



Planning Commission

Regular Meeting **AGENDA**

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/678443853>

You can also dial in using your phone.

United States: [+1 \(408\) 650-3123](tel:+14086503123); Access Code: 678-443-853

May 12, 2021 - 6:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4.a. Approval of Draft Minutes of April 28, 2021 a Regular Meeting

Recommended Action: Approve the Draft Minutes of April 28, 2021, a Regular Meeting

Attachments:

1. 4-28-2021 Planning Commission Regular Meeting Minutes - Draft

5. APPEAL PROCESS

All determinations of the Planning Commission regarding major discretionary planning permits are final unless a written appeal, stating the reasons for the appeal, is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by May 24, 2021.

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

The Planning Commission welcomes input from the audience. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments.

7. SITE VISIT VERIFICATION

8. VERIFICATION OF NOTICE

9. PLANNING COMMISSIONERS REPORT

10. DIRECTOR'S REPORT

11. CONSENT CALENDAR

12. NEW BUSINESS

- 12.a. Consideration of Proposed Major Use Permit to Operate Cannabis Processing, Distribution, and Non-Storefront Retail /Delivery within an Existing Building at 902 Waugh Lane; APN 003-090-38. File No. 20-5750.

Recommended Action: Staff recommends the Planning Commission 1) conduct a public hearing; and 2) adopt the findings and conditionally approve the Major Use Permit, based on the Findings and subject to the Conditions listed in the Staff Report.

Attachments:

1. Draft Findings
2. Draft Conditions
3. Application, Plans & Schematics
4. Neighborhood Context Map
5. Agency Comments

13. UNFINISHED BUSINESS

- 13.a. Nomination and Appointment of Vice Chair of the Planning Commission; and Planning Commission Reorganization on the Dias.

Recommended Action: Because of the requirement that the Vice Chair serve for one year prior to becoming the Chair, Staff recommends the following:

- a. Nominate and appoint a Commissioner to the position of Vice Chair; and reorganize the Commission according to Section 7I of the Procedures of Conduct***
- b. Rotate the Officers of the Commission in May 2022.***

Attachments:

1. Procedures of Conduct of the Ukiah Planning Commission Meetings

14. ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available at the Civic Center 300 Seminary Ave. Ukiah, CA 95482; and online at: www.cityofukiah/meetings/ at the end of the next business day.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 72 hours prior to the meeting set forth on this agenda.

May 7, 2021

Stephanie Abba
Planning Commission Secretary

**CITY OF UKIAH
PLANNING COMMISSION MINUTES
Regular Meeting**

Meeting held Virtually: <https://global.gotomeeting.com/join/473756525>

Ukiah, CA 95482

April 28, 2021

6:00 p.m.

1. CALL TO ORDER

The regular meeting of the City of Ukiah Planning Commission was called to order by Chair Christensen at 6:02 p.m. on GoToMeeting: <https://global.gotomeeting.com/join/473756525>. The meeting was legally noticed on Friday, April 23, 2021

CHAIR CHRISTENSEN PRESIDING.

2. ROLL CALL

Roll was taken with the following **Commissioners Present:** Douglas Johnson, Michelle Johnson, Ruth Van Antwerp, Mark Hilliker, and Laura Christensen. **Staff Present:** Craig Schlatter, Community Development Director and Kristine Lawler, City Clerk.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by all Commissioners.

4. APPROVAL OF MINUTES

a. Approval of April 14, 2021, Regular Meeting Minutes.

Motion/Second: Hilliker/Rick Johnson to approve the April 14, 2021, a Regular Meeting Minutes, as submitted. Motion **carried** by the following roll call vote: AYES: D. Johnson, M. Johnson, Van Antwerp, Hilliker, and Chair Christensen. NOES: None. ABSENT: None. ABSTAIN: Johnson, and Johnson.

5. APPEAL PROCESS

No matters eligible for appeal were received.

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No public comment was received.

7. SITE VISIT VERIFICATION

Site Verification was not needed.

8. VERIFICATION OF NOTICE

Confirmed by Staff

9. PLANNING COMMISSIONERS' REPORT

Presenters: Chair Christensen and Commissioner Rick Johnson.

10. DIRECTOR'S REPORT

Presenter: Craig Schlatter, Community Development Director.

Commission Consensus to not have the Director read the Streetscape update.

Commission Directive to bring back reports on the progress of a park in the Wagonseller neighborhood.

Report Received.

11. CONSENT CALENDAR

No items on consent calendar.

12. NEW BUSINESS

13. UNFINISHED BUSINESS

a. Planning Commissioner's Orientation Packet.

Presenter: Craig Schlatter, Community Development Director

Report Received.

b. Major Advanced Planning Projects Report.

Presenter: Craig Schlatter, Community Development Director.

Report Received.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 7:32 P.M.

Kristine Lawler, City Clerk



DATE: May 12, 2021
TO: Planning Commission
FROM: Jesse Davis, Planning Manager
SUBJECT: Request to review a Major Use Permit for a Cannabis Related Business and Dispensary Use Permit to include 'Processing', 'Distribution', and 'Non-Storefront Retail Delivery' within an existing building at 902 Waugh Lane; APN 003-090-38. File No. 20-5750.

SUMMARY

OWNERS: Rongey Family Limited Partnership
APPLICANT: Stephanie Lovell & Chelsea Lovell
AGENT: Davis Lawyer
LOCATION: 902 Waugh Lane (APN 003-090-38)
TOTAL ACREAGE: ±0.56 acre (22,651 sf)
GENERAL PLAN: Industrial (I)
ZONING DISTRICT: Manufacturing (M)
AIRPORT COMPATIBILITY: Zone "B1" Approach/Departure Zone
ENVIRONMENTAL DETERMINATION: Categorical Exemption, pursuant to CEQA Guidelines Article 19, Class 1, Section 15301, Existing Facilities (a) – Minor interior or exterior alterations.
RECOMMENDATION: Conditional Approval (see Draft Findings in **Attachment 1** and Draft Conditions of Approval in **Attachment 2**)

BACKGROUND

On May 29, 2018, the Zoning Administrator reviewed and approved a request for a Minor Use Permit to operate a 'Cannabis Manufacturing' and 'Distribution' facility at 902 Waugh Lane. (File No.: 18-3454 MiUP). While approved, it subsequently expired due to non-utilization of the permit. The proposed project is not associated with the previous Use Permit and is being processed as a new application. Historically, the existing structure was used for the production, manufacture, storage, and retail of custom wooden cabinetry.

PROJECT DESCRIPTION

A Major Use Permit application was received on October 12, 2020, to facilitate a 'Cannabis-Related Business' that would include 'Distribution', 'Processing', and 'Non-Storefront Retail' of 'Cannabis Product' within an existing commercial structure at 902 Waugh Lane.

Staff Report | Major Use Permit
Processing, Distribution and Non-Storefront Retail
902 Waugh Lane
File No.: 20-5750

The subject property is ±0.56-acre (22,651 sf) in size, and is improved with an existing ±12,766 sf multi-story commercial structure, 160 sf accessory storage structure/shed, and parking lot. The site is accessed via Waugh Lane. The project does not propose exterior alterations or expansions to the existing footprint. Application materials are included as **Attachment 3**. The project includes the following components.

- 'Distribution', 'Processing', and 'Non-Storefront Retail/Delivery' of 'Cannabis Products' within an existing 12,766 sf commercial structure;
- Installation of Heating, Ventilation, and Air Conditioning (HVAC) for climate control storage rooms;
- Installation of carbon-based odor and air quality purification system;
- Construction of interior walls to enclose a secure storage area;
- Construction of interior walls to enclose delivery loading/unloading zone;
- Remodeling of interior offices, bathrooms and enlarging employee kitchen area;
- Installation of secure locking fence and gates that relocates and reuse of an existing rolling gate;
- Installation of security features including surveillance cameras, alarms, card reader entry and motion sensors; removal of two storage room windows;
- 16 parking spaces including one ADA parking space and one secure overnight parking space;
- The facility's operating hours would be as follows:
 - o Non-Storefront Retail (delivery only; not open to the public): Monday-Sunday 9:00 a.m. to 9:00 p.m.
 - o Distribution and Processing: Mon-Fri 7:00 a.m. to 9:00 p.m.
 - Processing & Distribution incoming deliveries would be limited to 8:00 a.m. – 6:00 p.m.
- This 'Cannabis Related Business' would operate two shifts per day during peak operations, and employ a maximum of 13 individuals per shift.

SURROUNDING LAND USE & ZONING

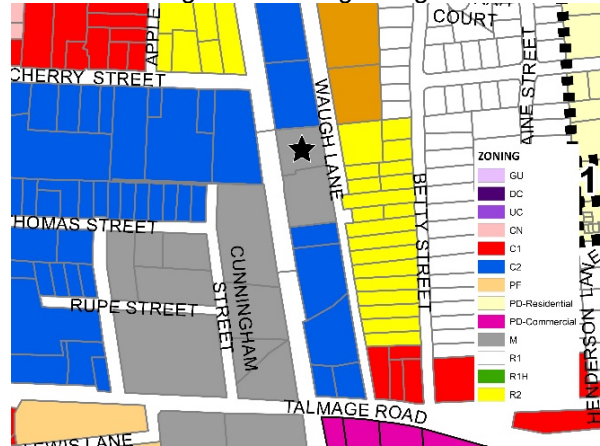
The project site is located on Waugh Lane, approximately 0.16 mile north of Talmage Road and adjacent (east) of the railroad tracks and the Great Redwood Trail. It is accessible via Waugh Lane from Talmage Road or East Gobbi Street. The project site has a General Plan land use designation of Industrial (I) (1995) and a zoning designation of Manufacturing (M). The project is adjoined to the north, south, and west by manufacturing and commercial uses including an upholstery store, motor services a glass shop, self-storage, etc. To the east, the property is bounded by single family and multi-family residential. A summary of zoning designations and uses is provided below in **Table 1**. A General Plan Land Use Map is depicted in **Figure 1**, a Zoning Map is depicted in **Figure 2**, and an aerial map of the site and are is included in **Figure 3**. As summarized below.

Table 1, Surrounding Zoning and Land Uses

ZONING:		USE:
NORTH	Heavy Commercial (C2)	Self-Storage Units
EAST	Medium Density Residential (R2)	Multi-Family Apartments
SOUTH	Manufacturing (M)	Automotive Repair; Small Engine Repair
WEST	N/A	Great Redwood Trail

GENERAL PLAN

LDR	(Low Density Residential)
MDR	(Medium Density Residential)
RR	(Recreational Reserve)
C	(Community Center)
P	(Public Use)
REC	(Recreation)
I	(Industrial)
MPA	(Marine Park Area)



Project referrals were sent to the following responsible or trustee agencies with interest or jurisdiction over the project: Ukiah Valley Fire Authority, City of Ukiah Public Works, City of Ukiah Police Dept., City of Ukiah Electrical Utility, City of Ukiah Building Division, City of Ukiah Municipal Airport Operations Manager, and Mendocino County Planning and Building. The agencies' comments and recommended Conditions of Approval are contained in **Attachment 5**.

General Plan and Zoning Consistency

Staff Report | Major Use Permit
Processing, Distribution and Non-Storefront Retail
902 Waugh Lane
File No.: 20-5750

In addition, per §9261(D)(5)(d), a 'Dispensary Use Permit' is required for the 'Non-Storefront Retail' component of the proposed project. The 'Dispensary Use Permit', including submittal requirements is described within UCC §5703.

