursue the project as existing cultivation under ordinance 1.0. At the same time, staff determined that new cultivation under ordinance 2.0 would not be permitted due to the property's location within an impacted watershed.

The Cannabis Grow History Report focuses on a potential guerilla type grow area under the trees east of the open area previously asserted by the applicant's agent. Overall, the report concludes that some evidence exists of prior cultivation under the trees however it is inconclusive with regard to the age or size of the historic grow. When analyzing a guerilla type grow, it is essential to determine the number of plants to establish cultivation area. Using a boundary perimeter in this scenario is not appropriate because it results in overinclusion of natural vegetation in the cultivation area calculation. On October 5, 2018, staff followed up with a phone call with the author of the report, Merritt Lindgren. The call revealed additional details not included in the report such as the cultivation being characterized as scattered and comprising of approximately 50 to 75 plants, which would total approximately 3,000 square feet. Another issue with the report is the proximity of the property line. Based on the report, it appears the property line may bisect the potential historic grown in half. A property line survey will be necessary to resolve this question. Also, during the course of the review of the Grow History Report, an illegal timber conversion and separate unauthorized cultivation area was discovered northwest of the guerrilla grow. This violation and additional cultivation occurred after January 1, 2016. A property line survey is needed to determine which parcel contains this violation.

Another unresolved but critical question related to the analysis of prior cultivation on the subject parcel is whether Larry Strandburg had permission of the land owner at the time he claims to have been cultivating in this area. A copy of a stained, hand written note is included in the Grow History Report but attempts by staff to verify its provenance have been unsuccessful.

On November 1, 2018 the department sent a violation letter to the applicant assessing penalties for unauthorized cultivation and requesting restoration in previously undisturbed portions of the property (Attachment 4). As of the date of this Staff Report, the penalty has not been paid and no restoration or removal has occurred. A higher resolution aerial image from November 7, 2018 is included in Attachment 5.

On November 8, 2018 the department met with the agent and the applicant's cousin, Travis Bowen, who stated that he was representing the project. Mr. Bowen was informed during that meeting of the need to perform a property line survey, the need to determine the number of plants in the guerilla grow, the need to verify owner authorization, as well as the need to resolve the additional violation and timber conversion. The department has not received any communication from the applicant or agent since this meeting.

Because of the issues discussed above, sufficient evidence has not yet been provided by the applicant to support the finding of prior cultivation on the subject parcel in accordance with Sections 314-55.4.8.2.2 and 314-5.4.9.4. If all of the above issues are successfully resolved, staff estimates, based on information available at this time, it could potentially support prior cultivation of up to 3,000 square feet. If the project is able to move forward with a request for 3,000 square feet, it would be processed as a Zoning Clearance Certificate. However, to date the applicant has not revised their request and still seeks approval of a Special Permit for 10,000 square feet. Based on the application as currently submitted, staff recommends that the Planning Commission deny the requested Special Permit.

ALTERNATIVES: The Planning Commission could elect to direct staff to work with the applicant to resolve the outstanding issues and continue processing the application in accordance with HCC Section 312-4.1 et seq.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 19-**

**Case Number SP-16-542
Assessor Parcel Numbers: 210-231-012**

Makes the required findings for certifying compliance with the California Environmental Quality Act and denies the Burr Valley Farms LLC Special Permit request.

WHEREAS, Burr Valley Farms LLC submitted an application and evidence in support of approving a Special Permit for 10,000 square feet of existing outdoor cannabis cultivation located on APN 210-231-012.

WHEREAS, The County Planning and Building Department has reviewed the submitted application and evidence; and

WHEREAS, The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines; and

WHEREAS, Attachment 3 to the Planning Division staff report includes a staff aerial imagery analysis that demonstrates that the threshold requirement of prior cultivation has not been met; and

WHEREAS, A public hearing was held on the matter before the Humboldt County Planning Commission on January 10, 2019.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that:

1. The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines; and
2. The findings in Attachment 6 of this resolution cannot be made for this project, specifically insufficient evidence has been submitted to demonstrate the threshold requirement of prior cultivation per HCC Section 314-55.4.8.2.2 and HCC Section 314-55.4.9.4; and
3. Special Permit Case Number SP-16-542 is denied as recommended.

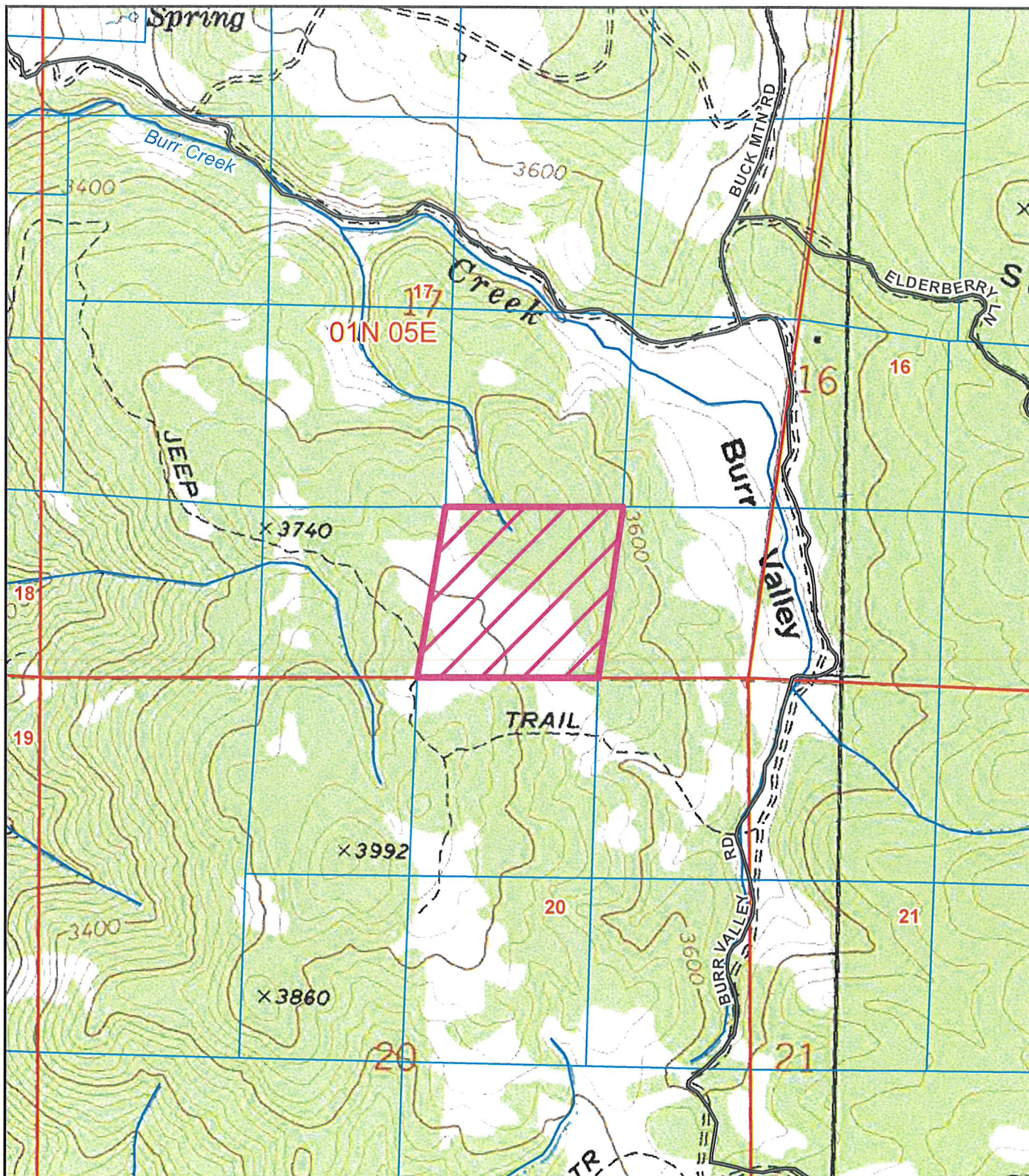
Adopted after review and consideration of all the evidence on January 10, 2019.

