



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482  
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

JULIA KROG, DIRECTOR  
TELEPHONE: 707-234-6650  
FAX: 707-463-5709  
FB PHONE: 707-964-5379  
FB FAX: 707-961-2427  
[pbs@mendocinocounty.gov](mailto:pbs@mendocinocounty.gov)  
[www.mendocinocounty.gov/pbs](http://www.mendocinocounty.gov/pbs)

April 25, 2025

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Zoning Administrator, at its regular meeting on Thursday, May 8, 2025, at 1:30 PM., will conduct a public hearing on the following project(s) at the time listed or as soon thereafter as the item may be heard. This meeting will take place at the Planning & Building Services Conference Room, located at 860 North Bush Street, Ukiah and virtual attendance will be available via Zoom. Meetings are live streamed and available for viewing online on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>. In lieu of personal attendance the public may participate digitally in meetings by sending comments to [pbscommissions@mendocinocounty.gov](mailto:pbscommissions@mendocinocounty.gov) or via Telecomment. The telecomment form may be found at: <https://www.mendocinocounty.gov/departments/planning-building-services/public-hearing-bodies>.

**CASE#:** AP\_2023-0044

**DATE FILED:** 10/13/2023

**OWNER:** Syracuse Goldenghost

**APPLICANT:** Cicada Ag. LLC

**REQUEST:** Administrative Permit for a reduced 50-foot setback from cannabis cultivation activities to the eastern property line of different ownership.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** 1.3± miles northeast of Covelo town center, on a private drive, west of Barnes Lane (CR 337G), .5± miles south of it's intersection with SR 162; located at 24750 Biggar Ln, Covelo (APN 032-390-25).

**SUPERVISORIAL DISTRICT:** 3 (Haschak)

**STAFF PLANNER:** Jamie Henry

The staff report and notice will be available for public review 10 days prior to the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.gov/departments/planning-building-services/public-hearing-bodies>.

Your comments regarding the above project(s) are invited. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California. The public may participate digitally in meetings by emailing comments to [pbscommissions@mendocinocounty.gov](mailto:pbscommissions@mendocinocounty.gov) by May 7, 2025, or orally via telecomment in lieu of personal attendance. All public comment will be made available to the Zoning Administrator, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.gov/departments/planning-building-services/public-hearing-bodies>.

The Zoning Administrator's action regarding this item shall be final unless appealed to the Board of Supervisors. The last day to file an appeal of the Zoning Administrator's decision is the 10th day after the hearing. To file an appeal, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

**AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE.** Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should

contact the Department of Planning and Building Services by calling 707-234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 707-234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Zoning Administrator's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

JULIA KROG, Director of Planning and Building Services



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**ZONING ADMINISTRATOR  
STAFF REPORT- ADMINISTRATIVE PERMIT**

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**MAY 8, 2025  
AP\_2023-0044**

**PROJECT PLANNER CONTACT**

Jamie Henry  
860 N Bush St  
Ukiah, CA 95482  
Phone: 707-234-6650  
Fax: 707-463-5709  
henryj@mendocinocounty.gov

**PROJECT SUMMARY**

**OWNER:** Syracuse Goldenghost  
367 N State St Ste 201  
Ukiah, Ca 95482

**APPLICANT:** Cicada Ag, LLC  
4450 Lake Ridge Rd  
Ukiah, Ca 95482

**REQUEST:** Administrative Permit for a reduced 50-foot setback from cannabis cultivation activities to the eastern property line of different ownership.

**LOCATION:** 1.3± miles northeast of Covelo town center, on a private drive, west of Barnes Lane (CR 337G), .5± miles south of it's intersection with SR 162; located at 24750 Biggar Ln, Covelo (APN 032-390-25).

**TOTAL ACREAGE:** 10± Acres

**GENERAL PLAN:** Remote Residential (RMR 20)  
General Plan (Chapter 2 – Development Element)

**ZONING:** Upland Residential, 20 acres minimum (UR 20)  
Mendocino County Code Title 20, Division I

**CODE REFERENCE:** Cannabis Facilities - Microbusiness  
Mendocino County Code (MCC) Section 20.242

**SUPERVISORIAL DISTRICT:** District 3 (Haschak)

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt §15305

**RECOMMENDATION:** Approve with Conditions

## PROJECT BACKGROUND & INFORMATION

**PROJECT DESCRIPTION:** The applicant is seeking an administrative permit to reduce the required setback from 100 feet to 50 feet from an adjacent parcel that is under separate ownership. This proposed reduction is essential to accommodate specific infrastructure components of a Phase 3 cannabis cultivation operation, while still ensuring adherence to all other relevant land use regulations.

**SITE CHARACTERISTICS:** The project encompasses a total of 14 greenhouses, with a cultivation area of 9,240 square feet. This includes three greenhouses (each measuring 30 feet by 100 feet) designated for nursery operations, an 8 foot by x40 foot cargo container for harvest storage, as well as storage for fertilizers and pesticides. Additionally, the site features a 15 foot by 20-foot area for cannabis waste and compost, a 12 foot by 20-foot soil storage area, two 5,000-gallon water tanks, a single-family residence, a carport, a shop, and one accessory structure (30 feet by 60 feet) designated for storage, nursery propagation, and restroom facilities. The overall parcel is relatively flat with an estimated slope of only 0-5 percent.

No grading or vegetation removal is proposed with the construction of the three nursery greenhouses, an accessory structure for harvest storage and an ADA-compliant restroom. One of the proposed greenhouses will be positioned at least 50 feet from the boundary of the adjoining parcel. The nursery and storage facilities are essential for the effective operation of the cannabis cultivation site, as they support plant propagation and provide critical equipment storage.

**Public Services:**

Water District: Well

Sewer District: Septic

Fire District: Covelo Fire Protection District

**RELATED APPLICATIONS:** The following applications have occurred on the subject parcel or on the surrounding properties and are relevant to the proposed project. All projects listed below have already been approved, unless otherwise stated.

**Subject Parcel Projects:**

- **BV\_2023-0149:** Legalize existing hoop house #1 – Finaled **06/22/2023**
- **BV\_2023-0150:** Legalize existing hoop house #2 – Finaled **06/22/2023**
- **BV\_2023-0151:** Legalize existing hoop house #3 – Finaled **06/22/2023**
- **BV\_2023-0152:** Legalize existing hoop house #4 – Finaled **06/22/2023**
- **BV\_2023-0153:** Legalize existing hoop house #5 – Finaled **06/22/2023**
- **BV\_2023-0154:** Legalize existing hoop house #6 – Finaled **06/22/2023**
- **BV\_2023-0155:** Legalize existing hoop house #7 – Finaled **06/22/2023**
- **BV\_2023-0156:** Legalize existing hoop house #8 – Finaled **06/22/2023**
- **BV\_2023-0157:** Legalize existing hoop house #9 – Finaled **06/22/2023**
- **BV\_2023-0158:** Legalize existing hoop house #10 – Finaled **06/22/2023**
- **BV\_2023-0159:** Legalize existing hoop house #11 – Finaled **06/22/2023**
- **BV\_2023-0160:** Legalize existing hoop house #12 – Finaled **06/22/2023**
- **BV\_2023-0161:** Legalize existing hoop house #13 – Finaled **06/22/2023**
- **BV\_2023-0162:** Legalize existing hoop house #14 – Finaled **06/22/2023**

**BU\_2024-0679:** Garage with Lean-to - Ready for Applicant

**Neighboring Projects: None**

**AGENCY COMMENTS:** On May 24, 2024 and again on January 29, 2025, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their recommended conditions are discussed in this staff report and contained in Conditions of Approval. A summary of the submitted agency comments are listed below.