The Applicant has submitted all required documents including a complete application, a Security Plan (omitted from the attachments for security reasons), Standard Operating Procedures (**Attachment 3**), etc. in compliance with the aforementioned ordinances. In addition, the Applicant has successfully completed the Live Scan process through the Ukiah Police Department. The project is consistent with all other requirements contained within the above applicable ordinances for Cannabis Related Businesses and a Dispensary Use Permit. In addition, the project is consistent with the all applicable development standards for the "M" Manufacturing zoning district outlined in §9110-9117 of the UCC. Per § 9117 a Site Development Permit is not required given the minor exterior modifications, which include limited fencing, relocated gates, and installation of security apparatus.

Cannabis Retail - Location Restrictions

Furthermore, the City of Ukiah maintains restrictions regarding the location of cannabis business, which include the following per §9174.2 and §5707:

1. Within six hundred feet (600') of a school;
2. Within two hundred fifty feet (250') of a youth-oriented facility (public park, church, museum, library, or licensed daycare facility);
3. Abutting a parcel occupied by a youth oriented facility or a school;
4. Within any residential zoned parcel or primary land use, or any property with an underlying residential or mobile homes general plan land use designation; or
5. On a parcel having a residential unit, or on a parcel directly abutting a residentially zoned property, unless there are intervening nonresidential uses;
6. Abutting or within two hundred fifty feet (250') feet of another cannabis dispensary.

The project is consistent with the siting requirements above, as it is not within the restricted distances to schools, youth-oriented facilities, or other cannabis dispensaries (see Neighborhood Context Map (**Attachment 4**)). As previously determined by approval of the previous Use Permit on-site (File No.: 18-3454 MiUP), Waugh Lane is considered an intervening land use to the adjacent residential use. Furthermore, City Staff confirmed that there are no licensed childcare facilities, including family daycares, within the vicinity of the project.

Requirements for approval of a Use Permit within the City of Ukiah are found within UCC §9262(E). Findings, specific to this project request are included in **Attachment 1** and the project is subject to Conditions of Approval contained within **Attachment 2**. In addition to the findings required per §9262(E), the Planning Commission shall consider additional criteria to grant or deny a 'Dispensary Use Permit' per §5710, which have also been included as part of **Attachment 1**.

Airport Compatibility

The Site is located approximately ±1,800 feet (0.34 miles) northeast of the Ukiah Municipal Airport, and is within a B1 Compatibility Zone (Approach/Departure Zone and Adjacent to Runway). In 1993, the Mendocino County Airport Comprehensive Land Use Plan (ACLUP) was adopted, and later revised in 1996, by the Mendocino County Airport Land Use Commission (ALUC) to provide land use compatibility guidelines for lands near each of the airports in the County with the intention to avert safety problems and ensure unhindered airport operations.

In February 2019, the City of Ukiah, with support from the County of Mendocino and the ALUC initiated a planning effort to prepare an updated compatibility plan for the Ukiah Municipal Airport, entitled the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP). As of the date of this Staff Report, the UKIALUCP has not been adopted by the ALUC. As such, the proposed project's compatibility with the Ukiah Municipal Airport has been determined based on the compatibility criteria established by the 1996 ACLUP.

The project was referred to the County of Mendocino for review on November 4, 2020. On November 16, 2020 the County responded that a consistency determination was not required by the ALUC. County Staff determined that the requested activities aligned with 'Warehouse and Distribution Facilities' activities, which are considered potentially compatible within the B1 Zone.

ENVIRONMENTAL DOCUMENTATION

The proposed project is subject to the California Environmental Quality Act (CEQA). The project qualifies for a categorical exemption pursuant to CEQA Guidelines Article 19 Class 1, Section 15301, Existing Facilities (a) - Interior or exterior alterations.

The project involves renovations to an existing commercial structure that was historically used for manufacturing and commercial/retail activities. The existing footprint of the subject structure will not be altered or expanded. There are no unusual circumstances that would result in a reasonable possibility of a significant effect, and the project is determined to be consistent with the applicable general plan designation and policies, including applicable zoning designation and cannabis use regulations.

NOTICE

Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9262(C):

- Published in the Ukiah Daily Journal on April 30, 2021
- Posted on the Project site on April 30, 2021
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing
- Provided to property owners within 300 feet of the project parcels, as well as Public Agencies on April 30, 2021

RECOMMENDATION

Staff recommends Planning Commission 1) conduct a public hearing; and 2) adopt the findings and conditionally approve a Major Use Permit for the project.

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Project Application Materials & Site Development Plans
4. Neighborhood Context Map
5. Agency Comments

**DRAFT FINDINGS TO ADOPT A MAJOR USE PERMIT TO ALLOW FOR CANNABIS 'PROCESSING',
'DISTRIBUTION', AND 'NON-STOREFRONT RETAIL DELIVERY' WITHIN AN EXISTING BUILDING AT
902 WAUGH LANE;
APN 003-090-38; FILE NO. 20-5750**

Recommendation for the Approval of the Major Use Permit and Findings: To allow a 'Cannabis Related Business' to include: 'Distribution', 'Processing' and 'Dispensary/Non-Storefront Retail' in an existing commercial building at 902 Waugh Lane is based in part on the following findings, in accordance with UCC Sections §5710 (*Cannabis Retailer – Criteria For Review*), §9110 (*Manufacturing (M) Zoning District*), §9174.2 (*Cannabis Related Business*), and §9262 (*Use Permit Procedures*).

Major Use Permit Findings

- 1. The proposed land use is consistent with the provisions of the Ukiah City Code as well as the goals and policies of the City General Plan.**

The proposed project is consistent with the City's 1995 General Plan goals and policies related to enhancing economic growth, the regulations & standards of the Manufacturing (M) zoning district, and City Code as it pertains to 'Cannabis-Related Businesses'. Consistency is facilitated with the General Plan, as the development of this cannabis 'Processing', 'Distribution' and Dispensary/Non-Storefront Retail business is resource-compatible with the Valley, as it will add-value to locally produced products, and create a sustainable economic balance where related industries complement each other as suppliers and buyers of linked products. With the inclusion of operational and standard conditions that address related business components, this finding can be made.

- 2. The proposed land use is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare.**

The proposed project would be similar in use and intensity to past on-site activities, as well as adjacent land uses. The surrounding area features a mixture of commercial development and industrial uses. Given the provision of a comprehensive security plan and odor control measures, it can be determined that the proposed land use will not be detrimental to the public's health and safety. In addition, the project has been reviewed by the following agencies to ensure compliance with the Ukiah City Code and other regulations relating to health, general welfare, and safety: Ukiah Valley Fire Authority, City of Ukiah Public Works Department, City of Ukiah Police Department, City of Ukiah Electric Utility Department, City of Ukiah Building Division, County of Mendocino and State Department of Social Services. As requested, comments have been included as Conditions of Approval, as appropriate, thereby allowing this finding to be made.

In addition to the findings required in §9262 (*Use Permit Procedures*) of this Code, the Planning Commission shall consider the following criteria in determining whether to grant or deny a Dispensary Use Permit.

- 3. That the Dispensary Use Permit is consistent with the intent of the Compassionate Use Act of 1996, the AUMA, the MAUCRSA, and related State law, the provisions of this Chapter and the City Code, including the application submittal and operating requirements herein.**

The applicant has submitted all of the required information as a part of their application in accordance with all City Codes. As conditioned, the applicant will be required to operate in compliance with all State laws under a State License.

- 4. That the Dispensary location is not identified as having significant crime issues (e.g., based upon crime reporting statistics as maintained by the Police Department).**

Draft Findings
Major Use Permit
Crave Processing, Distribution and Non-Storefront Retail
902 Waugh Lane
File No.: 20-5750

The Ukiah Police Department did not indicate that crime issues are significantly higher near the subject property as compared to other areas within the City in their correspondence with City Planning Staff. Crime information related to operation of this specific project will be reviewed and analyzed during the annual renewal process for the Use Permit.

- 5. That there have not been significant numbers of calls for police service, crimes or arrests in the area or to an existing Dispensary location.**

The Ukiah Police Department did not indicate that crime issues are significantly higher near the subject property as compared to other areas within the City in their correspondence with City Planning Staff. Crime information related to operation of this specific project will be reviewed and analyzed during the annual renewal process for the Use Permit.

- 6. That an applicant or employee is not under twenty- one (21) years of age.**

The applicant has demonstrated that they are over 21 years of age by providing a copy of their driver's license. Their Operational Plan states employees must be at least 21 years of age.

- 7. That all required application materials have been provided and/ or the Dispensary has operated successfully in a manner that shows it would comply with the operating requirements and standards specified in this chapter.**

All required application materials have been submitted. The project as proposed, would be in compliance with operating requirements contained within the City Code and adopted related cannabis ordinances.

- 8. That all required application or annual renewal fees have been paid and reporting requirements have been satisfied in a timely manner.**

Application fees have been paid and the applicant will be required to pay renewal fees as a Condition of Approval.

- 9. That the location is not prohibited by the provisions of this chapter or any local or State law, statute, rule or regulation and no significant nuisance issues or problems are anticipated or have resulted from dispensary operations.**

The project site is not located within 600 feet of any school or educational facility, nor within 250 feet of another cannabis dispensary. The parcel does not abut any youth oriented facilities or schools, nor does it contain a residential land-use, as it is zoned for Manufacturing (M). A Security Plan, Standard Operating Procedures and odor control measures are included as a part of the project to ensure no significant issues will arise from the project. The project has also been reviewed by the Ukiah Police Department, Ukiah Valley Fire Authority, and other agencies to ensure public safety.

- 10. That the site plan, floor plan, and security plan have incorporated features necessary to assist in reducing potential crime-related problems and as specified in the operating requirements in section 5708 of this Code. These features may include, but are not limited to, security on site; procedure for allowing entry: openness to surveillance and control of the premises, the perimeter, and surrounding properties: reduction of opportunities for congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage loitering and nuisance behavior.**

The project includes a Security Plan with the features listed above such as access control gates, alarms, surveillance, perimeter fencing, etc. In addition, crime prevention-related Conditions of Approval have been included on behalf of the Ukiah Police Department.

Draft Findings
Major Use Permit
Crave Processing, Distribution and Non-Storefront Retail
902 Waugh Lane
File No.: 20-5750

- 11. That no Dispensary use, owner, operator, permittee, agent, or employee has violated any provision of this chapter including grounds for suspension, modification or revocation of a permit.**

N/A, the business is not yet operational. However, once operational, this criterion will be reviewed as a part of the permit renewal process.

- 12. That all reasonable measures have been incorporated into the plan and/ or consistently taken to successfully control the establishment's patrons' conduct resulting in disturbances, vandalism, crowd control inside or outside the premises, traffic control problems, marijuana use in public, or creation of a public or private nuisance, or interference with the operation of another business.**

The project includes a Security Plan with the features listed above such as access control gates, alarms, surveillance, perimeter fencing, etc. In addition, crime prevention-related Conditions of Approval have been included on behalf of the Ukiah Police Department.

- 13. That the dispensary would not adversely affect the health, peace or safety of persons living or working in the surrounding area, overly burden a specific neighborhood with special needs or high impact uses, or contribute to a public nuisance; or that the dispensary has resulted in repeated nuisance activities including disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct, or police detentions or arrests.**

The project site is surrounded by other commercial uses. Additionally, the retail component is considered 'Non-Storefront'. The cultivation, consumption and retail of cannabis will not occur on-site. Furthermore, the facility will not be open to the public, and customers will not be allowed to visit the facility in any capacity.