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION: Motion carries

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

John Ford
Director, Planning and Building Department

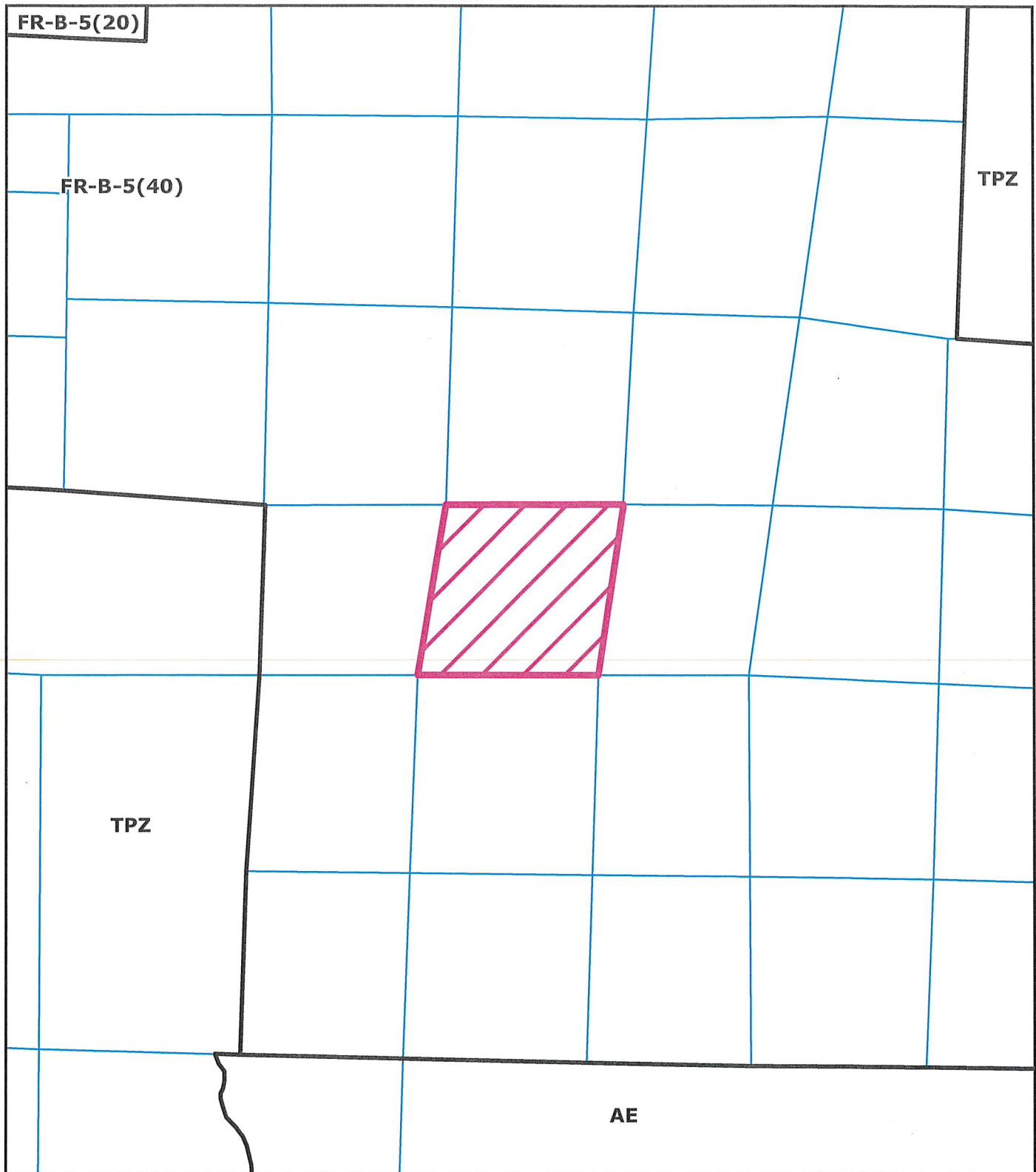


Project Area = 

**TOPO MAP
PROPOSED BURR VALLEY FARMS LLC
DINSMORE AREA
SP-16-542
APN: 210-231-012
T01N R05E S17 HB&M (LARABEE VALLEY)**

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

0 1,000 2,000 Feet



Project Area = 

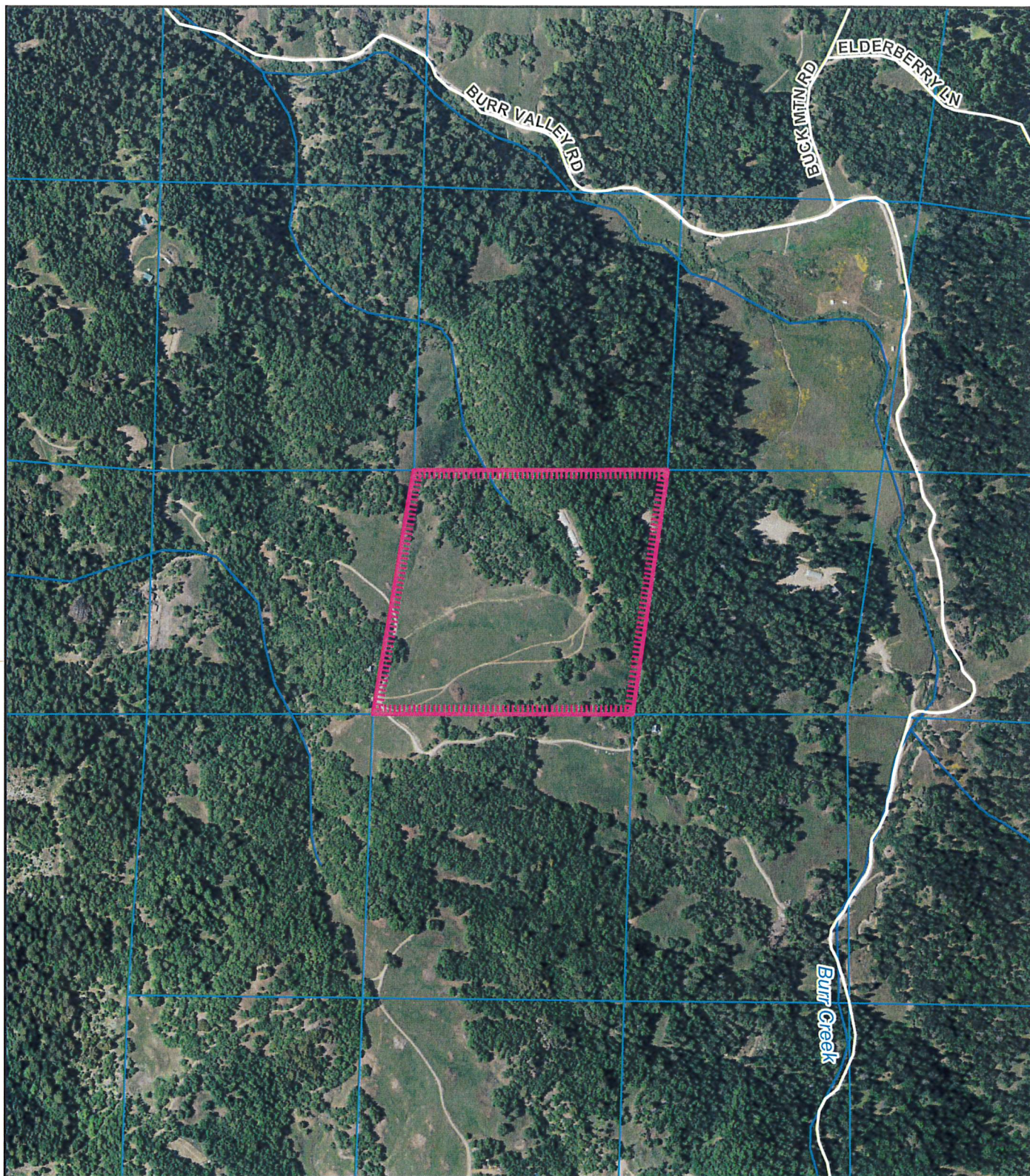
**ZONING MAP
PROPOSED BURR VALLEY FARMS LLC
DINSMORE AREA
SP-16-542
APN: 210-231-012-000
T01N R05E S17 HB&M (LARABEE VALLEY)**



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

0 1,000 2,000 Feet





Project Area = 

**AERIAL MAP
PROPOSED BURR VALLEY FARMS LLC
DINSMORE AREA
SP-16-542
APN: 210-231-012
T01N R05E S17 HB&M (LARABEE VALLEY)**

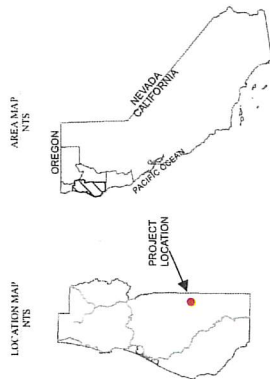
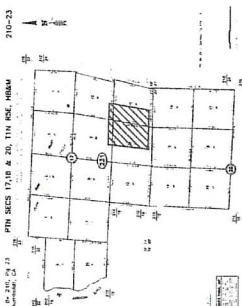


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

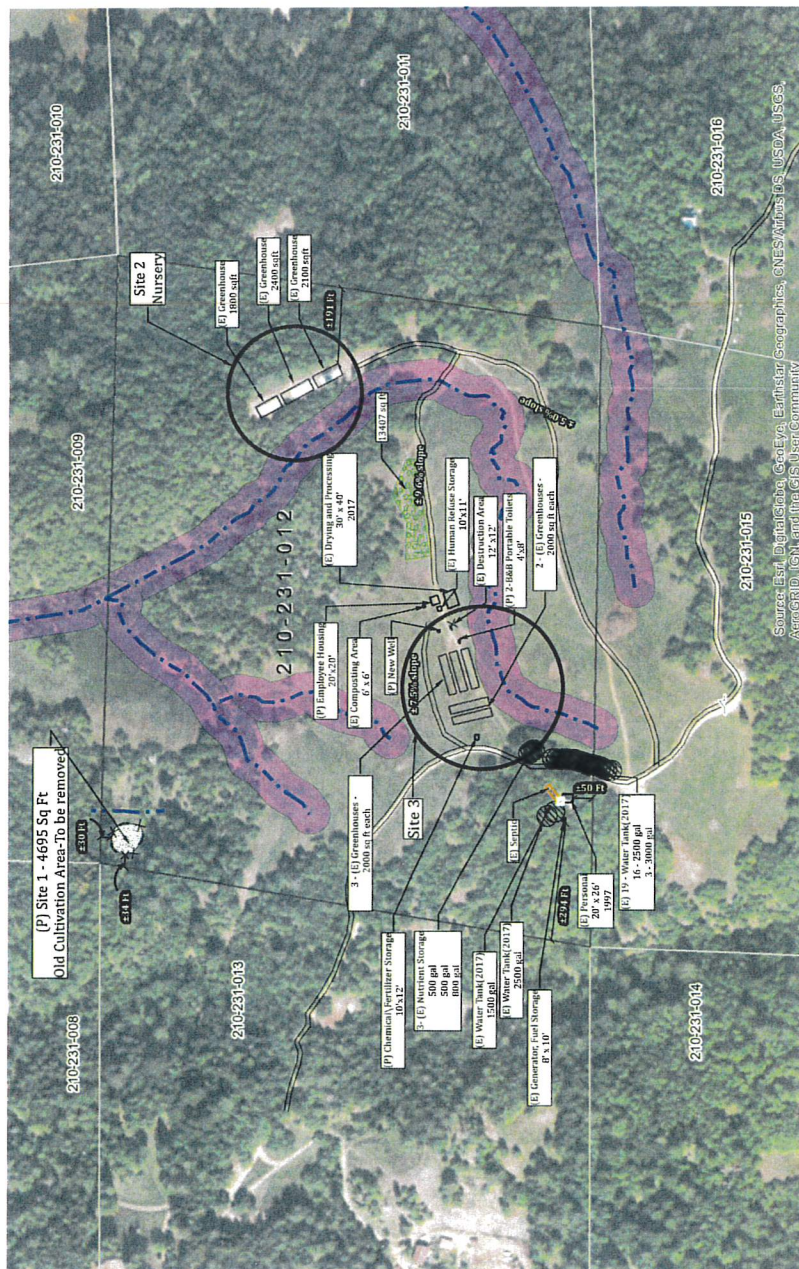
0 900 1,800 Feet

Total Cultivation Area:	10,000 sq ft
(E) Greenhouse Area (Light Dep):	10,000 sq ft
(E) Old Cultivation area- To be removed:	4,693 sq ft
(P) Nursery Area:	13,407 sq ft
Total Water Storage:	54,800 gal
Water Storage:	53,000 gal
Nutrient Storage:	1,800 gal

BURR VALLEY FARMS, LLC.
2320 BURR VALLEY RD
BRIDGEVILLE, CA 95526



Old Cultivation Area-To be removed



1" = 300 FEET

Age Group	Number of People
18-24	250
25-34	200
35-44	150
45-54	100
55-64	75
65+	50

SRA REQUIREMENTS

 PROVIDE ADEQUATE WATER STORAGE AND DELIVERY AS OUTLINED BY SRA
 ORDINANCE AND CALFIRE REQUIREMENTS

 PROVIDE ADEQUATE TURN AROUND AND PULLOUTS AS OUTLINED BY SRA
 ORDINANCE AND CALFIRE REQUIREMENTS
















GENERAL NOTES

Water: Diversion & Well permit in place
Power: Generator
Phone: Cell
Septic: Existing Septic - Not Permitted
Grading: > 50 Yards

NOTES:

ZONING: FR-B-5(40)
GENERAL PLAN USE: AL20 AE (FRWK)
COASTAL ZONE: NO
FIRE RATING: HIGH
FEMA FLOOD ZONE: NO
SEISMIC SAFETY: HIGH INSTABILITY
EARTHQUAKE FAULTS OR HAZARDS: NO
SETBACKS: 30 ft.
SLOPE: CALCULATED USING ELEVATION PROFILE TAB.
ACCURACY ±5%
(PER HUM CO WEB PORTAL)

LEGEND

-  Cultivation Area
 -  Greenhouse
 -  Leach Field
 -  (P) Nursery Area
 -  Structure
 -  Property Line - NOT SURVEYED
 -  Surrounding Parcels
 -  50 ft buffer
 -  Stream - Class 3
 -  Fence
 -  Dirt Road
 -  Septic Tank
 -  Storage Tank
 -  Gate
 -  Diversion

CULTIVATION NOTES

1. There are no schools, school bus stops, places of worship, public parks, or tribal cultural resources within 600' of cultivation areas.
2. There are no offsite residences within 300' of cultivation areas.

Note: All easements not depicted and are pending title search.
Parcel Information from Humboldt County GIS Does not
reflect exact locations of properties lines.

DATE OF VISIT	8/10/2017			
SCALE	1" = 300'			
PROJECT NO.	1121			
DRAWING NO.	P1			
DESIGNED BY	YLM	DESIGNED BY	TVCE	CHECKED BY
DATE OF VISIT	JTM	DATE OF VISIT	JTM	APPROVED BY

ATTACHMENT 1

Letter to applicant following 8/16/18 Planning Commission



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792

SENT VIA EMAIL
August 20, 2018

Burr Valley Farms LLC
Cody Strandburg
PO Box 490
Hydesville CA 95547

RE: Cananbis Permit Application 12479 on APN 210-231-012

Dear Cody Strandburg:

This letter follows up on the August 16, 2018 Planning Commission hearing regarding the above referenced project. As you know, the Commission continued the agenda item to September 6, 2018 and requested that you decide between two possible options. Those options are:

1. Continue with the cannabis application as pre-existing cultivation and provide sufficient documentation to the Planning and Building Department of prior cultivation per HCC 314-55.4.9.4; OR
2. Continue with the cannabis application as new cultivation under the provisions of the amended commercial cannabis ordinance commonly referred to as version 2.0.

In order to prepare for the next Planning Commission meeting, please inform the Planning and Building Department of your decision regarding which option is chosen no later than Friday August 31.

If you have any questions regarding this letter, I can be reached at the above address or at (707) 268-3749.

Steven Santos
Senior Planner

CC: Agent

ATTACHMENT 2

Agent Response to Department Letter

Santos, Steven A

From: Santos, Steven A
Sent: Thursday, September 06, 2018 11:26 AM
To: 'Teisha Mechetti'
Cc: Cody Strandburg; Ford, John; Lippre, Suzanne; Johnson, Cliff
Subject: RE: Burr Valley Farms Commission Follow Up 12479 / 210-231-012

Teisha – Thank you for responding to our August 20, 2018 letter. The Planning Commission meeting for tonight was canceled. The next meeting is September 20.

This item will be on the agenda for September 20 with a staff recommendation to continue the item to a date uncertain. This will return the project to a processing status.

We will continue to work with you on whatever option you choose. The reason we cannot accept the May 2014 GoogleEarth Imagery as evidence of prior cultivation because that imagery contains natural vegetation and imagery from July 2014 shows an empty field. If cultivation was taking place in May we should be able to observe it in July. We are happy to review any additional evidence the applicant can provide.

You are correct that if this application converts to a new cultivation application under 2.0 that it would be subject to the new standards including impacted watershed. This parcel is located in the Little Van Duzen River impacted watershed.



Steven A. Santos
Senior Planner
[Planning and Building Department](#)
707.268.3749

From: Teisha Mechetti [mailto:teisha@agdynamix.com]
Sent: Thursday, August 30, 2018 4:36 PM
To: Santos, Steven A; Ford, John
Cc: Cody Strandburg
Subject: Re: Burr Valley Farms Commission Follow Up 12479 / 210-231-012

In response to this item due to be heard next Thursday September 6th. I will start out by stating I believe that Mr. Strandburg senior's testimony was taken out of context when he stated they employed guerrilla grow tactics within the brush area on the open hillside to being mis-construed to being taken place in the treeline. Mr. Strandburg did not understand this confusion at the hearing and did not have an opportunity to clarify this point. That said, we do not abandon the FACT that there was indeed cultivation activity taking place in the area imagery was provided for in 2014. There is no additional documentation we can provide other than the very obvious imagery provided showing plants dispersed among the hillside. It could not be more apparent that this was in fact taking place in the boundaries defined in the imagery provided among-st the brush.

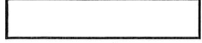
That said, if the County's going to maintain their adamant refusal to accept perfectly good evidence as pre-existing activity we are left with no other option other than to opt into 2.0 ordinance to salvage all of the efforts put into this application to date. Therefore, we are asking that infrastructure be allowed to remain for the

duration of time it takes to process the permit, and that our application be prioritized under 2.0 rather than shelved due to the sub-watershed impact zone designated under 2.0 ordinance.

We ask for your cooperation on this matter, and also point out that we are not agreeing with the County's determination on lack of pre-existing evidence.

Best,

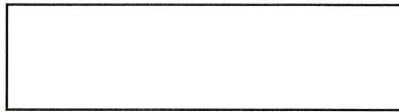
Teisha M. Mechetti



Founder/Owner

teisha@agdynamix.com

(707) 798-6199 Office



agdynamix.com • facebook.com/AgDynamix

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On Mon, Aug 20, 2018 at 12:13 PM, Santos, Steven A <sasantos@co.humboldt.ca.us> wrote:

Cody and Teisha – Please see the attached letter regarding follow up from last week's Planning Commission meeting regarding this project. If you are able to decide and respond prior to the deadline listed in the later that would be most appreciated especially by our support staff who assembles documents for the commission packets. Thanks.