**TABLE 1: Referral Agency Responses**

<b>REFERRAL AGENCIES</b>	<b>COMMENT</b>
Air Quality Management District	No Response
Assessor's Office	No Response
Building Division	No Comment
County Addresser	No Comment
Department of Transportation (DOT)	No Comment
Environmental Health	No Comment
Covelo Fire Protection District	No Response
Round Valley MAC	No Response
Round Valley Unified School District	No Response
Round Valley County Water District	No Response
Planning Division Ukiah	No Comment
California Department of Fish and Wildlife	Comment
Regional Water Quality Control Board	No Response
Cloverdale Rancheria	No Response
Cahto Tribe	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Round Valley Tribe	No Response
Mendocino Cannabis Department	Comment

**California Department of Fish and Wildlife commented the following:**

*“ The current cultivation area and the area where the cultivation is proposed to be moved are within a historical elemental occurrence of Milo Baker’s lupine (Lupinus milobakeri), a California Endangered Species Act state listed endangered plant species...” (see attachment L.) “...However, based on information in the referral packet, a review of satellite imagery, regular maintenance of the area, and ongoing sheep grazing, there is a low likelihood of occurrence of Milo Baker’s lupine in the proposed new cultivation area. CDFW acknowledges that the referral states, “There will be no grading or vegetation removal needed for the completion of the site.” However, if in the future tree and/or shrub (e.g., Himalayan blackberry, etc.) removal is proposed, or soil disturbance is proposed with the elemental occurrence, then CDFW would recommend botanical surveys targeting Milo Baker’s lupine within the appropriate blooming period.”*

**Mendocino Cannabis Department:** MCD will verify the conditions of the Administrative Permit have been met at the time of CCBL renewal. If conditions have not been met, the AP may be revoked which could impact the viability of the CCBL.

**PROJECT ANALYSIS**

**GENERAL PLAN AND ZONING DISTRICT CONSISTENCY:**

The project proposes a setback reduction for a commercial cannabis cultivation operation on a parcel within the General Plan Land Use Category of Remote Residential, as defined by Chapter 3: Development Element of the Mendocino County General Plan. The Remote Residential General Plan Land Use classification is intended,

*“...to be applied to lands having constraints for commercial agriculture, timber production, or grazing, which are well suited for small scale farming and low density agricultural/residential uses by the absence of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource land uses. The classification is also applied to some areas that might not otherwise qualify except that the land has been divided and substantial development has occurred.*

*General Uses: Residential uses, agricultural uses, cottage industries, residential clustering, public facilities, conservation and development of natural resources, and recreation, utility installations.”*

While cannabis cultivation is not categorized as agriculture, it shares many similar aspects and is viewed as 'related to and compatible with' agricultural practices. The cultivation area restrictions outlined in Mendocino County Code (MCC) Chapters 10A.17 and 20.242 necessitate that cannabis cultivation occurs on a small scale and low density, aligning it with the objectives of the Remote Residential classification.

The proposed project is located within the Upland Residential (UR) Zoning District, as defined by MCC Chapter 20.056. Although not listed as a permissible use in Chapter 20.056, Chapter 20.242 establishes that this Zoning District can indeed support some types of commercial cannabis cultivation. The intent of Chapter 20.242 is

*“...to provide land use regulations for the County of Mendocino where cannabis may be cultivated, subject to the limitations established of this chapter and the provisions of Mendocino County Code Chapter 10A.17, the Mendocino Cannabis Cultivation Ordinance (MCCO). The objective of this Chapter is to allow the cultivation of cannabis in locations that are consistent with the intent of the base zoning district and to help ensure that its cultivation and related activities will not create adverse impacts to the public health, safety, and welfare of the residents of the County of Mendocino.”*

Pursuant to MCC 20.242.060(C), up to 10,000 square feet of mixed-light cannabis cultivation can be permitted on a UR zoned parcel, subject to a Zoning Clearance, State Cultivation License, and County Cultivation Business License pursuant to MCC Chapter 10A.17.

Additionally, in accordance with MCC 10A.17.040(A)(5), cultivation activities are generally prohibited within 100 feet of any adjoining legal parcel that is under separate ownership or access easement, whichever is more restrictive. However, MCC 20.242.060(D) outlines a specific exception to this rule:

**MCC 20.242.060(D):** *Setback Reduction. A reduction in the setback from a legal parcel line required by Section 10A.17.040 may be allowed with an Administrative Permit, approved according to Section 20.242.070(C), provided that the approved setback reduction is fifty (50) feet or greater from an adjoining property under separate ownership or access easement, whichever is most restrictive and the location of the cannabis cultivation site continues to comply with the required setback from an occupied legal residential structure.*

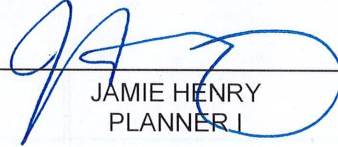
The proposed reduction of the setback will not be less than 50 feet, and all cultivation structures will adhere to the requirement of maintaining 50-foot setbacks from all property lines in the UR zoning district. Consequently, the proposed reduction of the cannabis cultivation setback can be deemed compliant with the UR zoning designation and the Mendocino County Zoning Code, subject to the fulfillment of the findings outlined in MCC 20.196.020 and MCC 20.242.070(C).

**Environmentally Sensitive Habitat and Other Resource Areas:** The California Department of Fish and Wildlife (CDFW) has determined that the proposed nursery site is situated within the historical range of a plant species classified as endangered under the California Endangered Species Act. However, a preliminary site assessment utilizing the best available data for the parcel indicates a low probability of the species' presence. The proposed nursery, along with its associated infrastructure, will not necessitate the removal of trees, shrubs, or other native vegetation, thereby minimizing potential impacts to sensitive plant species. The project design emphasizes environmental stewardship by preserving existing vegetation and soil conditions to the greatest extent possible. Should additional information or site-specific surveys suggest a higher likelihood of endangered species being present, the applicant will collaborate with CDFW to implement appropriate avoidance or minimization measures. Additionally, the scope of the administrative permit request pertains specifically to reducing the required setback from 100 feet to 50 feet. It is important to note that this reduction would not impact the likelihood of occurrence of the endangered plant species.

**Environmental Determination:** The Secretary for Resources has found that certain classes or projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents. The proposed project to reduce the required setback from 100 feet to 50 feet from an adjacent parcel that is under separate ownership. Meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under California Code of Regulations Section 15305 intended for minor alterations in land use limitations, including setbacks. The cultivation operation as a whole is not the "project" being reviewed for the purposes of the requested Administrative Permit; the cannabis cultivation is still subject to approval via cannabis cultivation business license number CAN-C-2023-3006 & CAN-N-2025-0001.