- 14. That any provision of the City Code or condition imposed by a City issued permit, or any provision of any other local or State law, regulation, or order, or any condition imposed by permits issued in compliance with those laws has not been violated.**

N/A, the business is not yet operational. However, once operational, this criterion will be reviewed as a part of the permit renewal process.

- 15. That the applicant has not violated any local or State law, statute, rule or regulation respecting the distribution, possession, or consumption of marijuana.**

The applicant has successfully completed the Live Scan process through the Ukiah Police Department, demonstrating that they have not violated any laws that would disqualify them from operating the business.

- 16. That the applicant has not knowingly made a false statement of material fact or has knowingly omitted to state a material fact in the application for a permit.**

The applicant certifies that they have not knowingly made a false statement or omitted information from this application.

- 17. That the applicant, his or her agent or employees, or any person who is exercising managerial authority on behalf of the applicant has not been convicted of a felony, or of a misdemeanor involving moral turpitude, or has engaged in misconduct related to the qualifications, functions or duties of a permittee.**

See Finding Number 15. In addition, Live Scan Background Review are required for all employees as a Condition of Approval.

18. That the applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.

The applicant certifies that they have not engaged in any unlawful, fraudulent or deceptive business practices.

19. That adequate parking for medical cannabis dispensaries will be provided at a rate of one space for every two hundred (200) gross square feet of retail space, office space, and similar floor areas, pursuant to section 9198(F)(1) of this Code. Furthermore, that adequate parking for Cannabis Retailers generally will be provided at a rate of one space for every two hundred fifty (250) square feet of gross, leasable space, pursuant to section 9198(B)(1) of this Code. However, if the dispensary to be operated by the applicant does not dispense cannabis to patients or eligible Adult Use patrons on site but services qualified patients and patrons through deliveries in compliance with Section 5717 of this Code, then adequate parking will be provided at a rate of one space for every four hundred (400) square feet of gross leasable space, pursuant to Section 9198(G)(3) of this Code.

Staff determined that parking for this facility should be based on Section 9198(G)(1), which most appropriately aligns to the intended combination of industrial and commercial uses requested. Section 9198(G)(3) is applied to 'Wholesale Establishments' akin to Costco or Sam's Club, which does not align to this proposed request. Upon review, the gross leasable space dedicated to 'Non-Storefront Retail' components is tertiary when compared to the 'Distribution' and 'Processing' aspects of the request. As proposed, one (1) parking space is provided for each employee on the maximum shift, which is presently identified at thirteen (13). Additionally, the applicant provides for two (2) visitor parking spaces. Included in this total is one (1) parking space that meets ADA guidelines and standards. Furthermore, the Applicant provides for an interior parking space for the vehicle operated from the site for deliveries. Presently, this secured parking space is provided for within a fenced area adjacent to the structure for such purposes. In total, 15 onsite parking spaces are provided. The project as proposed, would not engender a nuisance, and is in compliance with operating requirements contained within the City Code and adopted related cannabis ordinances.

Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9262(C):

- Published in the Ukiah Daily Journal on April 30, 2021
- Posted on the Project site on April 30, 2021
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing
- Mailed to property owners within 300 feet of the project parcels on April 30, 2021

Based on the above analysis, the findings required for the Major Use Permit can be made.

**DRAFT CONDITIONS OF APPROVAL OF MAJOR USE PERMIT TO ALLOW FOR CANNABIS
'PROCESSING', 'DISTRIBUTION', AND 'NON-STOREFRONT RETAIL DELIVERY' WITHIN AN
EXISTING BUILDING AT 902 WAUGH LANE;
APN 003-090-38; FILE NO. 20-5750**

The following Conditions of Approval shall be made a permanent part of the Major Use Permit, shall remain in force regardless of property ownership, and shall be implemented in order for this entitlement to remain valid.

Approved Project Description. A Major Use Permit application was received on October 12, 2020 to facilitate a 'Cannabis-Related Business' that would include 'Distribution', 'Processing', and 'Non-Storefront Retail' of 'Cannabis Product' within an existing commercial structure at 902 Waugh Lane.

The subject property is ±0.56-acre (22,651 sf) in size, and is improved with an existing ±12,766 sf multi-story commercial structure, 160 sf accessory storage structure/shed, and parking lot. At its highest point, this multi-story commercial structure is 29' tall. The application and submitted project description are included as **Attachment 3A**; development plans (Site Plan, Structure Elevations, Interior Layout, and Lighting) are included as **Attachment 3B**.

The project request is summarized and clarified, below:

- Allow for 'Distribution', 'Processing', and 'Non-Storefront Retail/Delivery' of 'Cannabis Products' within an existing 12,766 sf commercial structure.
 - o The following tenant improvements are proposed or required:
 - Installation of Heating, Ventilation, and Air Conditioning (HVAC) for climate control storage rooms;
 - Installation of carbon-based odor and air quality purification system;
 - Construction of interior walls to enclose a secure storage area;
 - Construction of interior walls to enclose delivery loading/unloading zone;
 - Remodel interior offices, bathrooms and enlarge employee kitchen area;
 - Installation of secure locking fence and gates that relocates and reuse of an existing rolling gate;
 - Installation of security features including surveillance cameras, alarms, card reader entry and motion sensors; removal of two (2) storage room windows;
 - Provision of 16 parking spaces; Included are one (1) ADA and one (1) secure overnight parking space);
 - The site would be accessed via Waugh Lane.
- The following project aspects should be noted:
 - o No signage permits or non-exempt signs are requested;
 - o No alterations to the façade or architectural style are requested;
 - o The existing footprint of the subject structure will not be altered or expanded;
 - o Cultivation, consumption and retail of cannabis are expressly prohibited on-site.
 - o The facility is not to be open to the public, and 'Non-Storefront Retail' customers are not allowed to visit the facility.
- This 'Cannabis Related Business' will operate 2 (two) shifts per day during cannabis harvest, and employ a maximum of 13 individuals per shift.
- The facility's operating hours would be as follows:
 - o **Non-Storefront Retail Delivery:** Monday-Sunday 9:00 a.m. to 9:00 p.m.
 - No deliveries may be placed after 8:30 p.m.
 - o **Distribution:** Mon-Fri 7:00 a.m. to 9:00 p.m.

Draft Conditions of Approval
Major Use Permit
Crave Processing, Distribution
and Non-Storefront Retail
902 Waugh Lane
File Number: 20-5750

- o **Processing:** Mon-Fri 7:00 a.m. to 9:00 p.m.
 - Processing & Distribution Deliveries limited to 8:00 a.m. – 6:00 p.m.
 - Non-Seasonal Hours – Reduced Operation

CITY OF UKIAH SPECIAL CONDITIONS

1. No consumption of cannabis or cannabis-related products shall occur on-site.
2. No planting, growing or harvesting of cannabis shall occur on-site.
3. No special events are permitted on-site.
4. Per Section 5704 of the UCC this Dispensary Use Permit is valid for one-year from the date of approval. Dispensary Use Permits must be renewed on an annual basis by the Zoning Administrator following the procedure described in Section 5704 of the UCC.
 - a. It is the Applicant's responsibility to apply for annual renewal 45 days prior to this permit expiring. Per Section 9262(D)(5), Minor use permits issued for cannabis-related businesses shall also be subject to annual review.
5. As outlined in Article 20, Administrative and Procedures, of the Zoning Code this planning permit may be revoked through the City's revocation process if the approved project related to this permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.
6. Prior to issuance of a certificate of occupancy and commencing operations, the applicant shall submit proof of State licensure to operate the cannabis related business to the Community Development Department.
7. Prior to issuance a certificate of occupancy or commencing operations, the applicant and all employees shall successfully complete a Live Scan background and provide proof of such completion.
8. No persons will live on-site. If the applicant wishes to have a live-in manager in the future, they shall consult with the Planning and Community Development Department and obtain any necessary permits.
9. The business is required to obtain a City of Ukiah business license prior to occupancy.
10. Storage of outdoor cargo containers is not authorized with this permit, and shall be removed prior to commencing operations.
11. All deliveries related to the 'Processing' and 'Distribution' aspects of the business shall be limited at all times to Monday-Friday 8:00 a.m. to 6:00 p.m.

CITY OF UKIAH STANDARD CONDITIONS

12. This approval is not effective until the 10-day appeal period applicable to this Major Use Permit has expired without the filing of a timely appeal. If a timely appeal is filed, the project is subject to the outcome of the appeal and shall be revised as necessary to comply with any modifications, conditions, or requirements that were imposed as part of the appeal.
13. All use, construction and the location thereof, or occupancy, shall conform to the application and to

Draft Conditions of Approval
Major Use Permit
Crave Processing, Distribution
and Non-Storefront Retail
902 Waugh Lane
File Number: 20-5750

any supporting documents submitted therewith, including any maps, sketches, or plot plans accompanying the application or submitted by applicant in support thereof.

14. Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Engineering Department of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Planning Commission such standards shall be met.
15. Building permits shall be issued within two years after the effective date of the Use Permit or same shall be null and void.
16. In addition to any particular condition which might be imposed; any construction shall comply with all building, fire, electric, plumbing, occupancy, and structural laws, rules, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
17. The Applicant shall obtain all required Sign Permits, in compliance with Division 3, Chapter 7, Signs, of the UCC.
18. The Applicant shall submit verification of all applicable permits or approvals in compliance with all local, state and federal laws to the Community Development Department prior to issuance of building permits.
19. All fees associated with the project planning permits and approvals shall be paid in full prior to occupancy.
20. As outlined in Article 20, Administration and Procedures, of the Zoning Code this planning permit may be revoked through the City's revocation process if the approved project related to this Permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.

ELECTRIC UTILITY DEPARTMENT CONDITIONS

21. This property will be served from existing underground facilities and a 150kva 3-phase Transformer that serves multiple address/buildings in the immediate area. Should the project need to upgrade to a larger panel or increase the electric load in the future, they will need to contact the Electric Utility Office. Applicant will need to provide projected load calculations to the COUEUD for their project.
22. All future site improvements shall be submitted to the Electric Utility Department for review and comment. At this time, specific service requirements, service Voltage and developer costs and requirements will be determined.
23. Developer will need to provide EUSERC approved electrical equipment that is to be used on this project.
24. Developer/customer shall incur all costs of this future project to include (labor, materials, equipment and future services).

BUILDING DEPARTMENT CONDITIONS

25. A permit will be required for T.I. (Tenant Improvements) Please submit plans, building permit application, and hardship form see links below. Please submit four complete plan sets, two wet Submit plans and building permit application. Please submit three complete plan sets, two wet stamped and signed.

Draft Conditions of Approval
Major Use Permit
Crave Processing, Distribution
and Non-Storefront Retail
902 Waugh Lane
File Number: 20-5750

26. The design and construction of all site alterations shall comply with the 2019 California Building Code, 2019 Plumbing Code, 2019 Electrical Code, 2019 California Mechanical Code, 2019 California Fire Code, 2019 California Energy Code, 2019 Title 24 California Energy Efficiency Standards, 2019 California Green Building Standards Code and City of Ukiah Ordinances and Amendments.
27. The Building is currently an F occupancy and will need to be converted to an S, M, or B occupancy. Per 2019 CBC 3408 "No change shall be made in the character of occupancies or use of any building unless such building is made to comply with all current code requirements". This may be an extensive remodel and we recommend you hire an Architect or Engineer and a CASP to review your building for code compliance before you comment to a change of occupancy.
28. It is possible the proposed work will change the occupancy of the building, or section of the building. Per 2019 CBC 3408 "No change shall be made in the character of occupancies or use of any building unless such building is made to comply with all current code requirements". This may be an extensive remodel and we recommend you hire an Architect or Engineer and a CASP to review your building for code compliance before you comment to a change of occupancy.