Steven A. Santos
Senior Planner
[Planning and Building Department](#)
707.268.3749

ATTACHMENT 3

Natural Resources Management Cannabis Grow History Report(s)

75 plants = 2700 SF
use 3000 SF as baseline

8/18

Cannabis Grow History

on the

Strandburg Property

Located in the SW ¼ of the SE ¼ of

Section 17, T1N, R5E HB&M

APN 210-231-012



Natural Resources Management Corp. (NRM) was asked to investigate a grow site on the Strandburg property located in Burr Valley 2.5 miles southwest of the town of Dinsmore to determine if it might have been present prior to January 1, 2016. I am Merritt Lindgren, Registered Professional Forester #2522, and I am a part owner of NRM. During my extensive time cruising timber in Mendocino and Humboldt County I have come across numerous cannabis grow sites in various stages of use. Some of them I have reported to the current landowners and / or the police and some I have just walked through. I believe that I have a fair ability to determine the approximate ages of different grow sites but it is difficult to be exact.

According to the attached Property Detail Reports, Cody Stranburg purchased the parcel APN 210-231-012) in 2016 from Jerry Rylee and Jerry owned it since 2002. The adjacent parcel (APN 210-231-011 is currently owned by KOHLO Management LLC CO who purchased the property from Larry Strandburg in 2017. Larry purchased that property in 2013. The approximate property lines are shown on the attached maps and photos.

A comparison of the NAIP Ortho Photos from 2005 to 2016 did not show any clear activity at the site until sometime after 2014. The 2016 photo show that a lot of development occurred between 2014 and 2016.

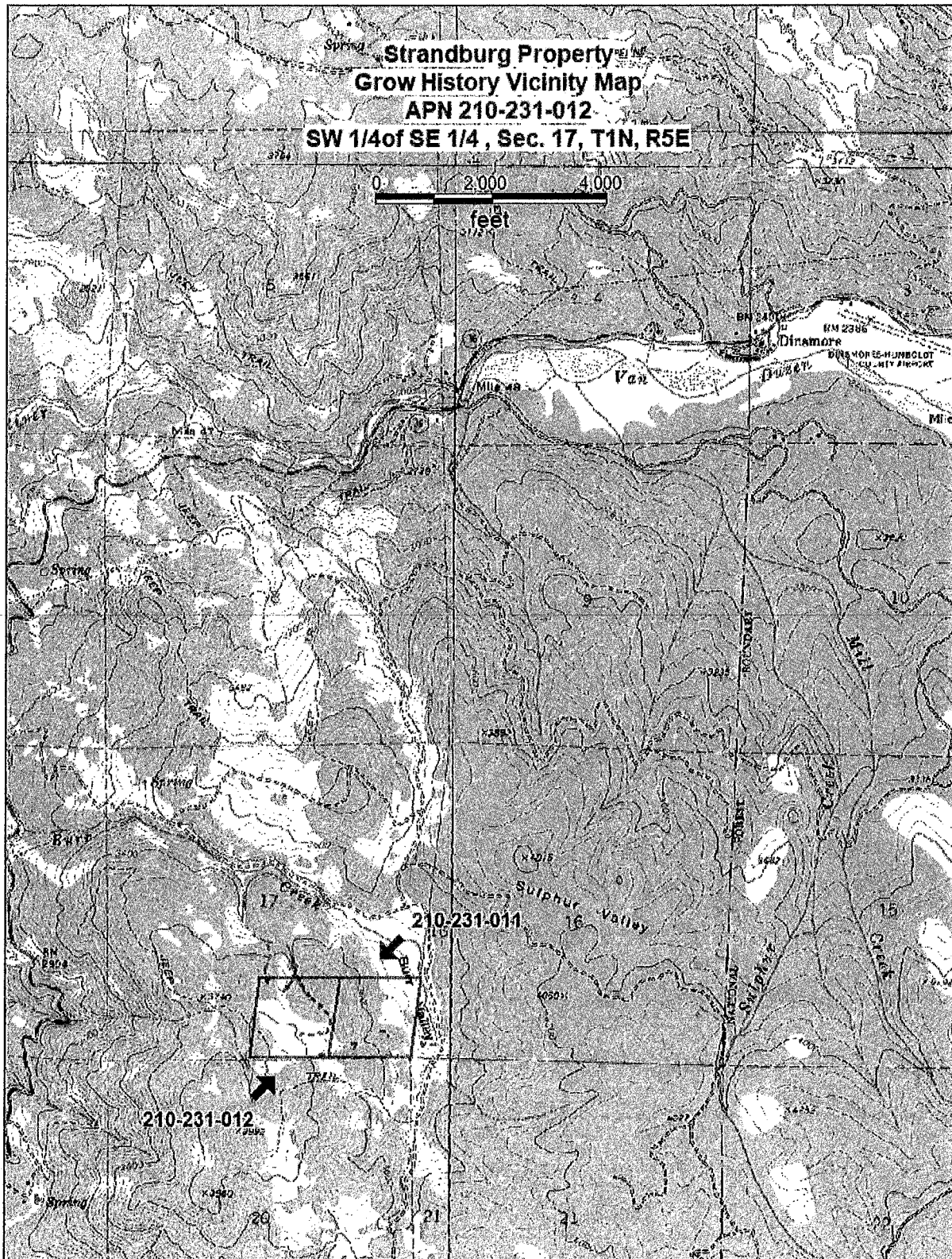
I went to the parcel on September 7, 2018 and met Larry Strandburg there. I started my investigation by asking Larry, the father of the current owner and past owner of the adjacent property, how long he had been growing in the area. He said he started growing cannabis in the 1990's. He told me that in 2014 one of his neighbors had started a fire and then refused to give the CA Department of Forestry access to put it out. As a result, the sheriff's office started to bust all of the cannabis grows in the area. At the time, Larry said he had plants growing in the openings on his adjacent property. He said he thought he would be busted too so he wanted to hide his plants in another location. He said he leased the subject property from Jerry Rylee in 2014 to finish growing his plants under the trees at a grow site that he showed me. Larry gave me the attached piece of paper that is apparently from Jerry Rylee to whom it may concern saying Jerry leased the property to Larry in 2014. The letter has a phone number on it if there are any questions needing clarification.

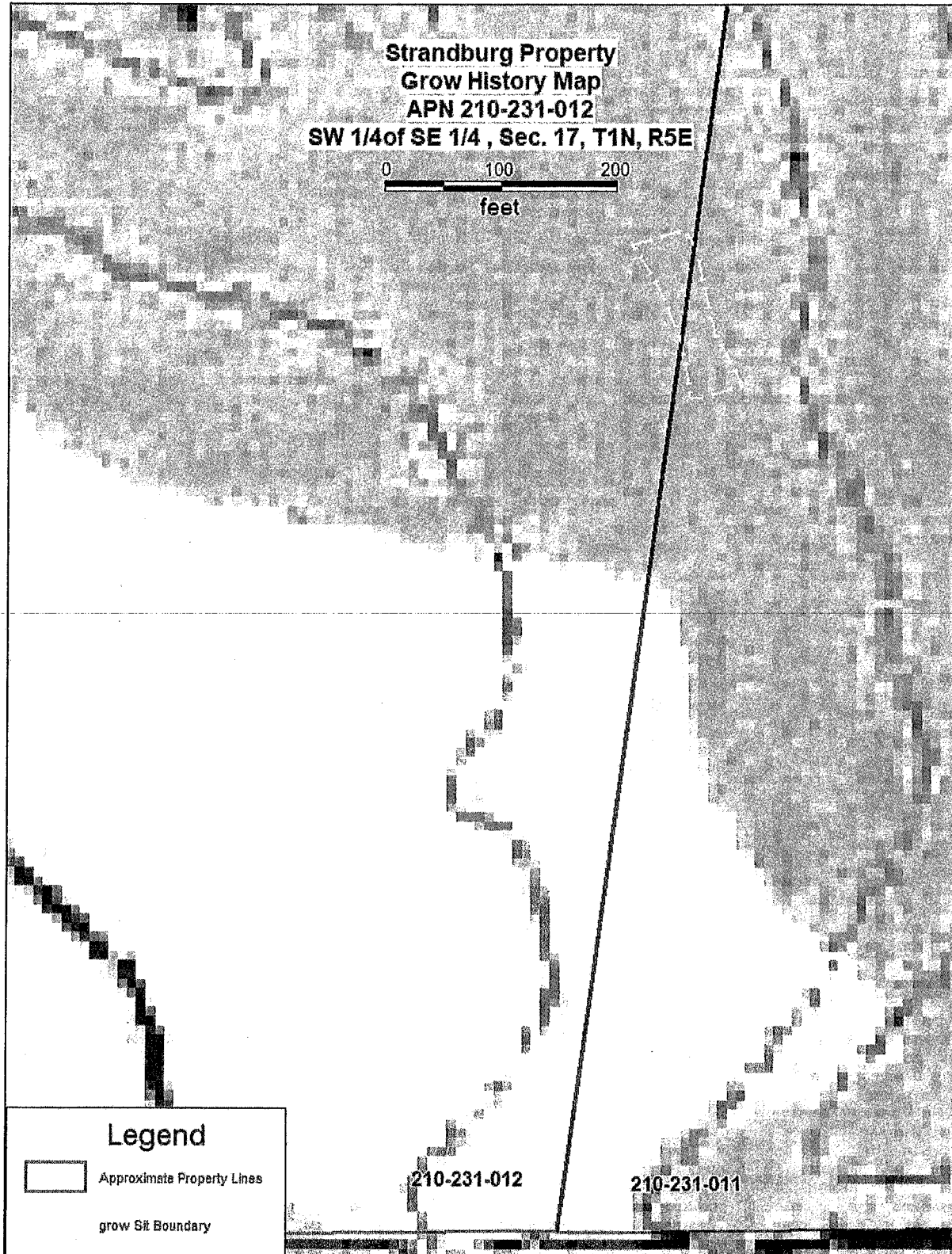
The grow site was located under an oak stand southwest of his green houses in the eastern portion of the property and adjacent to the road. Larry accessed the grow site on trails through the trees that were not visible on the NAIP Ortho photos. I inspected the site with Larry and there was evidence that cannabis had been grown at the site in the past. I found ¾ inch cannabis stumps in a peat & perlite substrate sporadically throughout the site. Also present were two grow bags that tore with

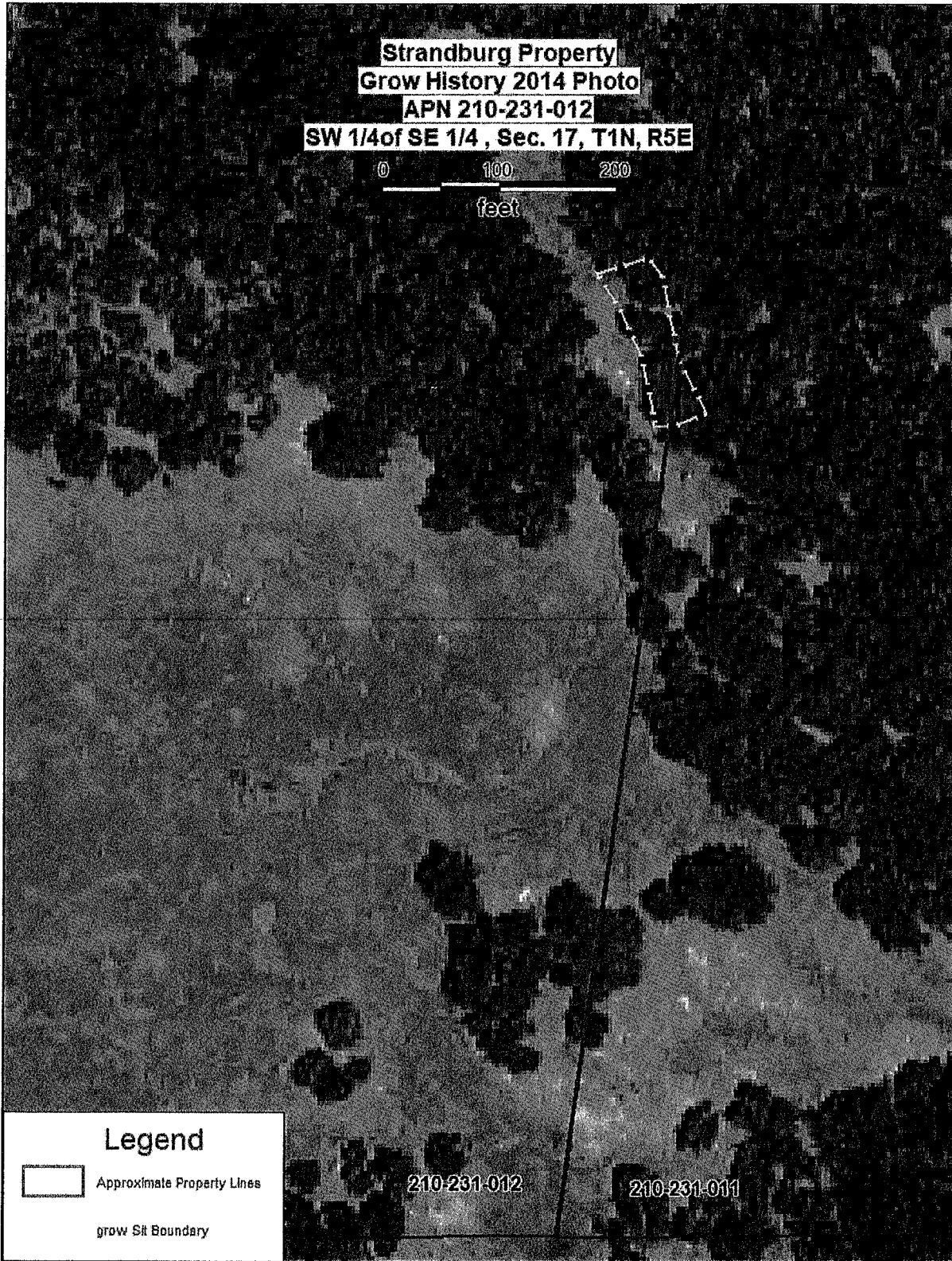
10/5/18 Phone call w/ Merritt. Grow was scattered about. Best
guess is 2500 plants. January 10, 2019 Page 17

little difficulty and didn't stretch very much. There was a crushed plastic 1 gallon fertilize bottle imbedded ~ 3" in the duff and covered with leaves. There were many green plastic ribbons present in the duff that are used to tie plants to stakes. Some patches of grow soils with peat and perlite could be found exposed through the duff layer. Also found was a black plastic trash bag buried in the duff and soil crumpled to the touch. Throughout the site there were several (15 – 20) old cut oak stumps. It appeared that the smaller oaks were cut and the larger trees were retained. If these were cut for firewood I would think that the larger trees would have been cut and the smaller trees would have been left to grow. At two sunnier locations at the site were 2 patches of Douglas-fir seedling. I counted the branch whorls and determined that none of them were over 4 years old. Near the top of the site in the NW corner, I was also shown a small hand cut bench with thin duff layer that Larry said was where he had a water tank. He said he moved the tank higher up the hill to water the plants in the green houses above the site, but he didn't tell me when he moved it there. When I asked Larry if Jerry had a grow at this site under the trees he said Jerry had his grows in the openings above this site where his green houses are located. Please see the attached photos of the things collected at the site.