4/16/2025

DATE



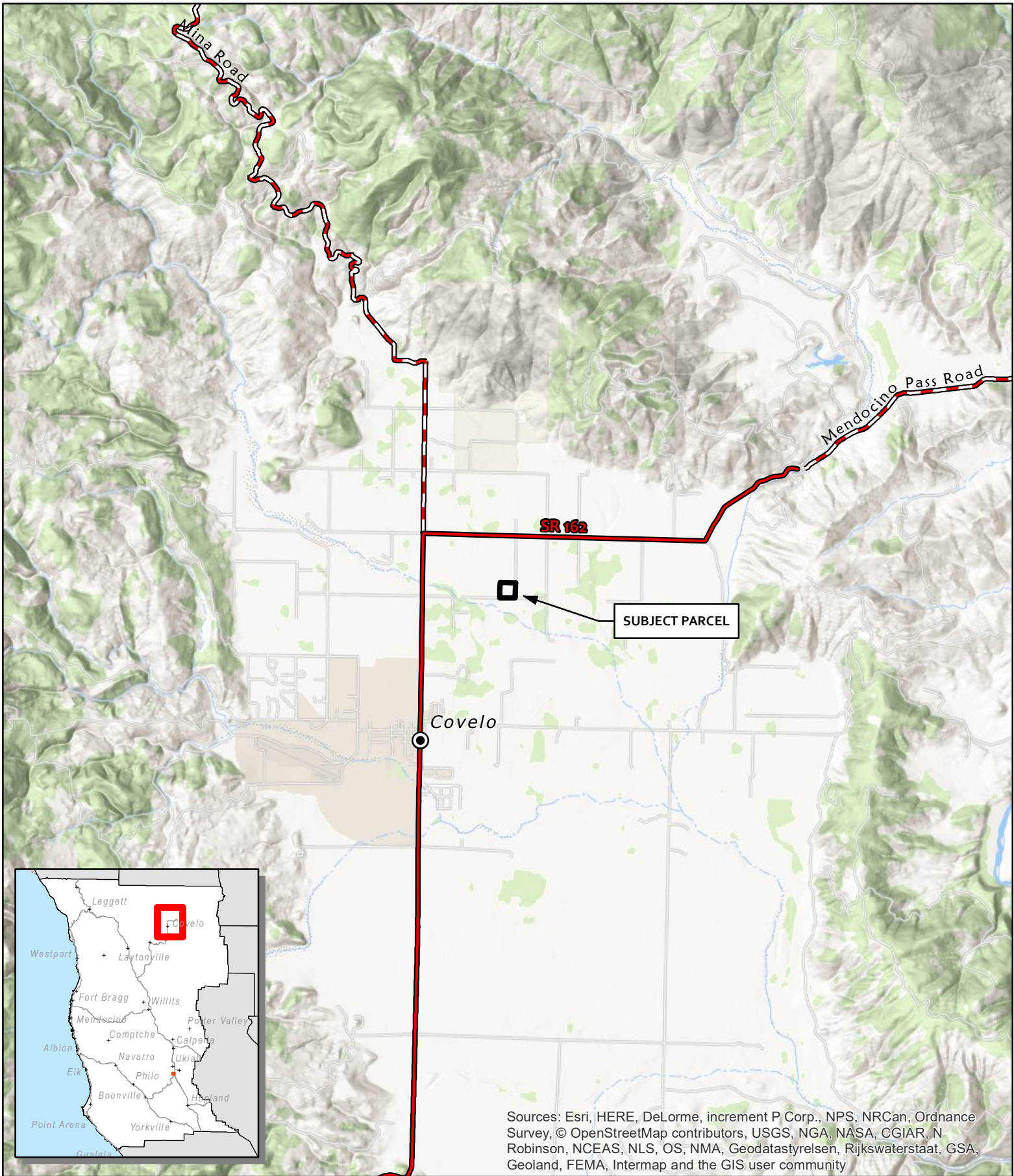
JAMIE HENRY  
PLANNER I

Appeal Period: 10 Days  
Appeal Fee: \$2,674.00

**ATTACHMENTS:**

- |                                     |                       |
|-------------------------------------|-----------------------|
| A. Location Map                     | G. Fire Hazards Map   |
| B. Aerial Map                       | H. Slope Map          |
| C. Site/Tentative Map/Project Plans | I. Soils Map          |
| D. General Plan Map                 | J. Williamson Act Map |
| E. Zoning Map                       | K. Wetlands           |
| F. Adjacent Owner Map               | L. CDFW Comment       |

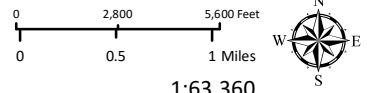
**RESOLUTION AND CONDITIONS OF APPROVAL (EXHIBIT A):**



Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

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**OWNER:** EVERIDGE, William  
**APN:** 032-390-25  
**APLCT:** Cicada Ag LLC  
**AGENT:** Syracuse Goldenghost  
**ADDRESS:** 24750 E Biggar Ln, Covelo

-  Major Towns & Places
-  Highways
-  Major Roads



1:63,360

LOCATION

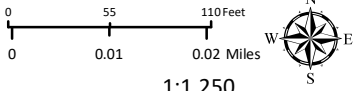
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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community,  
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----- Driveways/Unnamed Roads