COUNTY OF MENDOCINO

29. Per Mendocino County Code Section 20.243.050(D): Retailers/dispensaries that engage in mobile deliveries are prohibited from having any advertisement of their business or services on their delivery vehicles. The Applicant is requested to adhere to this requirement while operating within unincorporated portions of Mendocino County.
30. Per Mendocino County Code Section 6.32.050(D), if the Applicant is 'Engaged in Business' within unincorporated Mendocino County, the Applicant should be made aware that they are subject to the payment of the associated taxes at the review of the Mendocino County Treasurer Tax-Collector.

UKIAH VALLEY FIRE DEPARTMENT

31. New and existing buildings shall have approved address numbers placed in a position to be plainly legible from the street or road fronting the property, CFC 505.1. Address number shall be placed on the South facing exterior and East facing wall at corner of main building. Fire Marshal can verify with contractor.
32. One Class 2-A rated fire extinguishers shall be required in the following locations: 1) Upstairs office landing; 2) exterior of downstairs break room; 3) two in the shop space west side of building; 4) one in receiving; and 5) one in the spray room booth area. All extinguishers shall be mounted and in-obscured from view and use- T19567/568. Fire Marshal can assist with location verification.
33. Fire sprinkler system shall be maintained and modified as necessary. Plans can be of a differed submittal. A system test by a licensed C-16 contractor may be required if modified or if it has not been completed in the past five years.
34. This is a large warehouse facility with a fluctuating amount of staff. It is highly recommended that all exists be clearly marked. Means of egress shall be illuminated when the building space is occupied, CFC 1008.2
35. In the event of power supply failure, an emergency electrical system shall automatically illuminate the means of egress. CFC 1008.3.
36. Exit signs shall be internally or externally illuminated at all times; signs shall be connected to an emergency power system that provides illumination for not less than 90 minutes in case of primary power loss. CFC 1013.3 & 1013.6.3.

Draft Conditions of Approval
Major Use Permit
Crave Processing, Distribution
and Non-Storefront Retail
902 Waugh Lane
File Number: 20-5750

37. An "Knock Box" key security safe shall be required, and mounted on the exterior at a location specified by the Fire Marshal.
38. Emergency contact information shall also be provided to the Fire Department.

UKIAH POLICE DEPARTMENT

General

39. Duration of Use: No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within 20 feet of, the manufacturing site.
40. Duration of Use: No person shall possess, consume, or store any alcoholic beverage on the manufacturing site.
41. Duration of Use: No juvenile or person under the age of 21 shall be on the manufacturing site or operate a cannabis manufacturing business in any capacity, including, but not limited to, as a manager, staff, employee, contractor, or volunteer.
42. Prior to Building Permit Final and for duration of the Use: A copy of all applicable state and local licenses or permits shall be submitted to the City prior to issuance of permit and prior to operation. All applicable state and local licenses or permits be displayed in the lobby or waiting area of the main entrance to the manufacturing site.
43. Prior to Building Permit Final and for the Duration of the Use: The business permittee shall provide the Police Department with the current name and primary and secondary telephone numbers of at least one 24-hour on-call manager to address and resolve complaints and to respond to operating problems or concerns associated with the business.
44. Prior to Building Permit Final and for the Duration of the Use: The business permittee shall provide the City with the current name and primary and secondary telephone numbers of at least one manager to communicate with the surrounding neighborhoods and businesses. The business shall make good faith efforts to encourage neighborhood residents to call this person to solve problems, if any, before any calls or complaints are made to the City or Police Department.
45. Duration of the Use: The business permittee shall immediately report to the City Police Department all criminal activity occurring on the business site.
46. Duration of Use: The business permittee shall only manufacture cannabis in a fully enclosed building and not allow cannabis or cannabis products on the manufacturing site to be visible from the public right of way, the unsecured areas surrounding the buildings on the site, or the site's main entrance and lobby.

Access/Security

47. Prior to Building Permit Final: A final Security Plan shall be submitted to the Police Department for approval. The plan shall address the security of the facility and shall include the following
48. Prior to Building Permit Final and for duration of the Use: A professionally and centrally-monitored fire, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include an employee for the cannabis business that is required to respond to every alarm.
49. Prior to Building Permit Final: Place address numbers displayed in accordance with building and zoning codes to facilitate/expedite public safety responses.
50. Prior to Building Permit Final: Applicant to install a "Knox Box" for police access to the exterior areas of the property after hours.

Draft Conditions of Approval
Major Use Permit
Crave Processing, Distribution
and Non-Storefront Retail
902 Waugh Lane
File Number: 20-5750

51. Duration of Use: Keep current chain link fencing in good repair on the north and west side of property until Prior to Building Permit Final: All solid core exterior doors be equipped with a 180 degree viewing device to screen persons before allowing entry.
52. Duration of Use: Keep all fenced it can be replaced with decorative tubular steel, no climb type. Secure gates at all times.
53. Duration of Use: Electronic "point of sale" age verification system is required which scans and authenticates ID, identifies fake ID's, records dates and times of transactions, has the ability to create a "banned patron" list.
54. Duration of Use: Back entry area at south west end of building shall remained locked, during all hours, with the exception of dumpsters being emptied by garbage service.
55. Duration of Use: Have Security arrive 30 minutes before opening and stay 30 minutes past closing hours.
56. Duration of Use: Keep loading dock doors locked and secure at all times.
57. Duration of Use: Keep exterior doors locked and secure at all times.

Surveillance

58. Prior to Building Permit Final: Install height markers on the interior doorways.
59. Prior to Building Permit Final: Install interior video camera surveillance and exterior surveillance facing all sides of exterior of site including loading dock areas and all areas of possible ingress and egress. Video recording system must be installed to monitor all doors into the buildings on the manufacturing site, the parking lot, loading areas, and all exterior sides of the property adjacent to the public rights of way.
60. Prior to Building Permit Final: Install audible security alarm and monitoring.
61. Prior to Building Permit Final: Business equipped with a UL compliant security system including:
 - Video Assessment and Surveillance System (VASS)
 - Intrusion Detection System with private security response
 - Emergency (panic) Alarm
62. Duration of Use: Security system monitored by a UL listed monitoring company.
63. Duration of Use: Security system installed by a UL certified installer.
64. Duration of Use: Video from the security surveillance cameras must be recording at all times (24 hours a day, seven days a week) and the recording shall be maintained for at least 90 days. In the event of a crime on site or anywhere within range of the dispensary's security cameras, the dispensary shall provide the Chief of Police with a useable digital copy of the security video upon request or at the earliest convenience. Duration of Use: Security system shall be equipped with at least 24 hours of continued operation time in case of power failure.
65. Duration of Use: Signage shall be posted stating location is under active video surveillance monitoring and alarm/monitoring.
66. Duration of Use: Staff trained in Security and Safety policies and procedures for interior and exterior of site and following same at all times.

Territorial Reinforcement

Draft Conditions of Approval
Major Use Permit
Crave Processing, Distribution
and Non-Storefront Retail
902 Waugh Lane
File Number: 20-5750

67. Install signage at entrance to define location with designation and address.
68. Prior to Building Permit Final: Post no trespassing and authorized personnel only signs for fenced/gated areas.
69. Duration of Use: Keep dumpsters locked to limit unauthorized dumping or scavenging.

Lighting

70. Prior to Building Permit Final: Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. (Consult with Planning Department to meet Illumination Engineering Society (IES) minimum standard for open parking and buildings.)
71. Prior to Building Permit Final: Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.
72. Prior to Building Permit Final: Exterior lighting shall be designed in coordination with the landscaping plan to minimize interference between the light standards and required illumination and the landscape trees and required shading.
73. Duration of Use: Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.
74. Duration of Use: All building exterior lighting and parking lot lighting should be functioning and kept in good repair.

Maintenance

Duration of Use:

75. Report any graffiti to UPD. After reporting, clean-up/paint over as soon as possible. Spray on graffiti remover can be purchased at hardware supply stores.
76. Keep property free of debris/garbage and all fencing repaired.
77. Weekly inspection of exterior building and property to limit unauthorized usage of property.
78. If any rooftop entrances to building, place locking mechanism to limit illegal entrance from rooftop.
79. Any exterior electrical outlets should have locking plates or decommission for non-use to limit illegal usage.
80. Any exterior water faucets should have a locking box cover or decommission for non-use to limit illegal usage.

Landscaping

Current site has no landscaping at this time, but if any is proposed in the future the following shall apply for the duration of use:

81. All mature landscaping shall follow the two-foot, six-foot rule. All landscaping shall be ground cover, two feet or less and lower tree canopies of mature trees shall be above six feet. This increases natural surveillance and eliminates hiding areas within the landscape.
82. Tree canopies shall not interfere with or block lighting. This creates shadows and areas of concealment. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs.

Other

Draft Conditions of Approval
Major Use Permit
Crave Processing, Distribution
and Non-Storefront Retail
902 Waugh Lane
File Number: 20-5750

83. Duration of Use: No public pay phones/telephones allowed on the premises.

84. Duration of Use: No coin operated games or video machines allowed on the premises.

DRAFT



City of Ukiah

Community Development Department
 Planning Division
 300 Seminary Ave., Ukiah CA 95482
 Email: planning@cityofukiah.com
 Web: www.cityofukiah.com
 Phone: (707) 463-6268
 Fax: (707) 463-6204

Planning Permit Application

PROJECT NAME: Crave Processing, Distribution, and Delivery					
PROJECT ADDRESS/CROSS STREETS: 902 Waugh Lane Ukiah, CA 95482				AP NUMBER(S): 003-090-38	
APPLICANT/AUTHORIZED AGENT: Stephanie Lovell		PHONE NO: (707) 489-3264	FAX NO:	E-MAIL ADDRESS: familyroots84@gmail.com	
APPLICANT/AUTHORIZED AGENT ADDRESS: 21100 Eastside Road			CITY: Willits		STATE/ZIP: CA, 95490
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: Rongey Family Limited Partnership		PHONE NO: (707) 841-7495	FAX NO:	E-MAIL ADDRESS:	
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT PO BOX 850			CITY: Willits		STATE/ZIP: CA 95490
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? ☐ YES ☒ NO					
☐ AIRPORT LAND USE COMM. DETERMINATION REFERRAL 100.0800.611.003	\$	☐ REZONING – PLANNED DISTRICT 100.0800.611.001	\$	☐ USE PERMIT – AMENDMENT 100.0400.449.001	\$
☐ ANNEXATION 100.0800.611.001	\$	☐ SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	\$	☐ USE PERMIT – MAJOR 100.0400.449.001	\$
☐ APPEAL 100.0400.449.001	\$	☐ SITE DEVELOPMENT PERMIT – MAJOR 100.0400.449.001	\$	☐ USE PERMIT – MINOR 100.0400.449.001	\$
☐ GENERAL PLAN AMENDMENT 100.0800.611.001	\$	☐ SITE DEVELOPMENT PERMIT – MINOR 100.0400.449.001	\$	☐ VARIANCE – MAJOR 100.0400.449.001	\$
☐ MURAL PERMIT 100.0400.449.001	\$	☐ SPECIFIC/MASTER PLAN 100.0800.611.003	\$	☐ VARIANCE – MINOR 100.0400.449.001	\$
☐ PRE-DEVELOPMENT MEETING 100.0800.611.003	\$	☐ MINOR SUBDIVISION/TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	\$	☐ ZONING AMENDMENT MAP OR TEXT 100.0800.611.001	\$
☐ STAFF RESEARCH (MORE THAN 1 HOUR) 10023100.41153	\$	☐ MAJOR SUBDIVISION/TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	\$	☐ REZONING 100.0800.611.001	\$
☐ LOT LINE ADJUSTMENT OR MERGER 100.0800.610.001	\$	☐ OTHER	\$	☐ OTHER	\$
COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	MAJOR PERMIT DEPOSIT:	\$	FILING DATE:	
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	MINOR PERMIT FEE:	\$	TOTAL AMOUNT PAID: \$	
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	TOTAL FEE:	\$	RECEIPT NUMBER:	
APPLICATION NUMBER(S):					

Recommendation: Prior to submitting an application, discuss your project with Staff to discover what fees (sewer, water, in-lieu park fees, traffic impact fees, etc.) may be required for your project. Also, ask about street tree requirements, required sidewalk repairs, drainage issues, storm water mitigation requirements, frontage improvements, etc.