I believe that there was a cannabis grow at this site before 2016. That would explain why the oaks were thinned from below. The thinning would provide some light with a limited amount of visibility from above. Based on the age of the stumps I think Jerry may have cut them to hide his plants and Larry reused the improved site in 2014. The seedlings in the openings, where the cannabis plants would have been kept indicate that the site was probably last used more than 4 years ago. The black plastic bag and the gallon fertilizer bottle that were imbedded in the soil and duff and indicate that there had been activity at the site several years ago. The cannabis stumps, potting soil, grow bags and ribbons indicate that there was likely a cannabis grow at the site but they did not give me a clear indication of the age. There is also the letter from Jerry, to whom it may concern, with a phone number saying the parcel was least to Larry in 2014. All of this evidence would lead me to believe that there was a cannabis grow at the site prior to January 1st 2016.









Property Detail ReportFor Property Located At :
,, CACoreLogic
RealQuest Professional**Owner Information**

Owner Name: STRANDBURG CODY/GADDY CHELSEA
 Mailing Address: PO BOX 490, HYDESVILLE CA 95547-0490 B009
 Vesting Codes: // CP

Location Information

Legal Description: PARCEL 34 DEERFIELD RANCH BK 23 RS PGS 113-116
 County: HUMBOLDT, CA APN: 210-231-012-000
 Census Tract / Block: 109.02 / 1 Alternate APN: 210-231-12
 Township-Range-Sect: Subdivision: DEERFIELD RANCH
 Legal Book/Page: Map Reference: /
 Legal Lot: Tract #: /
 Legal Block: School District: FORTUNA UN
 Market Area: School District Name: FORTUNA UN
 Neighbor Code: 210 Munc/Township: /

Owner Transfer Information

Recording/Sale Date: 02/02/2018 / 01/08/2018 Deed Type: QUIT CLAIM DEED
 Sale Price: 1st Mlg Document #: /
 Document #: 1975

Last Market Sale Information

Recording/Sale Date: 04/18/2016 / 03/07/2016 1st Mlg Amount/Type: /
 Sale Price: \$62,000 1st Mlg Int. Rate/Type: /
 Sale Type: UNKNOWN 1st Mlg Document #: /
 Document #: 7063 2nd Mlg Amount/Type: /
 Deed Type: QUIT CLAIM DEED 2nd Mlg Int. Rate/Type: /
 Transfer Document #: Price Per SqFt: /
 New Construction: Multi/Split Sale: /

Title Company:

Lender:

Seller Name: RYLEE JERRY L

Prior Sale Information

Prior Rec/Sale Date: 03/11/2002 / Prior Lender: /
 Prior Sale Price: \$54,545 Prior 1st Mlg Amt/Type: /
 Prior Doc Number: 6915 Prior 1st Mlg Rate/Type: /
 Prior Deed Type: GRANT DEED

Property Characteristics

Gross Area: Parking Type: Construction:
 Living Area: Garage Area: Heat Type:
 Tot Adj Area: Garage Capacity: Exterior wall:
 Above Grade: Parking Spaces: Porch Type:
 Total Rooms: Basement Area: Patio Type:
 Bedrooms: Finish Bsmnt Area: Pool:
 Bath(F/H): / Basement Type: Air Cond:
 Year Built / Eff: 1 Roof Type: Style:
 Fireplace: / Foundation: Quality:
 # of Stories: Roof Material: Condition:

Other Improvements: Building Permit

Site Information

Zoning: FR-B-5(40) Acres: 40.00 County Use: RURAL - RESD IMPR 20-40
 Lot Area: 1,742,400 Lot Width/Depth: x ACRES (3104)
 Land Use: RURAL HOMESITE Res/Comm Units: /
 Site Influence: Water Type:
 Sewer Type:

Tax Information

Total Value: \$173,228 Assessed Year: 2018 Property Tax: \$727.20
 Land Value: \$129,882 Improved %: 25% Tax Area: 060000
 Improvement Value: \$43,546 Tax Year: 2017 Tax Exemption:
 Total Taxable Value: \$173,228

<http://pro.realquest.com/jsp/report.jsp?&action=confirm&type=getreport&recordno=0&reportopti...> 9/10/2018

Property Detail Report

For Property Located At :

2320 BURR VALLEY RD, BRIDGEVILLE, CA 95526-9606



CoreLogic

RealQuest Professional

Owner Information

Owner Name: KOHILO MANAGEMENT LLC CO
 Mailing Address: 2368 UNIVERSITY AVE, SAN DIEGO CA 92104-2720 C034
 Vesting Codes: / /

Location Information

Legal Description: PAR 35 RS FOR DEERFIELD LTD RSBK 23 PG 113-116
 County: HUMBOLDT, CA APN: 210-231-011-000
 Census Tract / Block: 109.02 / 1 Alternate APN: 210-231-11
 Township-Range-Sect: Subdivision:
 Legal Book/Page: Map Reference: /
 Legal Lot: 11 Tract #: /
 Legal Block: 1 School District: FORTUNA UN
 Market Area: School District Name: FORTUNA UN
 Neighbor Code: 210 Munio/Township:

Owner Transfer Information

Recording/Sale Date: / Deed Type:
 Sale Price: 1st Mtg Document #:

Last Market Sale Information

Recording/Sale Date: 04/10/2017 / 03/06/2017 1st Mtg Amount/Type: \$350,000 / PRIVATE PARTY
 Sale Price: \$550,000 1st Mtg Int. Rate/Type: /
 Sale Type: FULL 1st Mtg Document #: 6294
 Document #: 6293 2nd Mtg Amount/Type: /
 Deed Type: GRANT DEED 2nd Mtg Int. Rate/Type: /

Transfer Document #:

Price Per SqFt:
 Multi/Split Sale:

New Construction:

Title Company: HUMBOLDT LAND TITLE CO.

Lender:

Seller Name: STRANDBURG LARRY D

Prior Sale Information

Prior Rec/Sale Date: 08/28/2013 / 08/02/2013 Prior Lender:
 Prior Sale Price: \$170,000 Prior 1st Mtg Amt/Type: \$120,000 / PRIVATE PARTY
 Prior Doc Number: 20069 Prior 1st Mtg Rate/Type: /
 Prior Deed Type: GRANT DEED

Property Characteristics

Gross Area: Parking Type: Construction:
 Living Area: Garage Area: Heat Type:
 Tot Adj Area: Garage Capacity: Exterior wall:
 Above Grade: Parking Spaces: Porch Type:
 Total Rooms: Basement Area: Patio Type:
 Bedrooms: Finish Bsmnt Area: Pool:
 Bath(F/H): / Basement Type: Air Cond:
 Year Built / Eff: / Roof Type: Style:
 Fireplace: / Foundation: Quality:
 # of Stories: Roof Material: Condition:

Other Improvements: Building Permit**Site Information**

Zoning: FR-B-5(40) Acres: 40.00 County Use: RURAL - RESD IMPR 20-40 ACRES (3104)
 Lot Area: 1,742,400 Lot Width/Depth: x State Use:
 Land Use: RURAL HOMESITE Res/Comm Units: / Water Type:
 Site Influence: Sewer Type:

Tax Information

Total Value: \$444,681 Assessed Year: 2018 Property Tax: \$4,478.62
 Land Value: \$183,151 Improved %: 59% Tax Area: 060000
 Improvement Value: \$261,530 Tax Year: 2017 Tax Exemption:
 Total Taxable Value: \$444,681

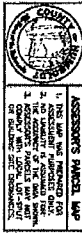
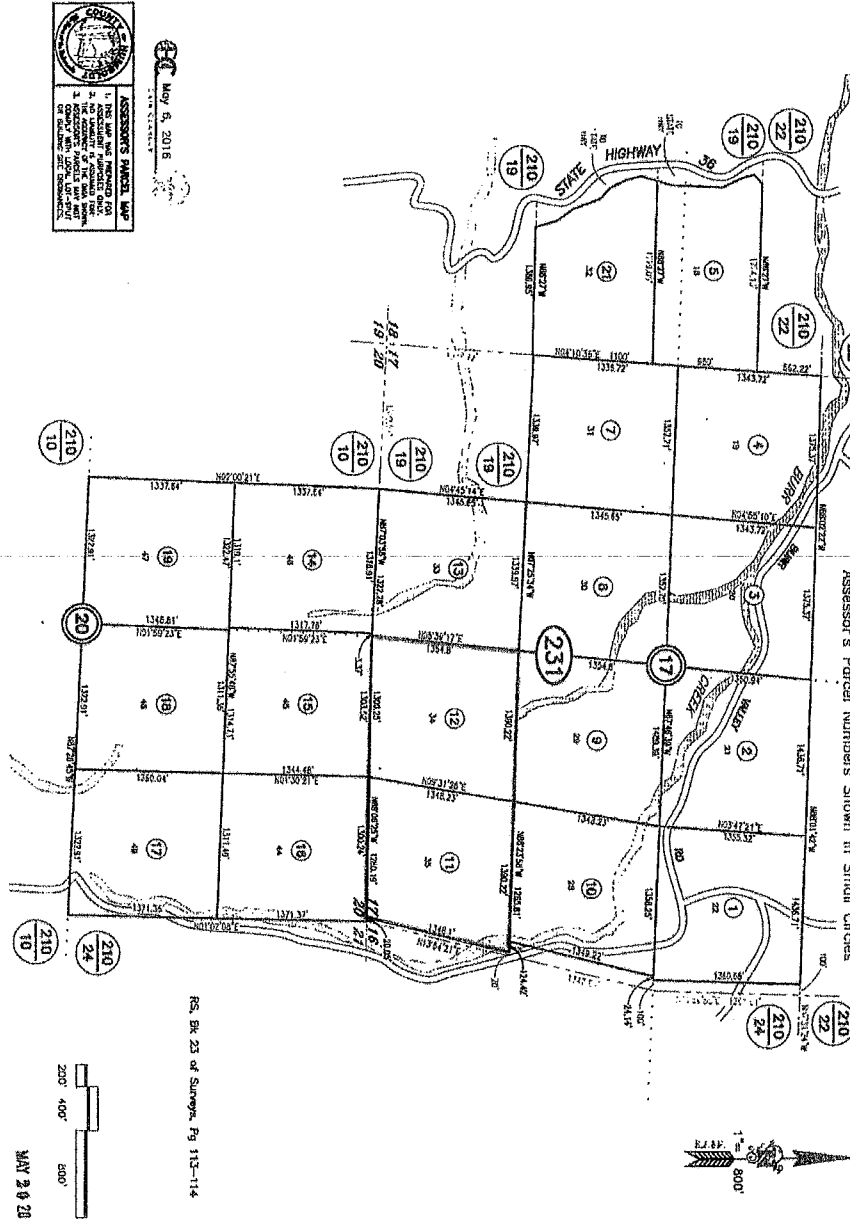
<http://pro.realquest.com/jsp/report.jsp?&action=confirm&type=getreport&recordno=0&reportopti...> 9/10/2018