1:1,250

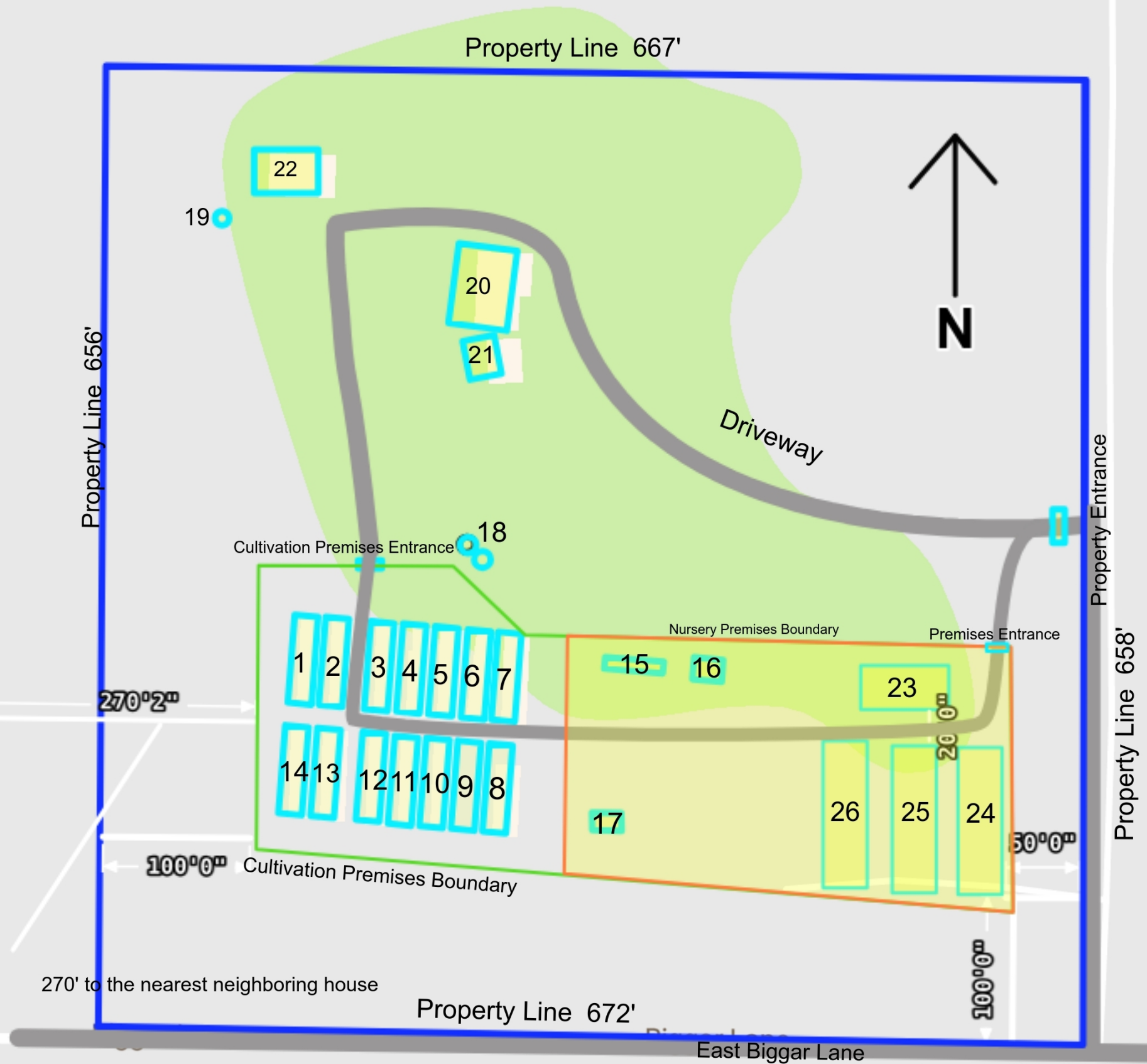
**AERIAL IMAGERY**

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24750 East Biggar Lane  
 Covelo, CA 95428  
 APN: 032-39-025  
 Property Owner: William Everidge  
 Permittee: Cicada Ag LLC  
 County License # 24TMP-000184  
 State License # PENDING

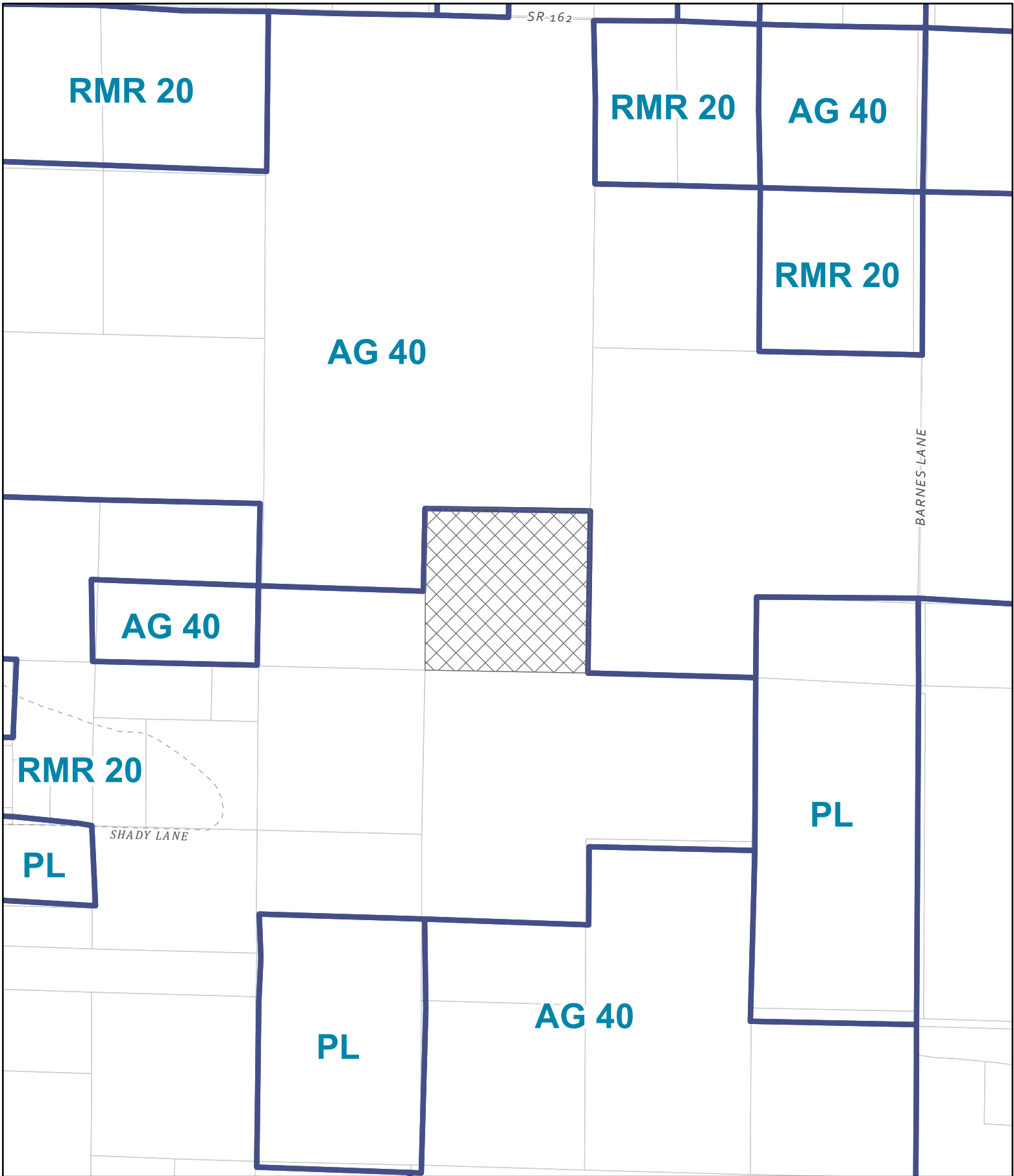
**Structures**

- 1-14) Cultivation Greenhouses  
 All greenhouses have a 16'x60' footprint, and contain beds that limit the cultivation canopy to 660' in each house, for a total canopy of 9,240 square feet.
- 15) Storage Container (8' x 40')  
 Harvest Storage  
 Fertilizer and Pesticide Storage
- 16) Cannabis Waste/ Compost Area (15' x 20')
- 17) Soil Storage Area (12' x 20')
- 18) 2 Water Tanks (2 x 5,000 Gallons)
- 19) Water Well (Lat. 39.81, Lon. -123.23)
- 20) House (non cannabis)
- 21) Carport (non cannabis)
- 22) Shop (non cannabis)
- 23) 30' x 60' storage, Nursery Propagation and bathroom
- 24, 25, &26) 30' x 100' Greenhouses (nursery)