Project Description

Please attach a written project description including summary of work (both interior and exterior for construction and operation) and/or business proposed. The purpose of the project description is to assist Staff in understanding the project. The project description will also be included in the Staff Report required to review (and ultimately approve or deny) the planning permit. Providing complete information will help expedite the project review process and in determining what additional information, if any, related to the project and required environmental review is required.

Environmental Review and Reports

Please be aware that projects are required to comply with the California Environmental Quality Act (CEQA). Projects will be reviewed by Staff for compliance with CEQA and Staff will determine the appropriate CEQA document to prepare for the project (exemption, negative declaration, etc.). In order to make this determination, specific reports (traffic, arborist, soils, etc.) and or additional information may be required.

Use Information

Please provide the following information related to the use of the site and building:

Description of Building & Site			
Parcel Size: 1 AC / 43,500 sq ft	Building Size: 12,766 sq ft	Number of Floors: 2	
Use of Building (check all that apply)	Description	Square Footage	Number of Units/Suites
☒ Office (business/professional)	Admin support for cannabis licenses		
☐ Office (medical/dental)			
☐ Retail			
☒ Light Industrial	Cannabis processing, distribution and delivery		3
☐ Residential			
☐ Other:			
Operating Characteristics			
Days and Hours of Operation: 8AM-6PM Days vary seasonally. Harvest weeks M-Sun. Non-harvest months M-F.			
Number of Shifts: 2	Days and Hours of Shifts: Peak Season M-Sun. Off Season M-F. Variable start time.		
Number of Employees/Shift: 13 Maximum, but will vary			
Loading Facilities: ☒ Yes ☐ No	Type/Vehicle Size:		
Deliveries: ☒ Yes ☐ No	Type: Raw Material. Finished Product	Number (day/week/month): Varies	Time(s) of Day: During business hours
Outdoor areas associated with use? (check all that apply) ☐ Yes ☒ No	Sales area: ☐ Yes ☒ No Square Footage:	Unloading of deliveries: ☒ Yes ☐ No Square Footage:	Storage: ☒ Yes ☐ No Square Footage:
Noise Generating Use? ☐ Yes ☒ No	Description:		

To Be Completed by Staff

General Plan Designation:	Zoning District:	Airport Land Use Designation:
City's Architectural & Historic Inventory: ☐ YES ☐ NO	Age of Building:	Demolition Policy:
Hillside: ☐ YES ☐ NO	Flood Designation FIRM Map:	Flood Designation Floodway Map:
Tree Policies		
General Plan Open Space Conservation ☐ NO ☐ YES GOAL/POLICY #:		Community Forest Management Plan ☐ NO ☐ YES GOAL/POLICY #:
Landscaping and Streetscape Design Guidelines ☐ NO ☐ YES GUIDELINE #:		Commercial Development Design Guidelines ☐ NO ☐ YES GUIDELINE #:
Tree Protection and Enhancement Policy ☐ NO ☐ YES NOTES:		Tree Planting and Maintenance Policy ☐ NO ☐ YES NOTES:
UCC: Street Tree Policy, Purpose and Intent ☐ NO ☐ YES NOTES:		Other:
Notes		

Submittal Requirements

1. Items marked (X) are required for a complete application unless their deletion is approved by staff.
2. Other information may be required at the discretion of staff in order to fully evaluate the project and/or to conduct required environmental review for the project.
3. Please review the application packet prior to submittal to the City. Application packets that do not include the required materials may not be accepted for processing or may be deemed "Incomplete."

Submittal Document	Application Type								
	LLA/VM	GPA	PRELIM	REZ	REZ-PD	SDP	Sub/TM	UP	VAR
Project Description	X	X	X	X	X	X	X	X	X
Building Elevations (1)			X		X	X		X	X
Floor Plan			X		X	X		X	X
Grading and Drainage Plan and SUSMP (7)					X	X	X		
Landscape Plan (2)			X CONCEPT		X	X			X
Site Plan (3)	X	X	X	X	X	X		X	X
Details – Architectural						X			
Details – Fence					X	X		X	
Details – Sign					X	X		X	
Site Contours (4)					X	X	X		
Street Sections							X		
Tentative Map (6)							X		
Preliminary Title Report	X			X			X		
Colors & Materials Board			X CONCEPT		X	X			
Number of Plan Sets – Initial Submittal (5)									

- (1) **Building Elevations.** Drawing must include all elevations (front, rear, and sides) and identify materials and colors. One set of colored drawings is required.
- (2) **Landscape Plan.** Plan must show all proposed trees, shrubs, and ground covers. Location, size and species must be indicated.
- (3) **Site Plan.** Must be prepared to scale and include: a north arrow, all property lines, adjoining streets, creeks, ponds, drainage ditches, existing curb, gutter, and sidewalk, existing and proposed buildings (with square footage noted), parking spaces, all existing trees, existing and proposed fences, buildings on adjacent parcels, existing fire hydrants within 600- feet, access and utility easements (with widths), location and width of all easements (access, drainage, utility, etc.) location of existing and proposed trash enclosures, and the percentage of average slope of the property. Site contours may also be required (see table above).
- (4) **Site Contours.** When required, site contours should be indicated on the site plan and grading plan. A separate site contour plan is not required.
- (5) Staff will determine the number of plans needed for the initial submittal. Once the application is complete, the number of plans sets required for the public hearing will be determined by staff. Plans are required to be provided prior to the hearing.
- (6) See Minor Subdivision Submittal Requirements or Major Subdivision Submittal Requirements handout for Tentative Map requirements.
- (7) **SUSMP – Standard Urban Storm Water Mitigation Plan – Required unless specifically exempt (Consult with Public Works Staff)**

LLA – Lot Line Adjustment
 REZ – Rezoning
 TM – Tentative Map
 VAR – Variance

VM-Voluntary Merger
 REZ-PD- Rezoning to Planned Development
 Sub- Subdivision
 UP – Use Permit

Prelim – Preliminary Review
 SDP – Site Development Permit
 GPA- General Plan Amendment

I, _____, owner authorize _____
to act on my behalf for this project and I have read and agree with all of the above. (Application must be signed by
owner).

PROPERTY OWNER SIGNATURE

DATE

I, _____, am the ☐ owner / ☐ authorized agent of the property
for which the development is proposed. The above information and attached documents are true and accurate to the
best of my knowledge.
I have read and agree with all of the above.

I hereby authorize employees of the City of Ukiah, the City's authorized agents, and persons with review or decision
making authority for the project to enter upon the subject property, as necessary, to inspect the premises, post notices,
and process this application.

I understand that conditions of approval may be placed on my project by the city of Ukiah and it is my responsibility to
fully understand the conditions and ask questions about them before action is taken on my planning permit.

☐ OWNER / ☐ AUTHORIZED AGENT

DATE

INDEMNIFICATION AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, and hold harmless the City of Ukiah, its agents,
officers, council members, employees, boards, commissions or Council from any claim, action or proceeding brought
against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or annul any
approval of the application or related decision, or the adoption or certification of any environmental documents or
negative declaration which relates to its approval. This indemnification shall include, but is not limited to, all damages,
costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of it or in
connection with the approval of the application or related decision, whether or not there is concurrent, passive, or active
negligence on the part of the City, its agents, officers, council members, employees, boards, commissions of Council.
If for any reason, any portion of this indemnification agreement is held to be void or unenforceable by a court of
competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

The City of Ukiah shall have the right to appear and defend its interests in any action through its City Attorney or outside
counsel. The applicant shall not be required to reimburse the City for attorney's fees incurred by the City Attorney of
the City's outside counsel if the City chooses to appear and defend itself in the litigation.

I have read and agree to all of the above.

☐ PROPERTY OWNER / ☐ AUTHORIZED AGENT
(PLEASE PRINT NAME)

☐ PROPERTY OWNER / ☐ AUTHORIZED AGENT
(SIGNATURE)

DATE

Revised 08/19/2019

Keith Roney owner authorize Michael E. Stephanie Lovell
to act on my behalf for this project and (have read and agree with all of the above. (Application must be signed by owner).

X Keith Roney 10-12-2020
PROPERTY OWNER SIGNATURE DATE

I, Keith Roney am the ☒ owner / ☐ authorized agent of the property for which the development is proposed. The above information and attached documents are true and accurate to the best of my knowledge.
I have read and agree with all of the above.

I hereby authorize employees of the City of Ukiah, the City's authorized agents, and persons with review or decision making authority for the project to enter upon the subject property, as necessary, to inspect the premises, post notices, and process this application.

I understand that conditions of approval may be placed on my project by the city of Ukiah and it is my responsibility to fully understand the conditions and ask questions about them before action is taken on my planning permit.

X Keith Roney 10-12-2020
☒ OWNER / ☐ AUTHORIZED AGENT DATE

INDEMNIFICATION AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, and hold harmless the City of Ukiah, its agents, officers, council members, employees, boards, commissions or Council from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or annul any approval of the application or related decision, or the adoption or certification of any environmental documents or negative declaration which relates to its approval. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of it or in connection with the approval of the application or related decision, whether or not there is concurrent, passive, or active negligence on the part of the City, its agents, officers, council members, employees, boards, commissions or Council. If for any reason, any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

The City of Ukiah shall have the right to appear and defend its interests in any action through its City Attorney or outside counsel. The applicant shall not be required to reimburse the City for attorney's fees incurred by the City Attorney or the City's outside counsel if the City chooses to appear and defend itself in the litigation.

I have read and agree to all of the above.

Keith Roney (Roney Family Limited Partnership)
☒ PROPERTY OWNER / ☐ AUTHORIZED AGENT

X Keith Roney RFLP 10-12-20
☒ PROPERTY OWNER / ☐ AUTHORIZED AGENT DATE
(SIGNATURE)

Revised 08/19/2019

TABLE OF CONTENTS

Written Project Description	2
Site Description	3
Cannabis License Owners/Applicants	4
Previous Addresses	4
Employment History	4
Driver's Licenses	5
Business Tax History	6
Management Information	6
Employee Information	6
Plan of Operations	7
<i>QUICK VIEW OF BUSINESS ACTIVITIES</i>	<i>7</i>
<i>DETAILED DESCRIPTION OF EACH BUSINESS ACTIVITY</i>	<i>9</i>
Written Response to Local and State Standards	13
<i>APPLICABLE DEFINITIONS OF BUSINESSES</i>	<i>14</i>
<i>APPLICABLE ZONING AND LOCATION RESTRICTION CODES</i>	<i>15</i>
<i>APPLICABLE OPERATING REQUIREMENTS FOR PROCESSING AND DISTRIBUTION</i>	<i>18</i>
<i>APPLICABLE OPERATING REQUIREMENTS FOR RETAIL DELIVERY</i>	<i>23</i>
Security Plan	33
Accessibility Evaluation	35

Written Project Description

The proposed project at 902 Waugh Lane Ukiah, CA is for Cannabis Processing, Distribution and Non-Storefront Retail Delivery. The approximately 13,000 sq ft building is zoned M-Manufacturing, requiring a Minor Use Permit for Processing and Distribution functions and a Major Use Permit for the Delivery function. Thus, the combined single application is for a Major Use Permit for the building.