Assessor's Map Bk 210, Pg 23
County of Humboldt, CA

PTN SECS 17,18 & 20, T1N R5E, HB&M

210-23

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Small Circles



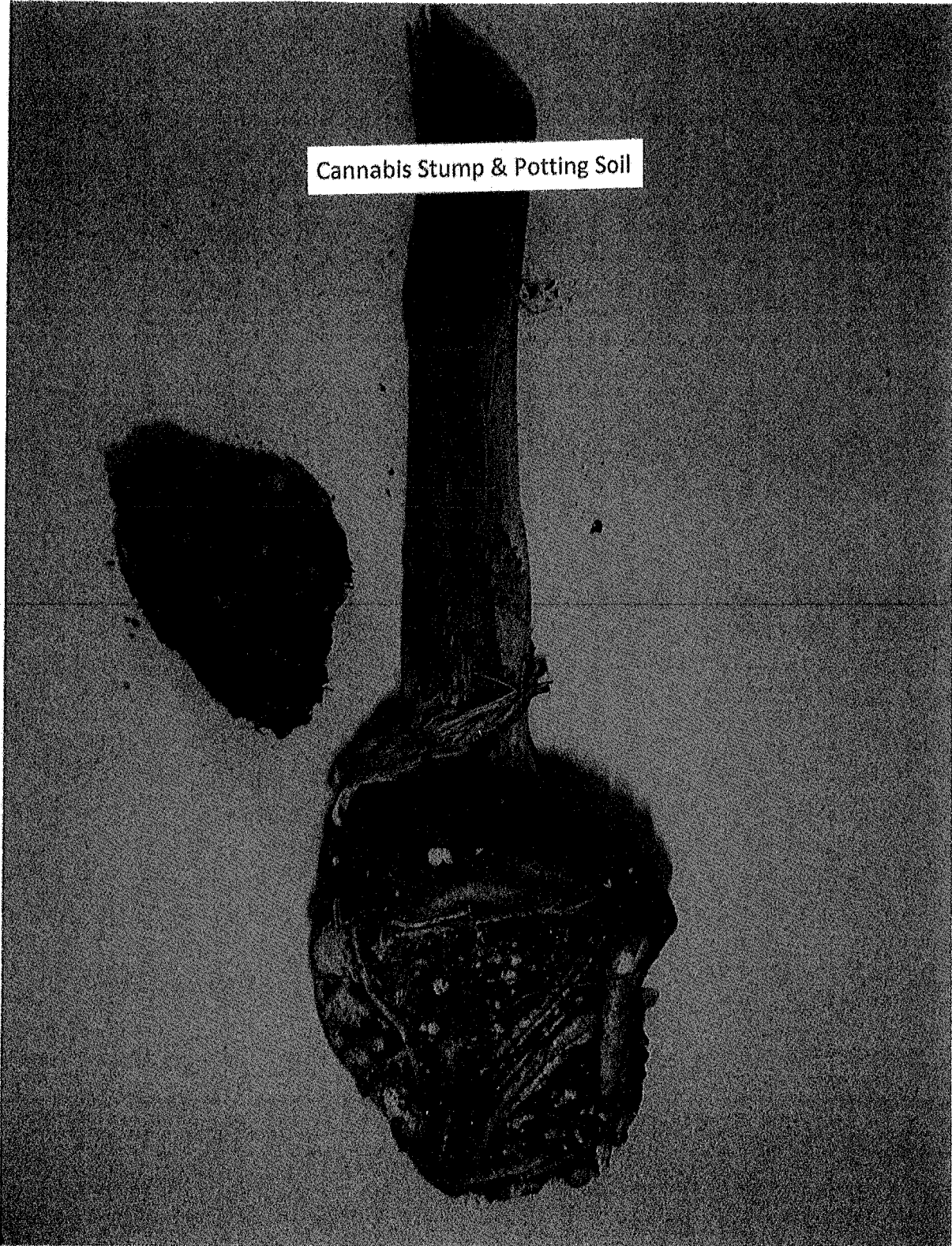
BC MAY 9, 2018

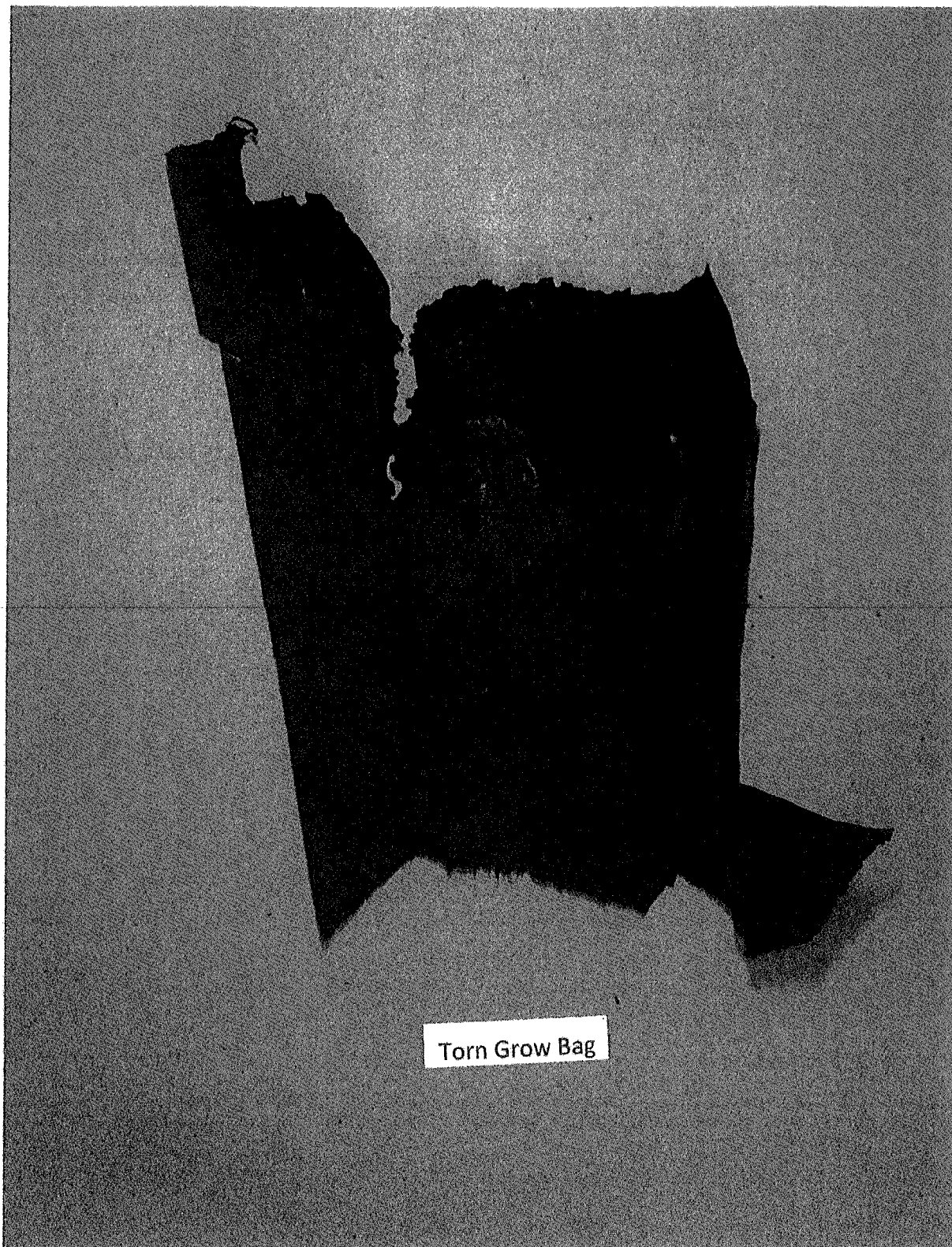
RS, BK 23 of Survey, Pg 113-114

MAY 9 2018

I Jerry rley leased parcel
210 231 012 to Larry
Strandburg for the year
of 2014 to whom it
may concern
Jerry - 499 4459

Jerry R







R/C 11/2/18

12479

Cannabis Grow History

on the

Strandburg Property

Located in the SW ¼ of the SE ¼ of

Section 17, T1N, R5E HB&M

APN 210-231-012

Natural Resources Management Corp. (NRM) was asked to investigate a grow site on the Strandburg property located in Burr Valley 2.5 miles southwest of the town of Dinsmore to determine if it might have been present prior to January 1, 2016. I am Merritt Lindgren, Registered Professional Forester #2522, and I a part owner of NRM. During my extensive time cruising timber in Mendocino and Humboldt County I have come across numerous cannabis grow sites in various stages of use. Some of them I have reported to the current landowners and / or the police and some I have just walked through. I believe that I have a fair ability to determine the approximate ages of different grow sites but it is difficult to be exact.

According to the attached Property Detail Reports, Cody Stranburg purchased the parcel APN 210-231-012) in 2016 from Jerry Rylee and Jerry owned it since 2002. The adjacent parcel (APN 210-231-011 is currently owned by KOHLO Management LLC CO who purchased the property from Larry Strandburg in 2017. Larry purchased that property in 2013. The approximate property lines are shown on the attached maps and photos.

A comparison of the NAIP Ortho Photos from 2005 to 2016 did not show any clear activity at the site until sometime after 2014. The 2016 photo show that a lot of development occurred between 2014 and 2016.

I went to the parcel on September 7, 2018 and met Larry Strandburg there. I started my investigation by asking Larry, the father of the current owner and past owner of the adjacent property, how long he had been growing in the area. He said he started growing cannabis in the 1990's. He told me that in 2014 one of his neighbors had started a fire and then refused to give the CA Department of Forestry access to put it out. As a result, the sheriff's office started to bust all of the cannabis grows in the area. At the time, Larry said he had plants growing in the openings on his adjacent property. He said he thought he would be busted too so he wanted to hide his plants in another location. He said he leased the subject property from Jerry Rylee in 2014 to finish growing his plants under the trees at a grow site that he showed me. Larry gave me the attached piece of paper that is apparently from Jerry Rylee to whom it may concern saying Jerry leased the property to Larry in 2014. The letter has a phone number on it if there are any questions needing clarification.

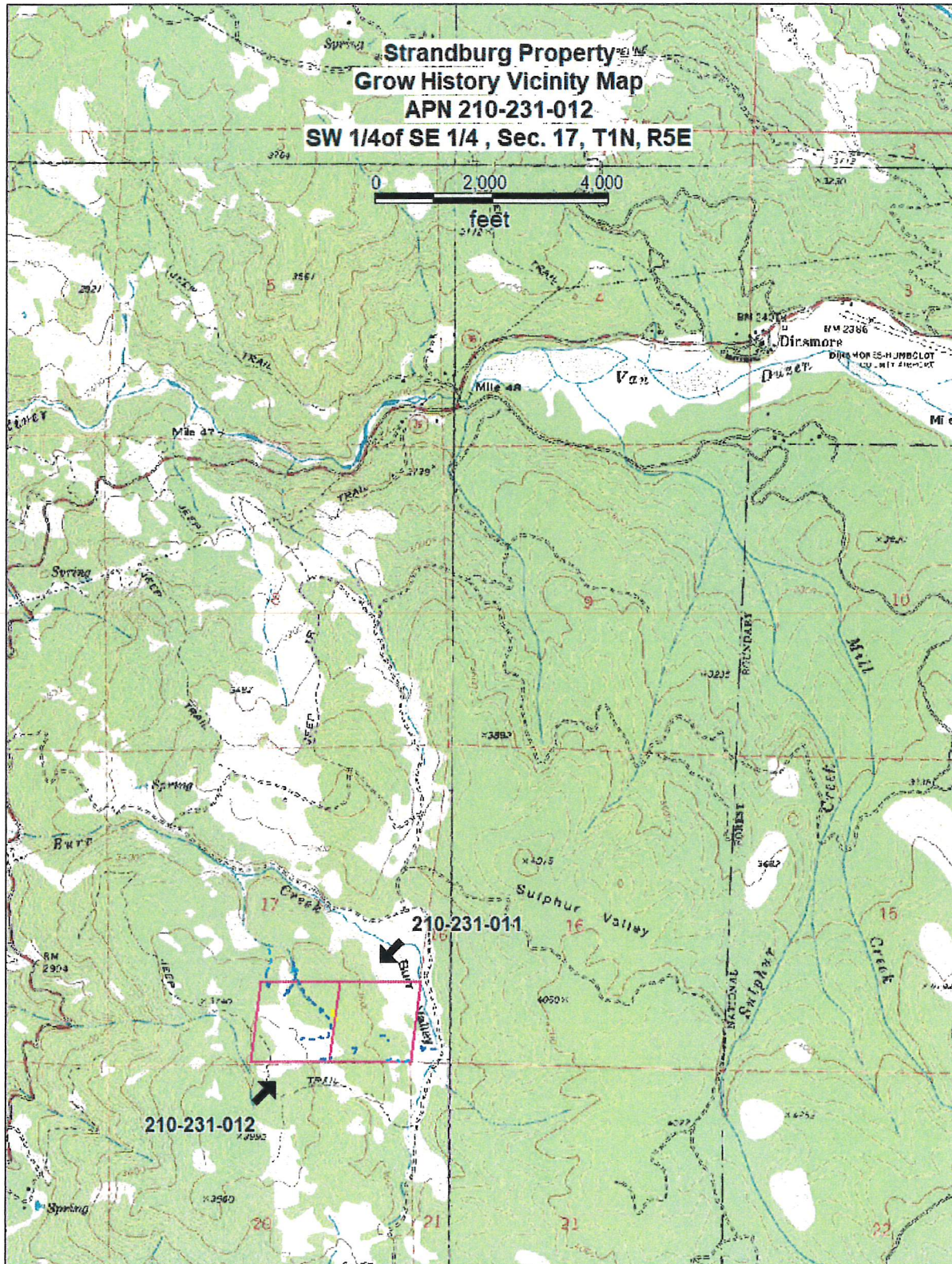
The grow site was located under an oak stand southwest of his green houses in the eastern portion of the property and adjacent to the road. Larry accessed the grow site on trails through the trees that were not visible on the NAIP Ortho photos. I inspected the site with Larry and there was evidence that cannabis had been grown at the site in the past. I found ¾ inch cannabis stumps in a peat & perlite substrate sporadically throughout the site. Also present were two grow bags that tore with