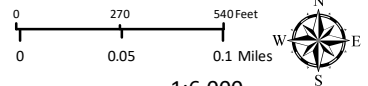
Biggar Lane

East Biggar Lane



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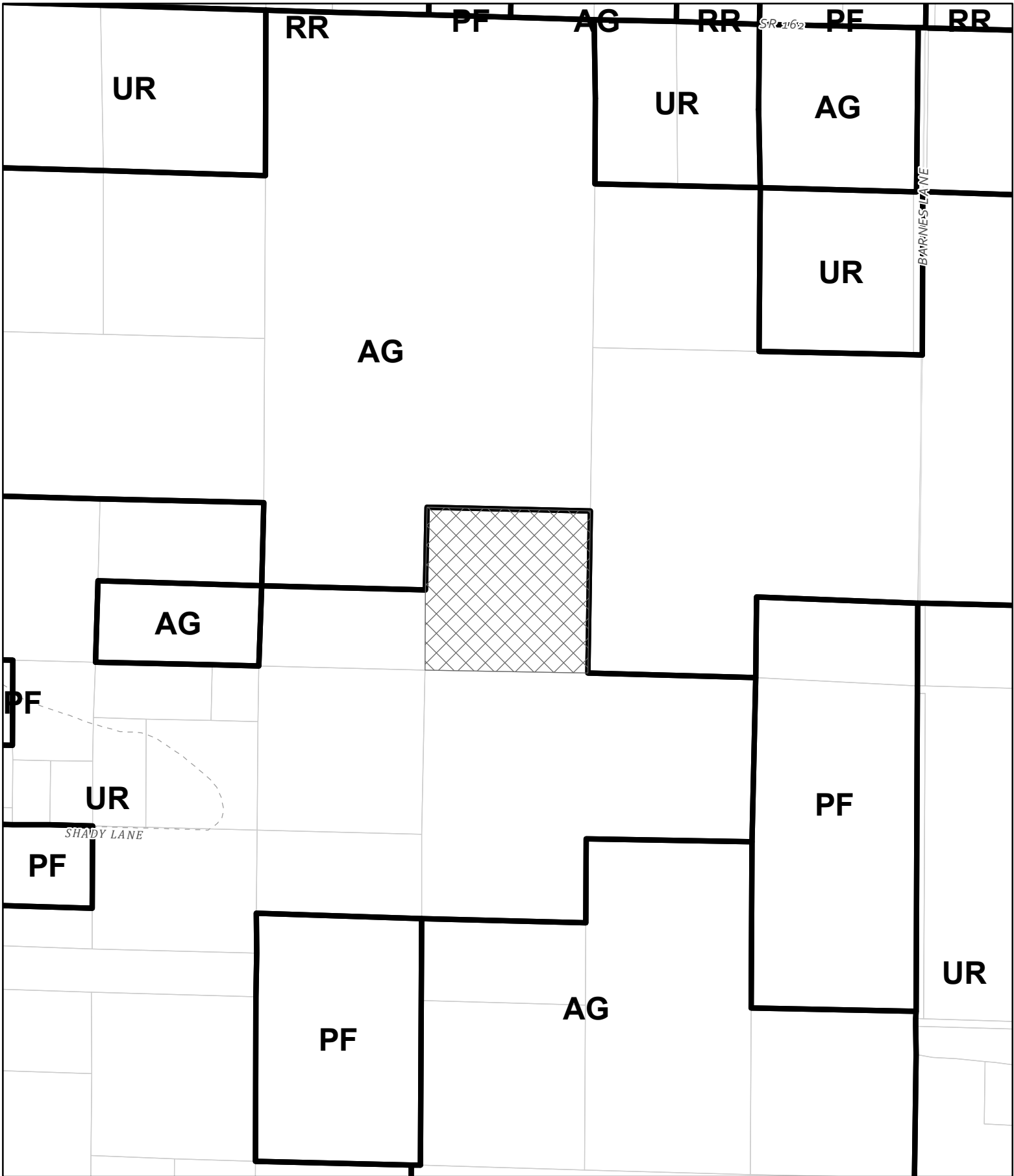
-  Public Roads
-  Private Roads
-  Assessors Parcels







1:6,000

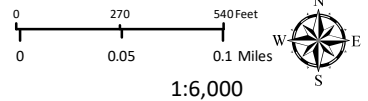
GENERAL PLAN

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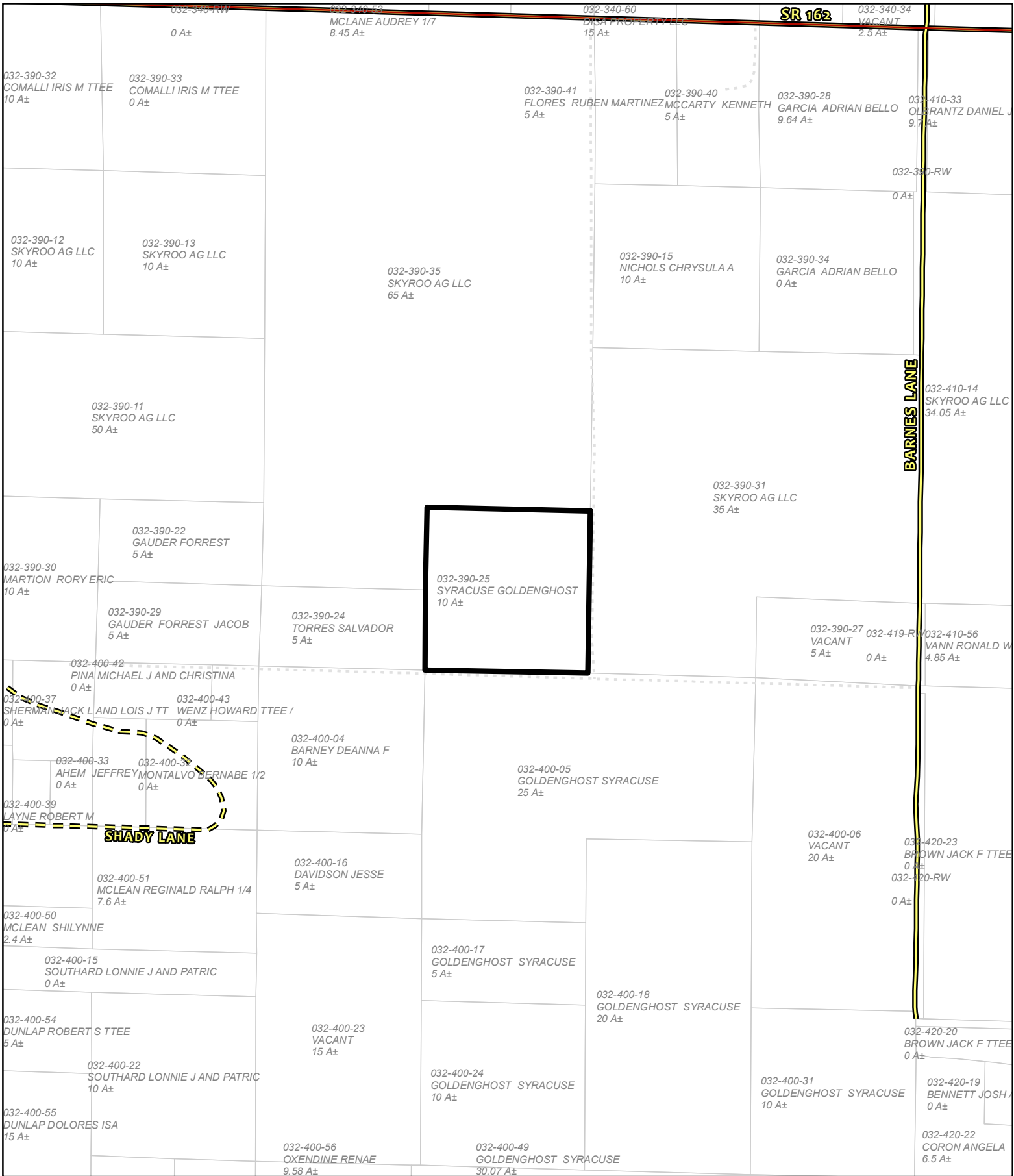
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-  Zoning Districts
-  Assessors Parcels
-  Public Roads
-  Private Roads