This project is developed by longstanding Mendocino resident and licensed cultivators, Chelsea and Stephanie Lovell. Their cultivation licenses and their network of other licensed cultivators in the area have grown to a scale that requires in-house processing of their cannabis raw material. To accomplish their quality standards, the Lovell's seek to utilize the building for drying, trimming, weighing and packaging their cannabis flower under the Processing license. To facilitate transportation from their various farms to the processing facility, as well as deliver finished flower to other distributors, the Lovells will operate a Distribution license in the other half of the building. A small Delivery Only office is also desired in the building, to facilitate direct to consumer local delivery service to build consumer loyalty to their longstanding quality brand.

The building is naturally divided into two large suites, one side will be Distribution and the other side will be Processing. The premises are on the ground floor of the warehouse. There is a small area of shared office space at the front of the building. One of the offices will be separated for the Delivery license office and its product storage.

The bottom floor will contain shared ADA bathrooms, employee break rooms, security office and storage. Upstairs are two offices and a third bathroom. The shared office area will be separated from the licensed Processing premise by an interior wall and a controlled access door. A separate controlled access door will separate the shared areas from the Delivery office. The building already features roll-up doors that allow delivery vehicles inside the building, ensuring secure and discreet deliveries to the licensed premises. There are minimal tenant improvements required to establish the Processing Distribution and Delivery functions inside the building.

The proposed tenant improvements to the building are summarized as follows:

1. Remodel bathrooms to be ADA Compliant
2. Install HVAC to climate control storage rooms
3. Construct interior walls to enclose a secure storage area in the Processing premises
4. Construct interior walls to enclose delivery loading/unloading zone in Processing premises
5. Remodel interior first floor offices to enlarge employee kitchen and create secure Non-Storefront Retail Delivery-Only Office
6. Paint parking lot for 15 parking spaces, including ADA parking with sloped walkway
7. Install secure locking fence and gates in parking lot

There are no signage permits requested nor any changes or additions to the footprint or exterior of the building.

Site Description

902 Waugh Lane, Ukiah CA 95482

APN: 003-090-38

Zoning: M Manufacturing

Minor Use Permits: Cannabis Distribution; Cannabis Manufacturing – Level 1

Major Use Permit: Cannabis Non-Storefront Retail Delivery Only

Building Owner: Rongey Family Limited Partnership



Ukiah Zoning Map

Zoning_2017 - Planned
Development



Zoning_2018

- C1 - Community Commercial
- C2 - Heavy Commercial
- CN - Neighborhood Commercial
- DC - Downtown Core
- GU - General Urban
- M - Manufacturing
- PDC - Planned Development: Commercial
- PDR - Planned Development: Residential
- PF - Public Facility
- R1 - Single Family Residential
- R1H - Single Family Residential - Hillside
- R2 - Medium Density Residential
- R3 - High Density Residential



Cannabis License Owners/Applicants

Processing: Stephanie Lovell

Distribution: Stephanie Lovell

Delivery: Stephanie Lovell
Chelsea Lovell

Previous Addresses

24471 Sherwood Rd
Willits CA 95490

Employment History

Self Employed

Business Tax History

Have the applicant(s) filed businesses taxes in the last 5 years? Are all tax returns paid and in good standing? Have any business licenses (cannabis or otherwise) been revoked or suspended? If so, what was the business and what was the reason?

All business taxes filed and in good standing. No licenses revoked or suspended.

Management Information

Processing:

Name: Robert Cook

Address: 1007B West College Ave Ste. 438 Santa Rosa, CA 95401

Distribution:

Name: Robert Cook

Address: 1007B West College Ave Ste. 438 Santa Rosa, CA 95401

Delivery:

Name: Robert Cook

Address: 1007B West College Ave Ste. 438 Santa Rosa, CA 95401

Employee Information

At this time employees have not yet been hired. Before being hired, all persons offered employment will go through the LiveScan process with UPD.

Plan of Operations

A plan of operations describing how the cannabis-related business will operate consistent with the intent of State law, including obtaining all applicable State licenses, and the provisions of this section, including but not limited to ensuring that the cannabis-related business will not engage in cannabis-related commercial activities that violate California law or this chapter.

QUICK VIEW OF BUSINESS ACTIVITIES

The core purpose of the combined licenses housed in this building is to serve as centralized processing and sale of cannabis grown locally on licensed farms owned by the principals of this business and their family members. Most space is dedicated to processing wet cannabis into sellable wholesale units. There will be limited packaging for and delivery to retail consumers.

PROCESSING: CANNABIS DRYING (STAFF PER SHIFT: 1-3)

BUSINESS ACTIVITIES: Receive cut branches of plants; move branches to large drying racks; monitor branches for optimum dryness; move branches to next stage of processing.

EQUIPMENT:

- Drying Racks
- Dehumidifiers
- Heater
- Fans
- Forklift
- Carbon filter air scrubbers

PROCESSING: CANNABIS TRIMMING, GRADING, AND CURING (STAFF PER SHIFT: 6-8)

BUSINESS ACTIVITIES: Remove cannabis from branches; separate flower and trim; grade and sort flower into wholesale lots; actively manage climate and air exposure for curing.

EQUIPMENT:

- Forklift
- Trim Machines
- Dehumidifiers
- HVAC
- Carbon filter air scrubbers

DISTRIBUTION (STAFF PER SHIFT: 2)

BUSINESS ACTIVITIES: Procurement of flower and trim, entering products for sale into METRC, laboratory testing, sales, transportation, tracking, collection, and payment of all taxes. Limited packaging by hand of flower into final packaging for retail sale.

EQUIPMENT:

- Delivery vehicle(s)
- Dehumidifiers
- HVAC
- Carbon filter air scrubbers

RETAIL DELIVERY (STAFF PER SHIFT: 2)

BUSINESS ACTIVITIES: Procurement of retail cannabis products, storage of retail cannabis products, processing and packaging retail orders, loading of retail delivery vehicles, delivery of cannabis to retail end consumers.

EQUIPMENT:

- Delivery vehicle(s)
- Carbon filter air scrubbers

Please note, staff allocations are approximate. On different days, more or less staff may be required in each function. But at no time will the total staff on premises exceed 13 persons.

DETAILED DESCRIPTION OF EACH BUSINESS ACTIVITY

PROCESSING

Drying

The largest portion of our space is dedicated to the function of hanging recently harvested branches to dry to the point at which they can be further processed into finished cannabis flower and trim for sale.

A distributor will transport freshly cut branches of cannabis in a vehicle which will drive into the receiving area designated for processing. Branches will be unloaded and moved into the drying area using a forklift. The branches will be hung on racks that will then be placed onto the shelves of the storage racks in the drying room.

The circulation of air, temperature, and humidity level of the room will be monitored by the employees, who will adjust those factors as needed in order to achieve a slow but steady drying of the plant material. The dryness of the plant material will also be monitored by the employees in order to determine when the branches should move to the next stage.

Management will ensure employees maintain track-and-trace compliance regarding the movement of branches and plant material during this part of the processing cycle.

Once a plant is dry enough to move onto the next stage, it will be removed from the storage racks using a forklift and delivered to the bucking area.

This function is only expected to be operating for approximately 2.5 months out of each year. One during the early harvest (July/Aug.) and one and a half during the late harvest (Oct./Nov.). In the time periods where many employees are needed for this function, the other labor-intensive function of trimming will not require many employees, and vice-versa.

Bucking

Bucking is the process by which flower and leaf are separated from the branches. The branches and fan leaves become cannabis waste, and the flower and sugar leaf move on to trimming.

Drying racks or plastic bins full of branches with attached flower and leaves will be delivered by forklift from the drying area to the bucking area. A single load of branches, with identifying track and trace tags, will be split up amongst the employees at their work-tables. Wearing gloves at all times, they will carefully separate branches and fan leaves from the valuable flowers and sugar leaf.

Each work-table will have one bin for the valuable material, and one for the waste. Once a single load has been completely separated into its two bins, the resulting materials will be weighed and recorded, with the waste being logged properly in METRC and moved into a proper container for the cannabis waste rendering and removal by a 3rd party provider. The bin(s) of valuable flower and leaf will then be moved to the machine trimming area.

Trimming

Trimming is the process of separating cannabis flower from sugar leaf. Finished flower is most commonly sold to consumers without any leaves. The leaves are most commonly used for raw material in the production of cannabis extracts.

Each load of raw material delivered to the machine trimming area will be run through one of the trim machines specified on our plan set. The leaves will be kept together in a bin indicating the load of raw material from which it came.

The machine trimmed flower will then move to the hand trimming area, where employees will clip any remaining leaves, bringing the flower up to the standard required for eventual retail sale. The leaves they hand trim will be combined with the leaves from the machine trim step.

The resulting leaf and flower will be recorded in METRC, connected to the source plant tags.

Grading

Grading is the process of inspecting cannabis flower and trim by sight and smell to judge the subjective quality and separate a batch into different marketable lots. This will be a function performed by management in the quality control office marked on our plan set.

Flower and trim will be separated by size and subjective quality, then packaged into containers for the curing phase. This will also be a point where management will verify weights provided by employees in the proceeding phase.

The containers for curing will be moved into the climate controlled storage room, where they will remain curing until they are picked up by a distributor.

Curing

Curing is the process of allowing aging of dried flower to occur in ideal conditions, that result in flower that is more desirable to end consumers. It requires very even and consistent moisture and humidity levels be maintained at all times, and that light exposure be minimized.

The room will be full of bulk, airtight containers of flower. Each container will be opened for a few minutes every few days to allow excess moisture to escape ("burping"). This activity will be the only reason other than delivery or removal of product for which someone will be present in the secure storage room.

Waste:

We plan to contract for waste rendering and removal with a licensed 3rd party waste company. All cannabis waste generated during any steps of processing will be placed in bins provided by the company, then rendered useless and hauled off by the 3rd party company.

DISTRIBUTION

Finished cannabis flower and trim are picked up from the processor, received in our dedicated receiving area, and stored in our secure storage area.

All cannabis will be stored in secure storage areas with a clear division between inventory that is untested, in quarantine, passed testing and failed testing.

All purchase and sales manifests, invoices, lab testing and package tag records will be maintained in compliance with Section 5505 of title 16 of the California Code of Regulations.

Our primary business activity will be the wholesale sale of cannabis flower and leaf produced through our own processing facility. We may also, from time to time, engage in purchasing flower and leaf from other licensed cultivators and selling it. We intend to package our own flower for retail sale through our non-storefront retail delivery license. This will be done by hand on a relatively small scale and is not expected to be a major part of our business operations.

Testing Compliance

We provide official state testing as a distributor with samples taken under guidelines provided in Chapter 2, Sections 5304-5307 of title 16 of the California Code of Regulations.

Packaging Compliance

We provide limited onsite packaging for a cannabis flower in compliance with Section 26013, 26012, 26010 Business and Professions Code and Chapter 3, Sections 5412 of title 16 of the California Code of Regulations.