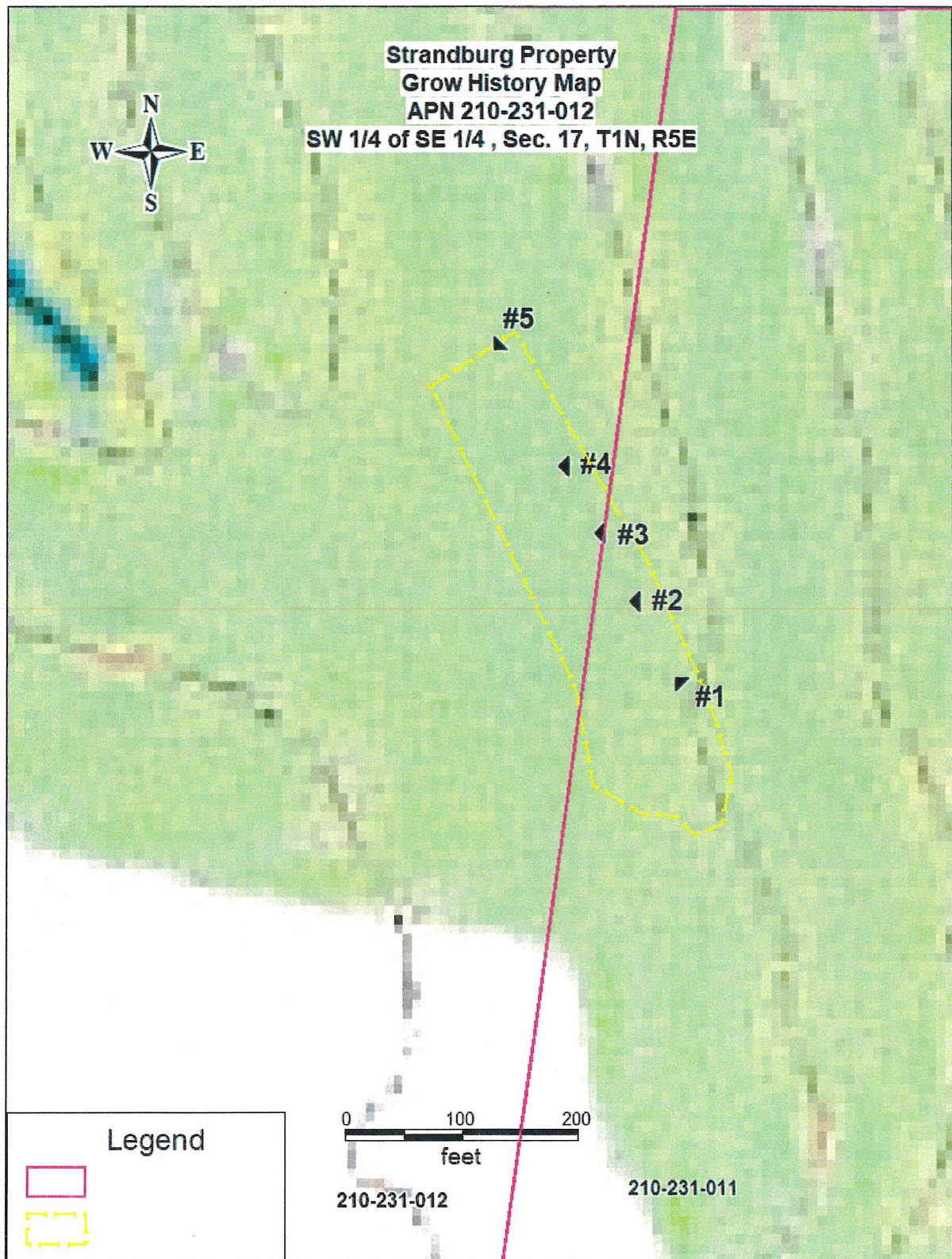
little difficulty and didn't stretch very much. There was a crushed plastic 1 gallon fertilize bottle imbedded ~ 3" in the duff and covered with leaves. There were many green plastic ribbons present in the duff that are used to tie plants to stakes. Some patches of grow soils with peat and perlite could be found exposed through the duff layer. Also found was a black plastic trash bag buried in the duff and soil crumpled to the touch. Throughout the site there were several (15 – 20) old cut oak stumps. It appeared that the smaller oaks were cut and the larger trees were retained. If these were cut for firewood I would think that the larger trees would have been cut and the smaller trees would have been left to grow. At two sunnier locations at the site were 2 patches of Douglas-fir seedling. I counted the branch whorls and determined that none of them were over 4 years old. Near the top of the site in the NW corner, I was also shown a small hand cut bench with thin duff layer that Larry said was where he had a water tank. He said he moved the tank higher up the hill to water the plants in the green houses above the site, but he didn't tell me when he moved it there. When I asked Larry if Jerry had a grow at this site under the trees he said Jerry had his grows in the openings above this site where his green houses are located. Please see the attached photos of the things collected at the site.

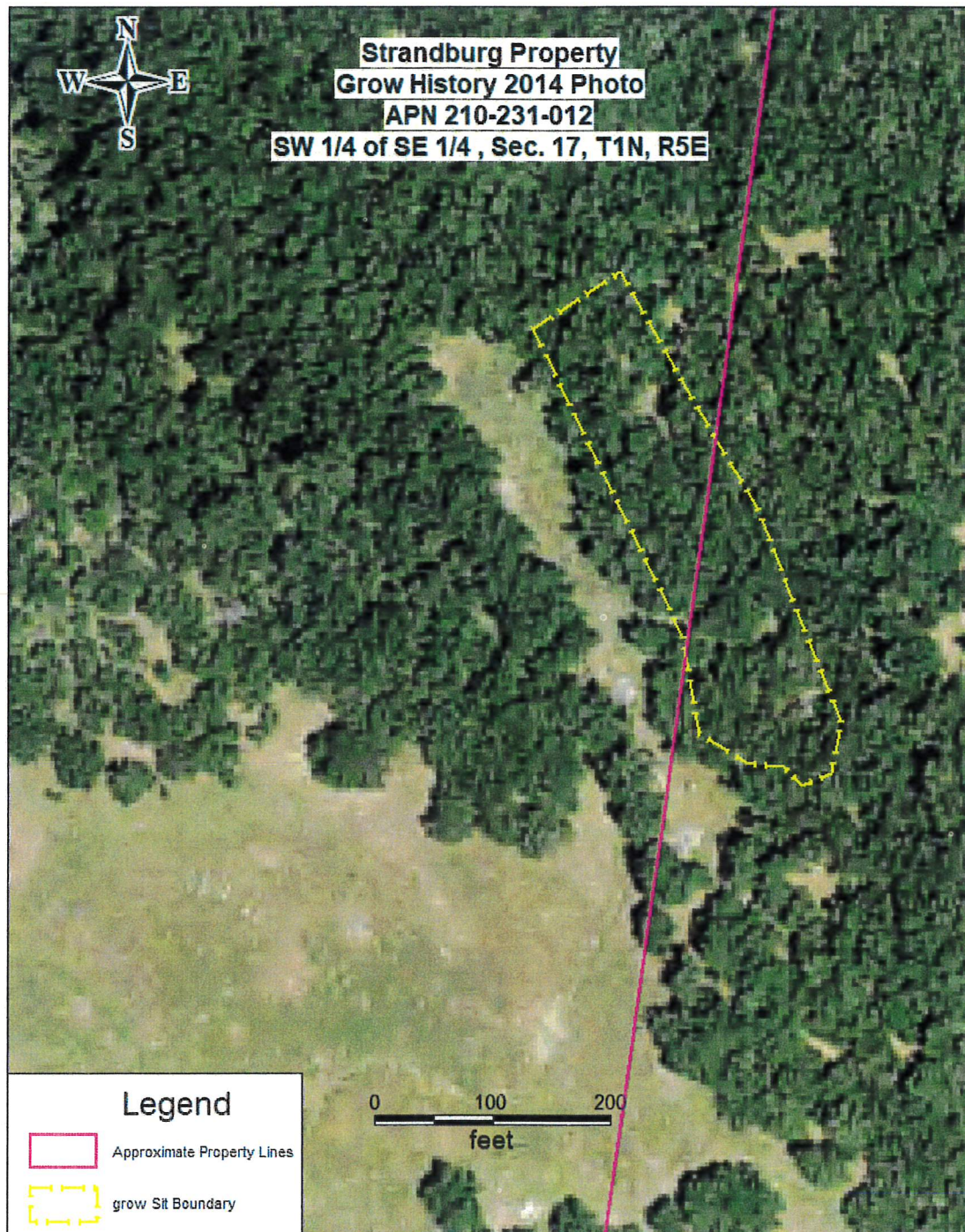
I believe that there was a cannabis grow at this site before 2016. That would explain why the oaks were thinned from below. The thinning would provide some light with a limited amount of visibility from above. Based on the age of the stumps I think Jerry may have cut them to hide his plants and Larry reused the improved site in 2014. The seedlings in the openings, where the cannabis plants would have been kept indicate that the site was probably last used more than 4 years ago. The black plastic bag and the gallon fertilizer bottle that were imbedded in the soil and duff and indicate that there had been activity at the site several years ago. The cannabis stumps, potting soil, grow bags and ribbons indicate that there was likely a cannabis grow at the site but they did not give me a clear indication of the age. There is also the letter from Jerry, to whom it may concern, with a phone number saying the parcel was least to Larry in 2014. All of this evidence would lead me to believe that there was a cannabis grow at the site prior to January 1st 2016.

Supplemental Information & Redrawing of the Grow Site

After reviewing the maps and photos that I presented originally with this report, Larry did not believe that I accurately depict the grow site that he used in 2014. I told him that I could not change the drawings without hard evidence, so he invited me to come back to the property. I revisited the property on October 26th, 2018 and met Larry there. We walked the area to the NE of the greenhouses and north of where I had previously mapped the grow site. In the area that we walked I was able to find some evidence that there was a grow in this area about four to eight years ago. I found some older plastic sheeting buried in the duff and several cut stumps of the smaller understory trees that were similar in age to the ones I found where I first mapped the grow. I tried to locate the perimeter of this area by finding where the stumps stopped. I photographed the stumps with the greenhouses in the background to show the directions and distances of the stumps to the greenhouses. I have included new maps and NAIP photos that show the true boundary of the historic grow site and I have added new photos to the end of this report that show the distance of the stumps from the greenhouses. I have included photo numbers with arrows showing the direction of the shot on the 2016 NAIP photo. I believe the way the grow site is now drawn depicts the actual grow site. It is 43,250 square feet in size.









Property Detail Report

For Property Located At :

,, CA



CoreLogic

RealQuest Professional

Owner Information

Owner Name: STRANDBURG CODY/GADDY CHELSEA
 Mailing Address: PO BOX 490, HYDESVILLE CA 95547-0490 B009
 Vesting Codes: // CP

Location Information

Legal Description: PARCEL 34 DEERFIELD RANCH BIK 23 RS PGS 113-116
 County: HUMBOLDT, CA APN: 210-231-012-000
 Census Tract / Block: 109.02 / 1 Alternate APN: 210-231-12
 Township-Range-Sect: Subdivision: DEERFIELD RANCH
 Legal Book/Page: Map Reference: /
 Legal Lot: Tract #: /
 Legal Block: School District: FORTUNA UN
 Market Area: School District Name: FORTUNA UN
 Neighbor Code: 210 Munic/Township: /

Owner Transfer Information

Recording/Sale Date: 02/02/2016 / 01/06/2019 Deed Type: QUIT CLAIM DEED
 Sale Price: 1st Mtg Document #: /
 Document #: 1975

Last Market Sale Information

Recording/Sale Date: 04/18/2016 / 03/07/2016 1st Mtg Amount/Type: /
 Sale Price: \$62,000 1st Mtg Int. Rate/Type: /
 Sale Type: UNKNOWN 1st Mtg Document #: /
 Document #: 7063 2nd Mtg Amount/Type: /
 Deed Type: QUIT CLAIM DEED 2nd Mtg Int. Rate/Type: /

Transfer Document #:

New Construction: Price Per SqFt:
 Title Company: Multi/Split Sale:
 Lender:

Seller Name: RYLEE JERRY L

Prior Sale Information

Prior Rec/Sale Date: 03/11/2002 / Prior Lender: /
 Prior Sale Price: \$54,546 Prior 1st Mtg Amt/Type: /
 Prior Doc Number: 6915 Prior 1st Mtg Rate/Type: /
 Prior Deed Type: GRANT DEED

Property Characteristics

Gross Area:	Parking Type:	Construction:
Living Area:	Garage Area:	Heat Type:
Tot Adj Area:	Garage Capacity:	Exterior wall:
Above Grade:	Parking Spaces:	Porch Type:
Total Rooms:	Basement Area:	Patio Type:
Bedrooms:	Finish Bsmnt Area:	Pool:
Bath(F/H): /	Basement Type:	Air Cond:
Year Built / Eff: /	Roof Type:	Style:
Fireplace: /	Foundation:	Quality:
# of Stories:	Roof Material:	Condition:

Other Improvements: Building Permit

Site Information

Zoning: FR-B-5(40)	Acres: 40.00	County Use: RURAL - RESD IMPR 20-40 ACRES (3104)
Lot Area: 1,742,400	Lot Width/Depth: x	State Use:
Land Use: RURAL HOMESITE	Res/Comm Units: /	Water Type:
Site Influence:		Sewer Type:

Tax Information

Total Value: \$173,228	Assessed Year: 2018	Property Tax: \$727.20
Land Value: \$129,682	Improved %: 25%	Tax Area: 080000
Improvement Value: \$43,546	Tax Year: 2017	Tax Exemption:
Total Taxable Value: \$173,228		

<http://pro.realquest.com/jsp/report.jsp?action=confirm&type=getreport&recordno=0&reportopti...> 9/10/2018

Property Detail Report

For Property Located At :

2320 BURR VALLEY RD, BRIDGEVILLE, CA 95526-9606



CoreLogic

RealQuest Professional

Owner Information

Owner Name: KOHILO MANAGEMENT LLC CO
 Mailing Address: 2358 UNIVERSITY AVE, SAN DIEGO CA 92104-2720 C034
 Vesting Codes: //

Location Information

Legal Description: PAR 36 RS FOR DEERFIELD LTD RSBK 23 PG 113;116
 County: HUMBOLDT, CA APN: 210-231-011-000
 Census Tract / Block: 109.02 / 1 Alternate APN: 210-231-11
 Township-Range-Sect: Subdivision:
 Legal Book/Page: Map Reference: /
 Legal Lot: 11 Tract #:
 Legal Block: 1 School District: FORTUNA UN
 Market Area: School District Name: FORTUNA UN
 Neighbor Code: 210 Munic/Township:

Owner Transfer Information

Recording/Sale Date: / Deed Type:
 Sale Price: 1st Mtg Document #:

Last Market Sale Information

Recording/Sale Date: 04/10/2017 / 03/06/2017 1st Mtg Amount/Type: \$350,000 / PRIVATE PARTY
 Sale Price: \$550,000 1st Mtg Int. Rate/Type: /
 Sale Type: FULL 1st Mtg Document #: 6294
 Document #: 6293 2nd Mtg Amount/Type: /
 Deed Type: GRANT DEED 2nd Mtg Int. Rate/Type: /

Transfer Document #: Price Per SqFt:
 New Construction: Multi/Split Sale:

Title Company: HUMBOLDT LAND TITLE CO.