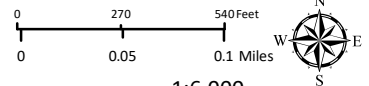
ZONING

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- Highways (2017)
- Public Roads
- Private Roads
- Driveways/Unnamed Roads
- Assessors Parcels



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ADJACENT PARCELS

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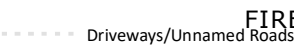
SR 162

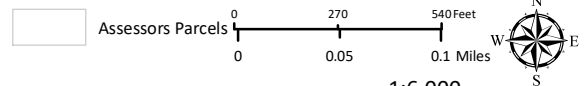
BARNES LANE

COVELO FIRE PROTECTION DISTRICT

SHADY LANE

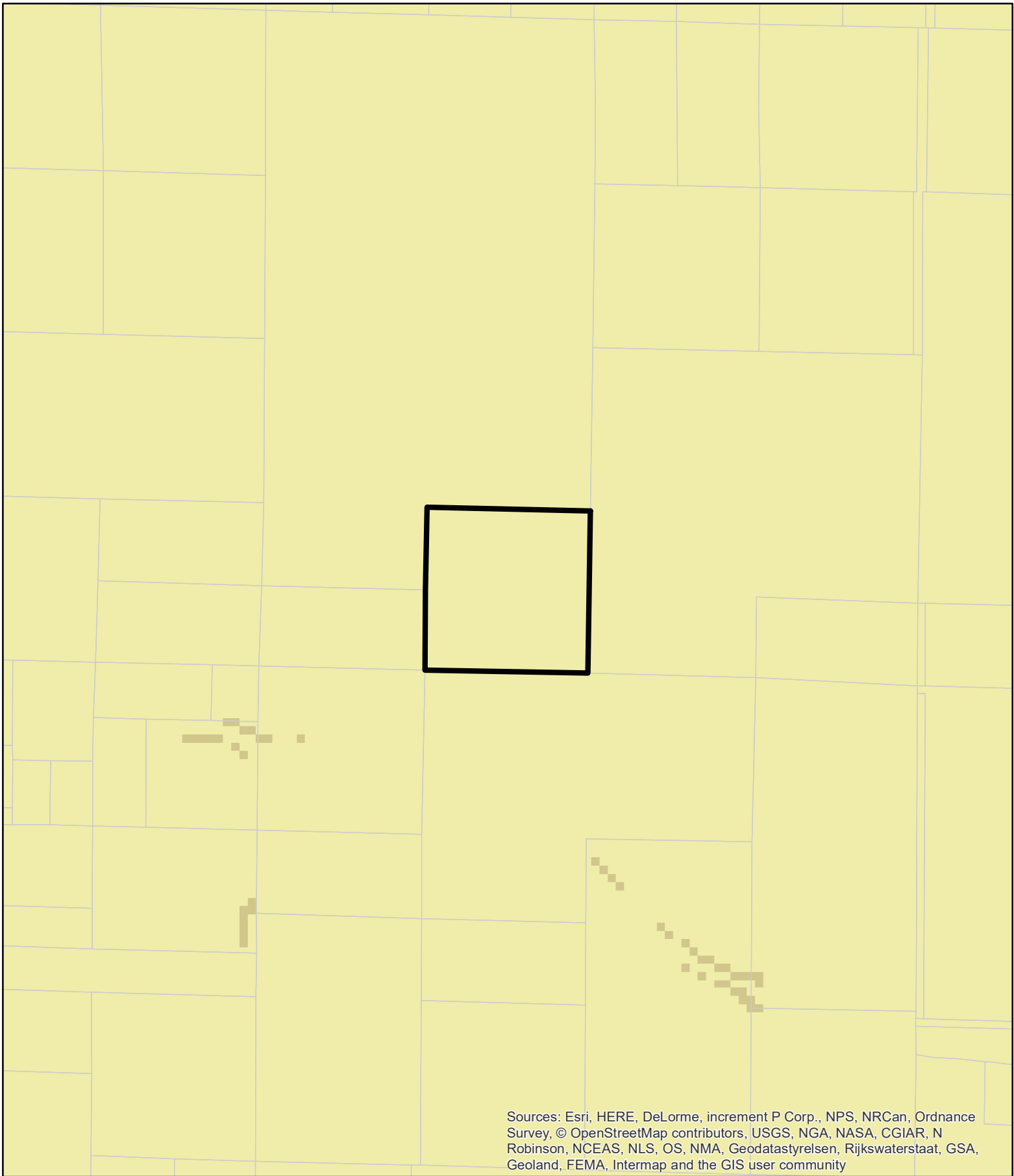
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-  FRA
-  County Fire Districts
-  Highways (2017)
-  Public Roads
-  Private Roads
-  Driveways/Unnamed Roads



**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA

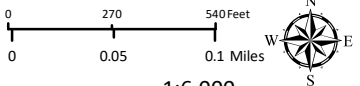
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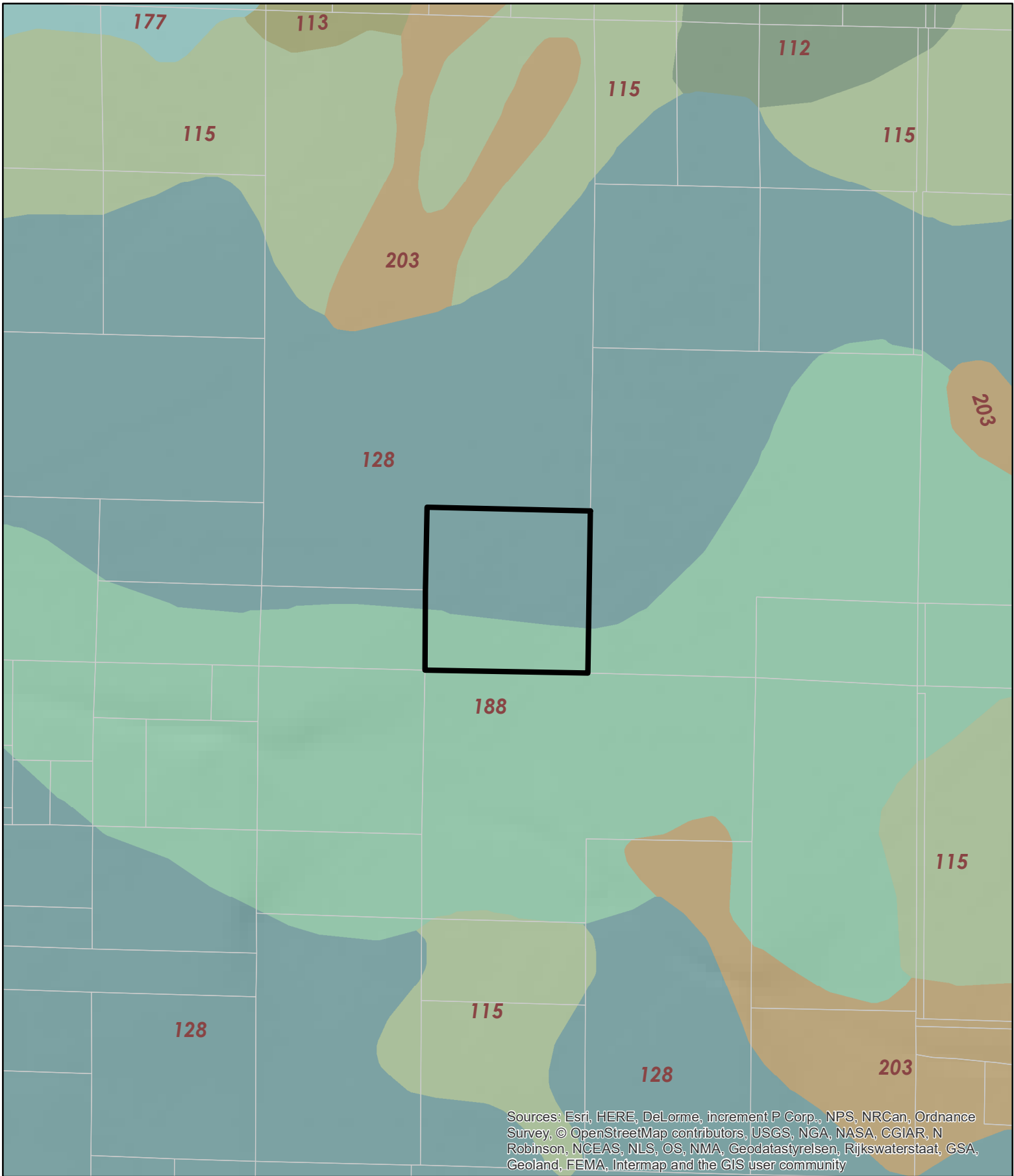
Assessors Parcels  
 0° - 14°  
 14° - 30°