Transportation Compliance

As a distributor we are responsible for the pick-up and delivery of cannabis with our supply chain. All transportation will be monitored through the METRC Track and Trace system and via GPS enabled devices as prescribed under Chapter 1, Sections 5049-5052 of title 16 of the California Code of Regulations and Chapter 2, Sections 5311-5314 of title 16 of the California Code of Regulations.

RETAIL DELIVERY

The principals of the businesses have been longstanding cultivators in Mendocino and intend to build on that legacy of product quality by developing a consumer facing brand for their flower products. The retail delivery license will help facilitate a direct relationship between these cultivators and their customers.

The non-storefront delivery only business will service the local Mendocino and surrounding counties with high quality, well cured cannabis products at reasonable prices. Employees of the delivery license will be vetted to ensure they provide an education-focused customer service experience that is friendly, safe, and timely.

Customers will be able to view and order cannabis products through the delivery website or via telephone. Staff will process and pack the orders, ensuring products are scanned out of the inventory system and are secured in compliant exit packaging.

Deliveries will be conducted during business hours only. All sales will flow through a Point-of-Sale (POS) software that integrates with METRC to report all cannabis sales.

Vendor deliveries will be accepted Monday-Friday during business hours only.

All cannabis product will be securely stored in locked storage containers inside the delivery office, and all cash will be securely stored in a locked safe on site. Regular cash deposits will be made into the business' bank account to prevent a security risk of excess cash onsite.

All deliveries will be conducted according to the local and state regulations and laws. Staff will be trained to properly verify the customer's ID at the time of delivery. Vehicles will be tracked using GPS tracking devices mounted in the car. To deter crime or theft, delivery vehicles will only transport cannabis products that are meant for that specific delivery route, and delivery drivers will not carry more than \$30 change.

The delivery only office will not be open to the public. The delivery vehicle will be parked along the building, secured behind locked gates in the parking lot, to protect delivery employees as they load and unload their vehicles from the building.

Written Response to Local and State Standards

Original Prompt: *"Statement of how cannabis related businesses comply with all the requirements listed in the Ukiah Municipal Code pertaining to cannabis. An individual response to each requirement must be included. Please specify what state license(s) you are applying for."*

For the convenience of the reviewer, we have broken out the relevant code into sections, which are indicated with underlines and uppercase lettering (SECTION). Our responses to each requirement are in bold and italics (***response***).

APPLICABLE DEFINITIONS OF BUSINESSES

From Article 21 of Chapter 2 in Division 9 of the Ukiah City Code:

§9278 DEFINITIONS

CANNABIS DISTRIBUTION: The procurement, sale, and transport of cannabis and cannabis products between permitted and licensed cannabis businesses for the distribution of cannabis and cannabis products.

CANNABIS MANUFACTURING: The production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container.

CANNABIS MANUFACTURING - LEVEL 1: Cannabis Manufacturing involving the manufacture of cannabis products using nonvolatile solvents, or no solvents.

CANNABIS-RELATED BUSINESS: A commercial enterprise engaged in the cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, or distribution of cannabis or a cannabis product, including a microbusiness, except as set forth in Business and Professions Code section 26033 related to qualifying patients and primary caregivers, Division 6, Chapter 8 of this code pertaining to regulation of marijuana dispensaries and issuance and renewal of dispensary use permits, and section 9254 of this division pertaining to cultivation of marijuana for personal use. For purposes of this article, this definition of a cannabis-related business excludes businesses engaged in the retail sale and delivery of cannabis, cannabis products, or cannabis products to patients or customers, which are regulated under Division 6, Chapter 8 of this code. All cannabis-related businesses operating within the City must possess a valid State license appropriate for the type of business operated.

CANNABIS RETAILER: A commercial enterprise engaged in the retail sale and delivery of cannabis or cannabis products to customers. A retailer shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted. A retailer's premises may be closed to the public. A retailer may conduct sales exclusively by delivery. All cannabis retail operations in the City of Ukiah are regulated pursuant to Division 6, Chapter 8 of this code and must comply with all provisions of this division.

- ***Each of these definitions encompasses one of the three uses for which we seek use permits***

APPLICABLE ZONING AND LOCATION RESTRICTION CODES

From Article 9 of Chapter 2 in Division 9 of the Ukiah City Code:

§9112 USES PERMITTED SUBJECT TO FIRST SECURING A USE PERMIT

The following uses may be permitted in Manufacturing (M) Districts subject to first securing a use permit, as provided in this chapter, in each case:

J. Cannabis Distribution

K. Cannabis Manufacturing - Level 1

N. Cannabis Retailer

- ***902 Waugh is zoned as a Manufacturing District. The above code confirms that the uses for which we are seeking use permits are allowable in the building as it is currently zoned.***

--

From Article 20 of Chapter 2 in Division 9 of the Ukiah City Code:

§9261 DISCRETIONARY PLANNING PERMITS

D. Major And Minor Use Permits, Site Development Permits, And Variances: At the time of application submittal, the Planning Director or assigned designee shall determine if the proposed project constitutes a major or minor use permit, site development permit, or variance. The Planning Director or assigned designee shall be guided by the following criteria when determining whether a discretionary planning permit is major or minor:

5.b. In all Zoning Districts in which they are a permitted use, the following Cannabis Related Businesses shall be considered minor uses:

Cannabis Distribution.

Cannabis Manufacturing - Level 1

5.d. In all zoning districts in which they are a permitted use, cannabis retailers will be required to obtain a dispensary use permit, as set forth in Division 6, Chapter 8 of this code.

- ***902 Waugh is zoned as a Manufacturing District where Distribution and Manufacturing are permitted uses. We are seeking the minor use permit required by this code through submitting this application. We are also seeking a dispensary use permit, which is treated as a major use permit. Because we have combined all 3 use permits into one application, the entire application is being treated as major use permit.***

- The Major Use Permit requirement for retail was found at the following link from the City of Ukiah: <http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/12/Zoning-Districts-Reference-Table-for-Cannabis-Related-Businesses-r1.pdf>

--

From Article 15.7 of Chapter 2 in Division 9 of the Ukiah City Code:

§9174.2 CANNABIS-RELATED BUSINESSES

F. Limitations on Locations of Cannabis-Related Businesses:

1. All cannabis-related businesses, as defined in section 9278 of this code, operating subject to use permits under this chapter, will operate indoors in a fully enclosed secure structure, as defined in section 9254 of this code, and shall not be allowed in the following areas:
 - a. Within six hundred feet (600') of a school, as defined in section 5702P of this code, with that distance measured as the horizontal distance in a straight line from the property line of the school to the closest property line of the lot on which the cannabis-related business is to be located without regard to intervening structures, pursuant to California Health and Safety Code section 11362.768; or
 - b. Within two hundred fifty feet (250') of a youth-oriented facility other than a school, as defined in section 5702R of this code, with that distance measured by street frontage from the property line of the youth-oriented facility to the closest property line of the lot on which the cannabis-related business is to be located, and not radial distance; or
 - c. Abutting, on any side of the parcel upon which the cannabis-related business is located, a parcel occupied by a youth-oriented facility or a school; or
 - d. Within any residential zoned parcel or primary land use, or any property with an underlying residential or mobile homes general plan land use designation; or
 - e. On a parcel having a residential unit, or on a parcel directly abutting a residentially zoned property, unless there are intervening nonresidential uses between the cannabis-related business and the residential unit or the residentially zoned property that the decision-making entity charged with hearing and making the decision on the use permit application or the appeal of that decision determines sufficient to provide an appropriate separation.
- **902 Waugh Lane is compliant with the limitations enumerated above from section 9174.2**

From Chapter 8 of Division 6 of the Ukiah City Code:

§5707 LIMITATION ON LOCATION OF DISPENSARIES

C. A dispensary shall not be allowed in the following areas at the time of its permitted establishment:

1. Within six hundred feet (600') of a school, with that distance measured as the horizontal distance in a straight line from the property line of the school to the closest property line of the lot on which the dispensary is to be located without regard to intervening structures, pursuant to California Health and Safety Code section 11362.768; or
 2. Within two hundred fifty feet (250') of a youth-oriented facility other than a school, or another dispensary, with that distance measured by street frontage from the property line of the youth-oriented facility to the closest property line of the lot on which the dispensary is to be located, and not radial distance; or
 3. Abutting, on any side of the parcel upon which the dispensary is located, a parcel occupied by a youth-oriented facility, a school, or another dispensary; or
 4. Within any residentially zoned parcel or primary land use, or any property with an underlying residential or mobile homes general plan land use designation; or
 5. On a parcel having a residential unit, or on a parcel directly abutting a residentially zoned property, unless there are intervening nonresidential uses between the dispensary and the residential unit or the residentially zoned property that the Planning Commission or, on appeal, the City Council determines sufficient to provide an appropriate separation.
- **902 Waugh Lane is compliant with the limitations enumerated above from Section 5707**

APPLICABLE OPERATING REQUIREMENTS FOR PROCESSING AND DISTRIBUTION

From Article 15.7 of Chapter 2 in Division 9 of the Ukiah City Code:

§9174.2 CANNABIS-RELATED BUSINESSES

B. Operating Requirements for Cannabis-Related Businesses: Cannabis-related business operations shall be established and managed only in compliance with the following standards:

1. Criminal History: Any applicant, his or her agent or employees, volunteer workers, or any person exercising managerial authority of a cannabis-related business on behalf of the applicant shall not have been convicted of any of the felony offenses enumerated in Business and Professions Code section 26057(b)(4), or of a felony or misdemeanor involving moral turpitude, or on probation for a drug offense, or engaged in misconduct related to the qualifications, functions or duties of a permittee. Notwithstanding the above, an application shall not be denied solely on the basis that the applicant or any manager has been convicted of a felony, if the person convicted has obtained a certificate of rehabilitation (expungement of felony record) under California law or under a similar Federal statute or State law where the expungement was granted. In addition, notwithstanding the above, a prior conviction, where the sentence, including any term of probation, incarceration, or supervised release, is completed, for possession of, possession for sale, sale, manufacture, transportation, or cultivation of cannabis or cannabinoid preparations, is not considered related to the qualifications, functions, or duties of a permittee, and shall not be the sole ground for denial of an application.

2. Minors:

a. It is unlawful for any permittee, operator, or other person in charge of any cannabis-related business to employ any person who is not at least twenty-one (21) years of age.

b. The burden of proof is on the cannabis-related business personnel to establish compliance with this subsection B2 of this section by clear and convincing evidence.

- **The businesses at 902 Waugh Lane will verify the identity of each employee to ensure they are of age and have the legal right to work. Additionally, we will complete criminal background checks on each employee before they begin work for us.**

3. Inventory and Tracking: Cannabis-related businesses shall at all times operate in a manner to prevent diversion of cannabis and shall promptly comply with any track and trace program established by the State.

- **The businesses at 902 Waugh Lane will operate in full METRC compliance.**

4. Multiple Permits per Site: Multiple cannabis-related businesses proposed on any one site or parcel shall be granted permit approval only if all of the proposed cannabis

businesses and their co-location are authorized by both City and State law. Operators of cannabis-related businesses issued use permits for multiple business types or State license types at the same physical address shall maintain clear separation between license types unless otherwise authorized by this code and State law.

- **The businesses at 902 Waugh Lane is being constructed to have clear walls and doors separating the different licensed functions at the location.**

5. Operating Plans: An operating plan for a cannabis-related business must contain the following unless not applicable:

a. Storage: A cannabis-related business shall have suitable locked storage on premises, identified and approved as a part of the security plan, for after-hours storage of cannabis and cannabis products.