Lender:

Seller Name: STRANDBURG LARRY D

Prior Sale Information

Prior Rec/Sale Date: 08/28/2013 / 08/02/2013 Prior Lender:
 Prior Sale Price: \$170,000 Prior 1st Mtg Amt/Type: \$120,000 / PRIVATE PARTY
 Prior Doc Number: 20069 Prior 1st Mtg Rate/Type: /
 Prior Deed Type: GRANT DEED

Property Characteristics

Gross Area:	Parking Type:	Construction:
Living Area:	Garage Area:	Heat Type:
Tot Adj Area:	Garage Capacity:	Exterior wall:
Above Grade:	Parking Spaces:	Porch Type:
Total Rooms:	Basement Area:	Patio Type:
Bedrooms:	Finish Bsmnt Area:	Pool:
Bath(F/H): /	Basement Type:	Air Cond:
Year Built / Eff: /	Roof Type:	Style:
Fireplace: /	Foundation:	Quality:
# of Stories:	Roof Material:	Condition:

Other Improvements: Building Permit

Site Information

Zoning: FR-B-5(40) Acres: 40.00 County Use: RURAL - RESD IMPR 20-40 ACRES (3104)
 Lot Area: 1,742,400 Lot Width/Depth: x State Use:
 Land Use: RURAL HOMESITE Res/Comm Units: / Water Type:
 Site Influence: Sewer Type:

Tax Information

Total Value: \$444,681	Assessed Year: 2018	Property Tax: \$4,478.62
Land Value: \$183,151	Improved %: 59%	Tax Area: 060000
Improvement Value: \$261,530	Tax Year: 2017	Tax Exemption:
Total Taxable Value: \$444,681		

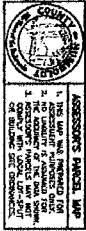
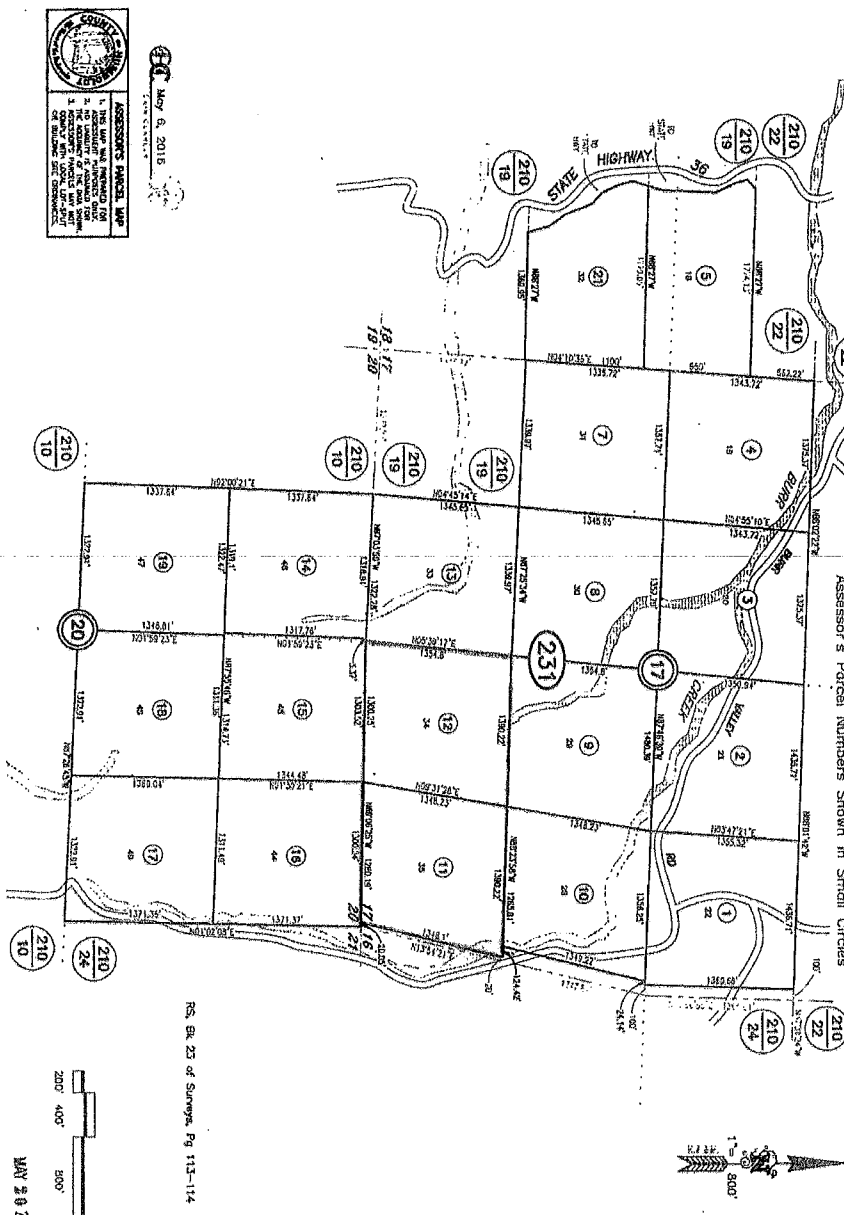
<http://pro.realquest.com/jsp/report.jsp?action=confirm&type=getreport&recordno=0&reportopti...> 9/10/2018

Assessor's Map Bk 210, Pg 23
County of Humboldt, CA

PTN SECS 17,18 & 20, T1N R5E, HB&M

210-23

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Small Circles



May 6, 2018

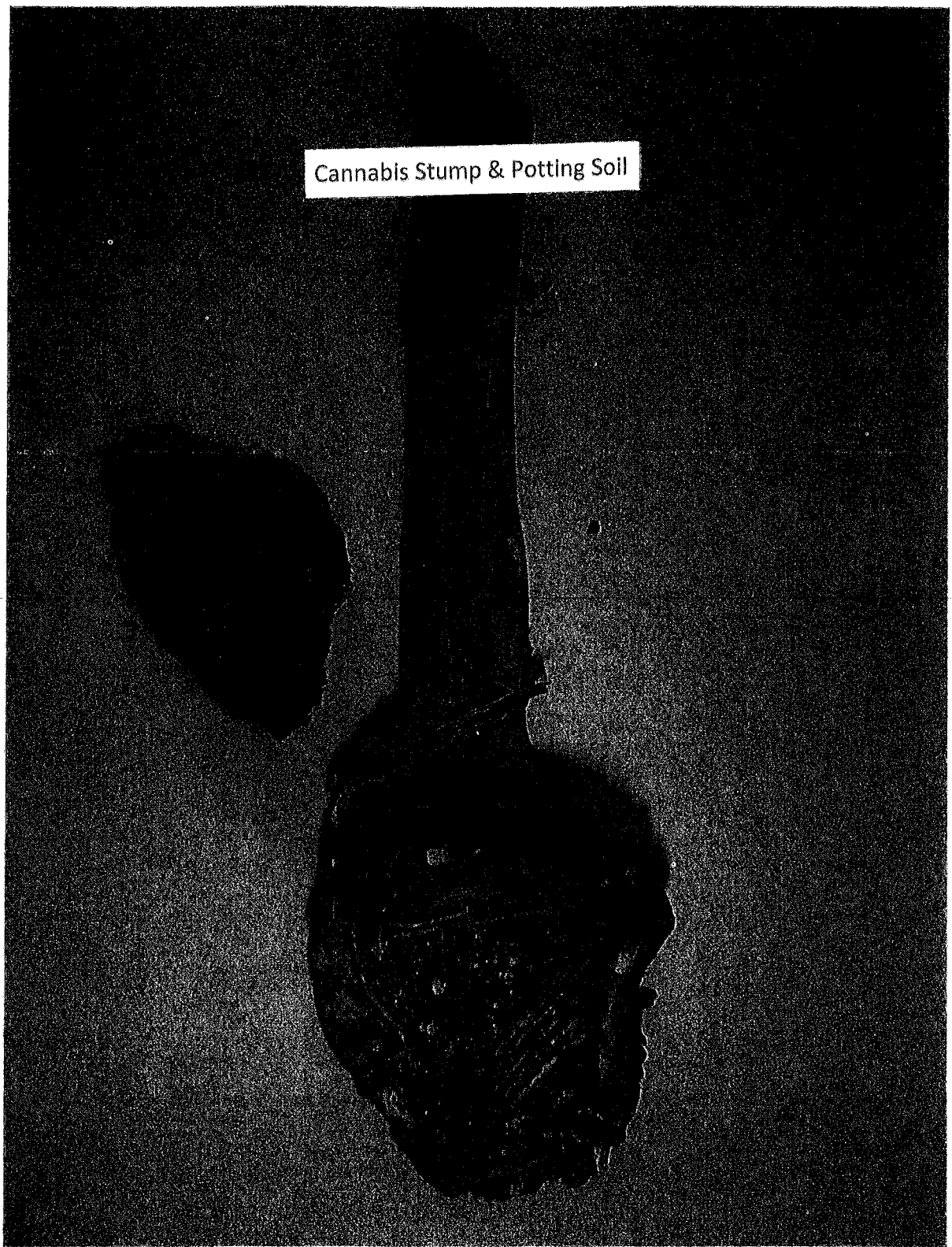
PS, Bk 23 of Survey, Pg 113-114

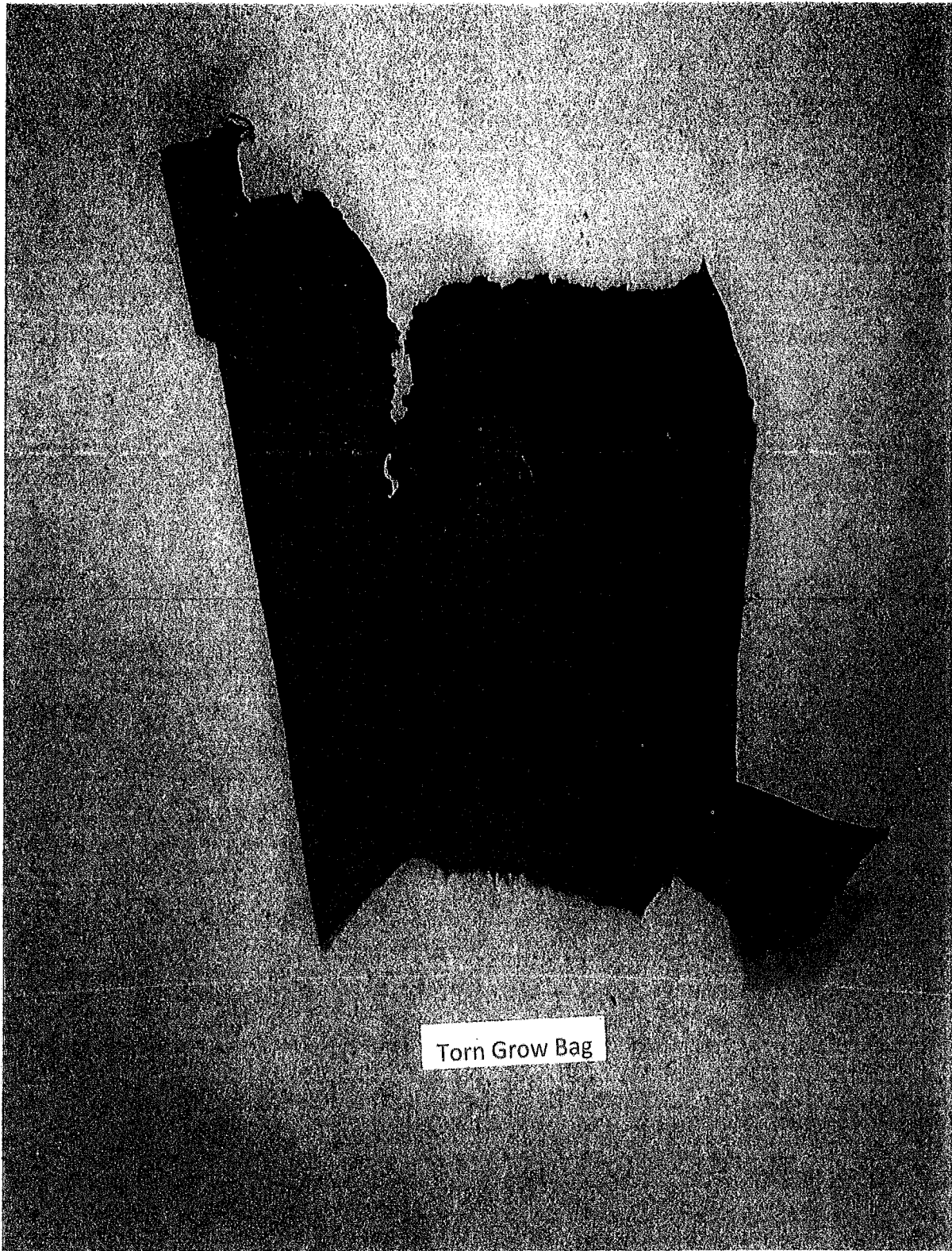
200' 400' 800'

MAY 20 2018

I Jerry rley leased parcel
210 231 012 to Larry
Strandburg for the year
of 2014 to whom it
may concern
Jerry - 499 4459