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ESTIMATED SLOPE

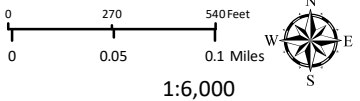
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1:6,000

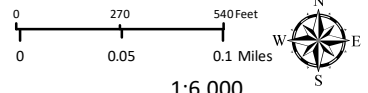
**EASTERN SOIL CLASSIFICATIONS**

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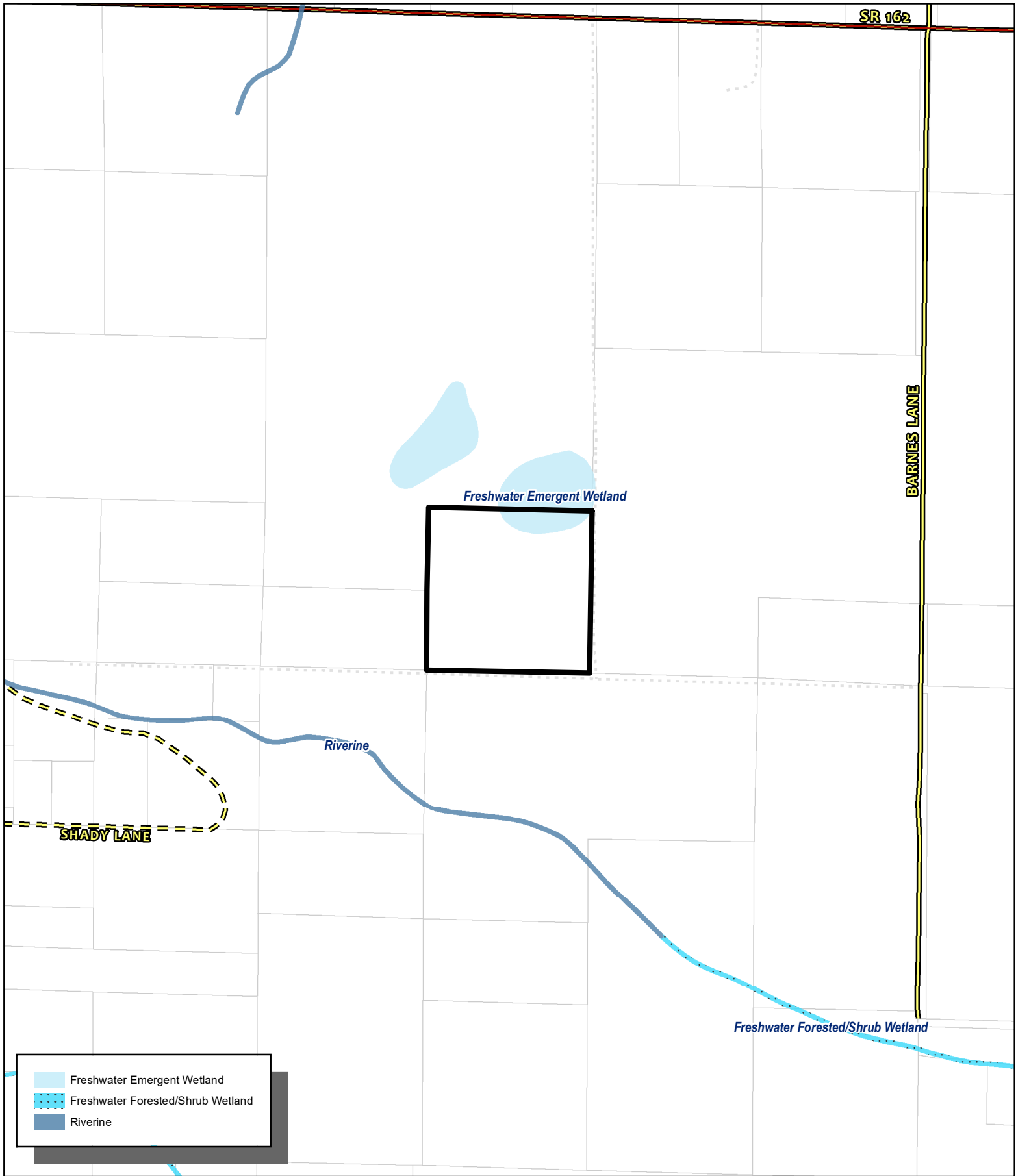
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- Assessors Parcels



1:6,000

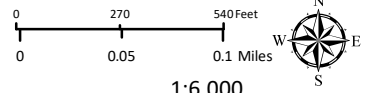
WILLIAMSON ACT

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.  
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**



**CASE:** AP 2023-0044  
**OWNER:** EVERIDGE, William  
**APN:** 032-390-25  
**APLCT:** Cicada Ag LLC  
**AGENT:** Syracuse Goldenghost  
**ADDRESS:** 24750 E Biggar Ln, Covelo

- Highways (2017)         Driveways/Unnamed Roads
- Public Roads     Assessors Parcels
- Private Roads



**WETLANDS**

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### AP\_2023-0044 (Goldenghost) referral comment

From Herrera, John@Wildlife <John.Herrera@wildlife.ca.gov>

Date Wed 2/12/2025 4:38 PM

To Jamie Henry <henryj@mendocinocounty.gov>

**Caution:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Jamie,

Thank you for the opportunity to review AP\_2023-0044 application for a reduced 50-foot setback from cannabis cultivation activities to the adjacent property line located at 24750 Biggar Ln, Covelo, CA, APN: 032-390-25. The California Department of Fish & Wildlife (CDFW) has reviewed the referral packet and offers the following comments and recommendations in our Trustee Agency role to assist the County (Lead Agency) in assessing any potential impacts.

The current cultivation area and the area where the cultivation is proposed to be moved are within a historical elemental occurrence of Milo Baker’s lupine (*Lupinus milobakeri*), a California Endangered Species Act state listed endangered plant species (see yellow highlighted area in image copied below). However, based on information in the referral packet, a review of satellite imagery, regular maintenance of the area, and ongoing sheep grazing, there is a low likelihood of occurrence of Milo Baker’s lupine in the proposed new cultivation area. CDFW acknowledges that the referral states, “There will be no grading or vegetation removal needed for the completion of the site.” However, if in the future tree and/or shrub (e.g., Himalayan blackberry, etc.) removal is proposed, or soil disturbance is proposed with the elemental occurrence, then CDFW would recommend botanical surveys targeting Milo Baker’s lupine within the appropriate blooming period.

The Milo Baker’s lupine habitat is limited to Round Valley and endemic to Round Valley. If there are any questions about Milo Baker’s lupine, it’s life history, or habitat please consult with CDFW.

**California Natural Diversity Database (CNDDDB) Government [ds45]: *Lupinus milobakeri***

Zoom to

Scientific_Name	Lupinus milobakeri
Common_Name	Milo Baker's lupine
Element_Code	PDFAB2B4E0
Occ_Number	2
MAPNDX	07642
FONDX	12220

Biggar Ln

**Resolution Number \_\_\_\_\_**

County of Mendocino  
Ukiah, California

**MAY 8, 2025**

**AP\_2023-0044 - CICADA AG, LLC**

**RESOLUTION OF THE MENDOCINO COUNTY ZONING  
ADMINISTRATOR TO ESTABLISH A REDUCED SETBACK OF  
50 FEET FOR AN EXISTING CANNABIS OPERATION  
LOCATED AT 24750 BIGGAR LANE, COVELO**

WHEREAS, the applicant, Clifford Russell, filed an application for an Administrative Permit with the Mendocino County Department of Planning and Building Services Administrative Permit for a reduced 50 foot setback from cannabis cultivation activities to the adjacent property line. 1.3± miles northeast of Covelo town center, on a private drive, west of Barnes Lane (CR 337G), .5± miles south of it's intersection with SR 162; located at 24750 Biggar Ln, Covelo (APN 032-390-25).

WHEREAS, in accordance with applicable provisions of law, the Zoning Administrator held a public hearing on May 8, 2025, at which time the Zoning Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Zoning Administrator has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Zoning Administrator regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator makes the following findings;

1. Pursuant to MCC Section 20.196.020(A), the proposed establishment, maintenance, or operation of the building aligns with the General Plan.

Staff has determined that the proposed cultivation areas and associated structures intended to support cannabis cultivation are classified as permitted accessory buildings within the Upland Residential Zoning designation. Furthermore, both the existing and proposed uses align with the objectives of the Remote Residential classification, as well as all relevant development and performance criteria. **Finding can be made.**

2. Pursuant to MCC Section 20.196.020(B), sufficient utilities, access roads, drainage, and other essential facilities have been or are currently being provided.

All site utilities and services, including but not limited to access, parking, and sanitation, have been evaluated and are deemed adequate to support the requested project. The site's water and wastewater needs are met through an existing well and a septic system. Furthermore, there are no plans for grading or ground disturbance that would lead to significant erosion or runoff impacts that could affect on-site drainage. **Finding can be made.**

3. The cannabis cultivation is consistent with the purpose and intent of the Upland Residential zoning districts, as well as all other provisions of Division I of the Mendocino County Inland Zoning Code and preserves the integrity of the Upland Residential zoning districts.

Subject to compliance with the conditions of approval, staff concludes that the proposed reduction to a 50 foot setback is consistent with the objectives of the Upland Residential Zoning Designation, which aims to promote and enhance farming and low-density agricultural/residential uses.

4. Pursuant to MCC Section 20.196.020(C), the proposed use will not create a nuisance or negatively impact the health, safety, tranquility, morals, comfort, or overall welfare of individuals residing, working, or passing through the surrounding neighborhood. Additionally, it will not harm property or improvements in the area or affect the general welfare of the county.

Ongoing compliance with the Mendocino Cannabis Cultivation Ordinance is a requirement for this operation. Any deviations from these standards will necessitate obtaining a separate Administrative Permit. No evidence has been provided to the County indicating that setback reduction or the cultivation operation, in general, would present any nuisance or hazard. **Finding can be made.**

5. Pursuant to MCC Section 20.196.020(D), this usage upholds the integrity of the zoning district. The project site and the subject parcels are designated under Mendocino County Code Chapter 20.068 – Upland Residential Zoning District.

Staff finds that the proposed setback reduction will not diminish any standards within the Upland Residential Zoning district, thereby ensuring the preservation of the district's integrity. **Finding can be made.**

BE IT FURTHER RESOLVED that the Zoning Administrator hereby grants the requested Administrative Permit subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Zoning Administrator designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Zoning Administrator decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Zoning Administrator action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

*I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.*

ATTEST: JOCELYN GONZALEZ-THIES  
Acting Commission Services Supervisor

By: \_\_\_\_\_

BY: JULIA KROG  
Zoning Administrator

\_\_\_\_\_

**EXHIBIT A**

**CONDITIONS OF APPROVAL**

**AP\_2023-0044 CICADA AG, LLC**

**MAY 8, 2025**

**APPROVED PROJECT DESCRIPTION:** Administrative Permit for a reduced 50-foot setback from cannabis cultivation activities to the eastern property line of different ownership.

**CONDITIONS OF APPROVAL:**

1. This action shall become final on the 11<sup>th</sup> day following the decision unless an appeal is filed pursuant to Section 20.208.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Board of Supervisors has expired and no appeal has been filed with the Board of Supervisors. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and/or use of the property in reliance on such permit has been initiated prior to its expiration. Such permit vesting shall include approved permits associated with this project (i.e. building permits, septic permits, well permits, etc.) and physical construction in reliance of such permits, or a business license demonstrating establishment of a use proposed under this project.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division I of Title 20 of the Mendocino County Code.
3. The Administrative Permit granted for the cannabis cultivation site shall be limited to a period not to exceed ten (10) years. The Administrative Permit shall expire at the end of this period unless it is renewed prior to the end of the 10 year period, or at any time the approved MCCO permit for the cultivation site expires or is revoked.
4. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 10A.17 and Section 20.242 of the Mendocino County Code.
5. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Zoning Administrator.
6. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - a. The permit was obtained or extended by fraud.
  - b. One or more of the conditions upon which the permit was granted have been violated.
  - c. The use for which the permit was granted is conducted to be detrimental to the public health, welfare or safety, or to be a nuisance.
  - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.

8. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
9. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within 100 feet of the discovery and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
10. To record the Notice of Exemption, the applicant shall pay a fee of \$50.00 for the filing of the Notice of Exemption which shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within 5 days of the end of any project action.