Jerry R







Black Plastic Bag

Plant Stake Ribbon

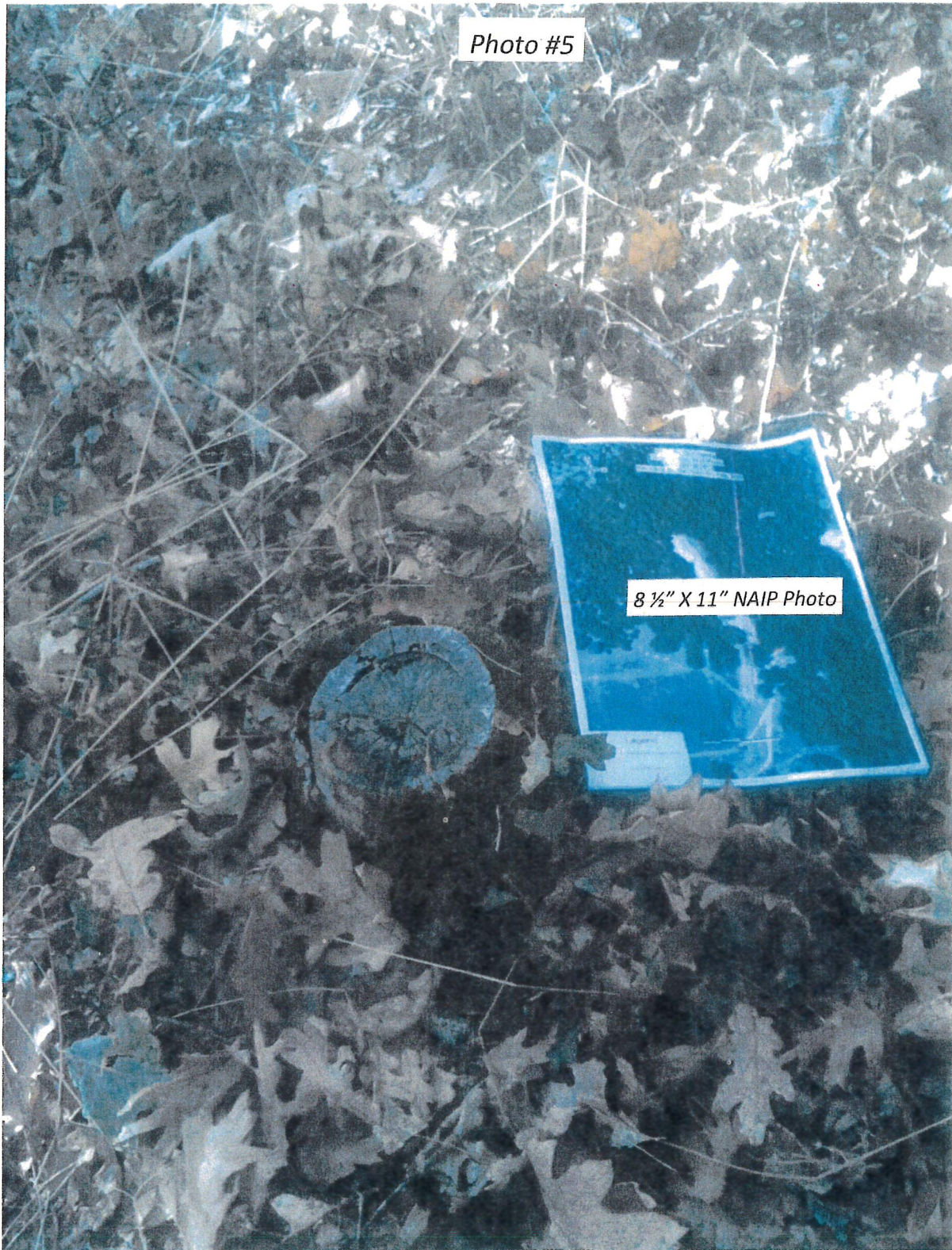














ATTACHMENT 4

Violation Letter to Applicant



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

3015 H Street Eureka CA 95501
Fax: (707) 268-3792 Phone: (707) 445-7541

November 1, 2018

Burr Valley Farms LLC
Cody Strandburg
PO Box 490
Hydesville, CA 95547

RE: Permit Application No. 12479
Key APN 210-231-012

Dear Cody Strandburg,

Thank you for continuing to work with the Planning and Building Department on this application to permit commercial cannabis cultivation. As you may be aware, cannabis cultivation in 2018 requires a local permit and a state license to be deemed legal. Applicants with cultivation existing¹ prior to January 1, 2016 are eligible for an Interim Permit, which offers a temporary pathway to legal commercial cannabis cultivation. However, a problem has been identified on this parcel that prevents the issuance of an Interim Permit. The County is committed to working with all cannabis applicants to remedy violations and continue toward compliance with all local and state regulations. Your immediate action is needed to resolve the issue.

Staff review of aerial imagery shows what appears to be a violation of County Code. Specifically, outdoor cultivation expanded by a total of 31,500 square feet. County staff reviewed the report provided by Natural Resources Management Corporation (NRM) and concluded there was 3,000 square feet of prior cultivation. Our analysis of imagery also concludes that 34,500 square feet of outdoor cannabis cultivation occurred in 2018. Planning Department policy is to levy a fee of twice the Measure S excise tax for the expanded area. The penalty fee for the expansion of 31,500 square feet outdoor area is therefore \$63,000. The areas of expansion must be removed and cultivation cannot exceed the 3,000 square foot baseline established in the NRM report. In addition, all of the greenhouses and infrastructure in the lower area must be removed and the area restored to its pre-cultivation natural state which includes, but is not limited to, re-establishing natural topographical contours and revegetation.

ACTION NEEDED

The following options are available to you, and your decision must be communicated to this Department in writing within 30 days:

¹ Existing cultivation is defined as the greatest total verifiable cultivation area in a single year existing on the subject parcel prior to January 1, 2016. County Code section 55.4.8.2.2 states that no expansion of cultivation area may be permitted. The new ordinance provides an option for existing cultivators to add cultivation area, but that expansion may not occur until a permit has been issued.

1. Resolve the violation by paying the penalty fee and removing the expanded cultivation area and providing a restoration plan for the lower area; OR
2. Withdraw the application, remove all cannabis related fixtures and equipment from the parcel, and remediate, restore, and restock any disturbed area to their natural condition; OR
3. Respond to this letter with clear and substantial evidence to establish why the cultivation area did not expand.

Responses must be received within 30 days of the date of this letter. If no response is received within 30 days of the date of this letter, the application will be prepared for hearing with the evidence presently in the file. Staff will recommend denial and refer the project for enforcement actions.

If you have questions about this letter, please contact Steven Santos at 707-268-3749 or sasantos@co.humboldt.ca.us.

Sincerely,

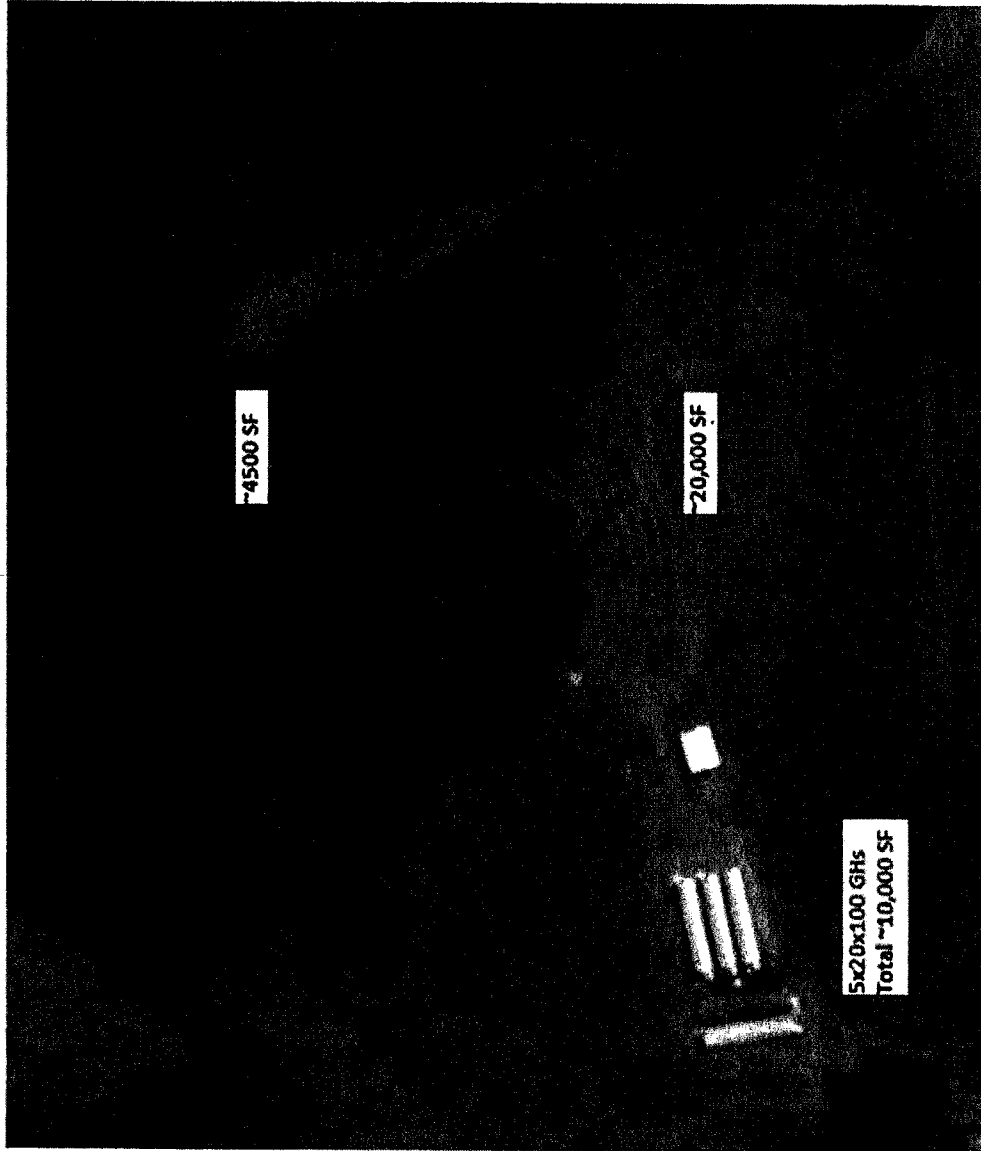
Bob Russell
Deputy Director

ENC: Aerial Imagery

CC: AgDynamix

Exhibit A:

Figure 1: Evidence of expanded cannabis cultivation after Jan 1, 2016 in violation of County Code. Outdoor cultivation area totaled 34,500 square feet on 08/25/2018.



ATTACHMENT 5

November 7, 2018 Aerial Imagery



ATTACHMENT 6

REQUIRED FINDINGS FOR PERMIT APPROVAL AND STAFF ANALYSIS

Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

The County Zoning Ordinance, Sections 312-1.1.2 (Legal Lot Requirement) and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specify the findings that are required to grant a Special Permit:

1. The proposed development is in conformance with the County General Plan;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. ~~The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized; and~~
6. In addition, CEQA states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The proposed project either:
 - a. Is categorically or statutorily exempt; or
 - b. Has no substantial evidence that the proposed project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

Evidence Supporting the Required Findings: To approve this proposed project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

1. The proposed development must be consistent with the General Plan; 2. Zoning Compliance; 4. Public Health, Safety and Welfare; and 5. Residential Density:

An analysis of the proposed development regarding these findings was not performed because the applicant did not meet the threshold criteria required in finding #3

3. Conforms with applicable standards and requirements of these regulations:

The proposed project does NOT conform with applicable standards and requirements of the regulations. Specifically, Humboldt County Code (HCC) 314-55.4.8.2.2 requires that the cultivation area be in existence prior to January 1, 2016.

"Approvals for Existing Outdoor and Mixed-Light Cultivation Areas A Zoning Clearance Certificate, Special Permit or Use Permit may be issued for outdoor or mixed-light commercial cannabis cultivation for some or all of the cultivation area in existence prior to January 1, 2016, in zoning districts AE (no parcel size limitation), RA (on parcels of five acres or larger), and AG, FP, DF, FR, U, and TPZ districts (on parcels of one acre or larger) only when possible to bring them into compliance with all applicable standards set forth in this section and to eliminate existing violations as specified in this ordinance. No expansion of the existing cultivation area shall be permitted. The total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation or 22,000 square feet for mixed-light cultivation. (Section amended by Ord. 2559, Sec. 2, 07/19/2016)" (Emphasis added)

The applicant has not provided sufficient documentation of prior cultivation per HCC 314-55.4.9.4.

Pre-Application Registration of Existing Cultivation Site

All operators of existing cultivation sites seeking recognition of cultivation activities that occurred on or before January 1, 2016, for purposes of obtaining a Zoning Clearance Certificate or discretionary permit for ongoing commercial cannabis cultivation for medical use pursuant to the CMMLUO shall register with the County of Humboldt Department of Planning & Building within 180 days of the effective date of this ordinance. Registration shall be on a form provided by the Planning Department that shall include the name and contact information of the operator, the address and/or Assessor's Parcel Number of the property where the cultivation site is located, the name and address of the property owner of the parcel, the approximate latitude and longitude coordinates of the cultivation site, and the approximate area (in square feet) under cultivation on or before January 1, 2016. Registrants shall provide sufficient documentation of prior cultivation activity. Registrants shall receive information about their options for obtaining a Zoning Clearance Certificate, Special Permit, or Use Permit as necessary for the commercial cultivation of cannabis for medical use to comply with the MMRSA. Registrants may also be eligible to receive a certificate of good standing from the County of Humboldt for purposes of obtaining priority processing of state license applications, pursuant to the MMRSA, Business and Professions Code Section 19321 (c). (Section added by Ord. 2544, Sec. 2, 01/26/2016) (Emphasis added)

The applicant has not established that the cultivation currently observed on site was in existence prior to January 1, 2016.

6. Environmental Impact:

The recommended denial will not adversely impact the environment because it is statutorily exempt from State environmental review per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.