- **The businesses at 902 Waugh Lane have secure storage with limited personnel access.**

b. Odors Control: The cannabis-related business shall have an air treatment system that prevents odors generated from any storage and cultivation of cannabis on the business property from being detected by any reasonable person of normal sensitivity outside the cannabis-related business premises. To achieve this, both the storage and cultivation areas shall be, at minimum, mechanically ventilated with a carbon filter or superior method.

- **The businesses at 902 Waugh Lane have carbon scrubbers throughout the facility.**

c. Security Plans: A cannabis-related business shall provide adequate security on the premises, as approved by the Chief of Police, including lighting and a premises and panic alarm system monitored by a licensed operator, to ensure the safety of persons and to protect the premises from theft.

- **The businesses at 902 Waugh Lane have engaged Deep Valley Security. The security plan complies, and has been provided as part of our Use Permit application.**

d. Security Cameras: Security surveillance cameras shall be installed to monitor the main entrance and exterior of the premises to discourage loitering, crime, illegal or nuisance activities. The security surveillance system shall comply with current State standards for digital video surveillance systems to be installed on the premises of licensed cannabis businesses, currently codified in the California Code of Regulations, Title 16, Section 5044, and as may be amended.

- **The businesses at 902 Waugh Lane have engaged Deep Valley Security. The security camera plan complies and has been provided as part of our Use Permit application.**

e. Security Video Retention: Security video shall be maintained for ninety (90) days. In the event of a crime on site or anywhere within range of the cannabis-related

business's security cameras, the cannabis-related business shall provide the Chief of Police or his or her designee with a useable digital copy of the security video upon request or at the earliest convenience

- **The businesses at 902 Waugh Lane have engaged Deep Valley Security. The security video retention plan complies and has been provided as part of our Use Permit application.**

f. Alarm System: Professionally monitored premises and panic alarm system shall be installed and maintained in good working condition.

- **The businesses at 902 Waugh Lane have engaged Deep Valley Security. The alarm system plan complies and has been provided as part of our Use Permit application.**

g. Emergency Access: Security measures shall be designed to ensure emergency access in compliance the California Fire Code and Ukiah Valley Fire Authority standards.

- **The businesses at 902 Waugh Lane have engaged Deep Valley Security. The emergency access plan complies and has been provided as part of our Use Permit application.**

h. Emergency Contact: A cannabis-related business shall provide the Chief of Police with the name, email address, phone number and facsimile number of an on-site community relations staff person to whom one can provide notice if there are operating problems associated with the business. The business shall make every good faith effort to encourage neighborhood residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the City.

- **When the businesses at 902 Waugh Lane commence operations, they will notify neighbors of their opening, and provide the community relations contact information. The information will also be provided to the Chief of Police.**

6. Signage and Notices:

a. Address identification shall comply with illuminated address signs requirements.

b. Business identification signage shall be limited to that needed for identification only, consisting of a single window sign or wall sign that shall comply with section 3227 of this code and any other City Code provisions regulating signage.

- **The businesses at 902 Waugh Lane acknowledge and agree to comply with signage rules.**

7. Employee Records: Each owner or operator of a cannabis-related business shall maintain a current register of the names of all volunteers and employees currently working at or employed by the cannabis-related business, and shall disclose such registration for

inspection by any City officer or official for purposes of determining compliance with the requirements of this article.

- **The businesses at 902 Waugh Lane acknowledge and agree to comply with the employee record keeping and disclosure rules.**

8. Compliance with Other Requirements: The operator shall comply with all applicable provisions of local, State or Federal laws, regulations or orders, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders.

- **The businesses at 902 Waugh Lane acknowledge and agree to comply all applicable laws and any regulations, orders, or conditions placed on the businesses.**

9. Confidentiality: The information provided for purposes of this section shall be maintained by the City as confidential information, and shall not be disclosed as public records unless pursuant to subpoena issued by a court of competent jurisdiction or otherwise compelled by court order or the California Public Records Act.

10. Display of Permit: Every cannabis-related business shall display at all times during business hours the use permit issued pursuant to the provisions of this chapter for such business in a conspicuous place so that the same may be readily seen by all persons entering the business.

- **The businesses at 902 Waugh Lane acknowledge and agree to clearly display all permits.**

11. Inspections: During normal business hours, cannabis-related businesses permitted under this chapter shall provide access for administrative inspections by City officials or officers or consultants hired by the City to verify compliance with this article. Any cannabis-related business's refusal to comply with this section shall be deemed a violation of this article.

- **The businesses at 902 Waugh Lane acknowledge and agree to allow inspections.**

12. Notification of Theft, Loss, and Criminal Activity: Cannabis-related businesses shall comply with the California Code of Regulations, Title 16, Section 5036, or as may be amended, by notifying the applicable State authorities and the Ukiah Police Department within twenty-four (24) hours of discovery of any of the following situations:

- a. A significant discrepancy in the business's inventory.
- b. The operator becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity pertaining to the operations of the business.
- c. The operator becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity by an agent or employee of the business pertaining to the operations of the business.

d. The operator becomes aware of or has reason to suspect the loss or unauthorized alteration of records related to cannabis goods, customers or clients, or the business's employees or agents.

e. The operator becomes aware of or has reason to suspect any other breach of security.

The notification shall be in writing and include the date and time of occurrence of the theft, loss, or criminal activity and a description of the incident including, where applicable, the item(s) that were taken or lost.

- **The businesses at 902 Waugh Lane acknowledge and agree to provide both the Ukiah PD and applicable State authorities with any information related to any theft, diversion, or other criminal activity suspected to be occurring within the businesses.**

APPLICABLE OPERATING REQUIREMENTS FOR RETAIL DELIVERY

From Chapter 8 in Division 6 of the Ukiah City Code:

§5708 OPERATING REQUIREMENTS

Dispensary operations shall be established and managed only in compliance with the following standards:

A. Criminal History: Any applicant, his or her agent or employees, volunteer workers, or any person exercising managerial authority of a dispensary on behalf of the applicant shall not have been convicted of any of the felony offenses enumerated in Business and Professions Code section 26057(b)(4), or of a felony or misdemeanor involving moral turpitude, or on probation for a drug offense, or engaged in misconduct related to the qualifications, functions or duties of a permittee. Notwithstanding the above, an application shall not be denied solely on the basis that the applicant or any manager has been convicted of a felony, if the person convicted has obtained a certificate of rehabilitation (expungement of felony record) under California law or under a similar Federal statute or State law where the expungement was granted. In addition, notwithstanding the above, a prior conviction, where the sentence, including any term of probation, incarceration, or supervised release, is completed, for possession of, possession for sale, sale, manufacture, transportation, or cultivation of cannabis or cannabinoid preparations, is not considered related to the qualifications, functions, or duties of a permittee, and shall not be the sole ground for denial of an application.

B. Minors:

1. It is unlawful for any permittee, operator, or other person in charge of any dispensary to employ any person who is not at least twenty-one (21) years of age.
- **The delivery business at 902 Waugh Lane will verify the identity of each employee to ensure they are of age and have the legal right to work. Additionally, we will complete criminal background checks on each employee before they begin work for us.**
2. Persons under the age of eighteen (18) shall not be allowed on the premises of a dispensary unless they are a qualified patient or a primary caregiver, they are in the presence of their parent or guardian, and the dispensary in question dispenses cannabis for medical use.
3. The entrance to a dispensary shall be clearly and legibly posted with a notice indicating that persons under the age of eighteen (18) are precluded from entering the premises unless they are a qualified patient or a primary caregiver, and they are in the presence of their parent or guardian. For a dispensary that serves only adult use patrons, the entrance shall be clearly and legibly posted with a notice indicating that persons under the age of twenty-one (21) are precluded from entering the premises.
4. The burden of proof is on the dispensary personnel to establish compliance with this subsection B by clear and convincing evidence.

- **The retail delivery business at 902 Waugh Lane will verify the identity and age of the person ordering before releasing their order.**

C. Dispensary Access:

1. The entrance into the dispensary building shall be locked at all times with entry strictly controlled; e.g., a buzz-in electronic/mechanical entry system with a vestibule is highly encouraged. A viewer shall be installed in the door that allows maximum angle of view of the exterior entrance.
2. Dispensary personnel shall monitor site activity, control loitering and site access.
3. Only dispensary staff, primary caregivers, qualified patients and persons with bona fide purposes for visiting the site shall be allowed on the premises at a dispensary that provides medical cannabis only. For dispensaries serving adult use patrons, only dispensary staff, persons the age of twenty-one (21) and over, and persons with bona fide purposes for visiting the site shall be allowed on the premises.
4. Potential patients or caregivers shall not visit a medical cannabis dispensary without first having obtained a valid written recommendation from their physician recommending use of medical cannabis.
5. Only a primary caregiver and qualified patient or persons the age of twenty-one (21) and over shall be in the designated dispensing area with dispensary personnel. All other authorized visitors shall remain in the designated waiting area in the front entrance/lobby.
6. Restrooms shall remain locked and under the control of management.

- **The retail business at 902 Waugh Lane is delivery only and the building will not be open to the public. It will be open only to staff and for receiving vendors.**

D. Dispensing Operations:

1. The dispensary may dispense no more dried medical cannabis or plants or cannabis products per qualified patient or caregiver than permitted in strict accordance with California Health and Safety Code section 11362.77 and any other applicable State law, and as amended, and may sell cannabis or cannabis products for adult use to an individual only in an amount consistent with personal possession and use limits allowed by the State.
2. A dispensary selling medical cannabis shall only dispense medical cannabis to qualified patients or caregivers with:
 - a. A currently valid physician's approval or recommendation in compliance with the criteria in California Health and Safety Code Division 10, Chapter 6, Article 2.5 and as it may be amended, and valid official identification, such as a Department of Motor Vehicles driver's license or State identification card; or

b. A currently valid California Medical Marijuana Identification Card or a Patient ID Center Identification Card.

3. For qualified patients or caregivers without a California Medical Marijuana Identification Card or a Patient ID Center Identification Card, prior to dispensing medical cannabis, the dispensary shall obtain verbal, online, or signed verification from the recommending physician's office personnel that the individual requesting medical cannabis is a qualified patient.

4. A dispensary shall not have a physician on site to evaluate patients and provide a recommendation for medical cannabis.

5. For cannabis retailers dispensing medical cannabis, patient records shall be maintained and verified as needed, and at least annually verified with the qualifying patient's medical doctor or doctor of osteopathy unless the patient has provided a California Medical Marijuana Identification Card or a Patient ID Center Identification Card.

- **The retail delivery business at 902 Waugh Lane will comply with all above regulations regarding the handling of medical cannabis sales and record keeping. There will not be a physician on site. Again, we will not have public access as we are delivery only.**

6. Information on prior year's operations shall be provided annually, as required in this chapter. The operator shall adjust the operations as necessary to address issues.

- **The retail delivery business at 902 Waugh Lane will produce the required annual report.**

E. Hours of Operation: Hours of operation are limited to nine o'clock (9:00) A.M. to nine o'clock (9:00) P.M., seven (7) days a week.

- **The retail delivery business at 902 Waugh Lane will limit operations to these hours.**

F. Consumption Restrictions:

1. Cannabis shall not be consumed on the premises of the dispensary. The term "premises" includes the actual building, as well as any accessory structures, parking areas, or other surroundings within two hundred feet (200') of the dispensary's entrance.

2. Dispensary operations shall not result in illegal redistribution of cannabis obtained from the dispensary, or use in any manner that violates local, State or City codes.

3. No person may consume cannabis, by smoking or vaporization, in any public places. Public places shall include, but are not limited to, City owned parks and/or City sponsored events where designated as nonsmoking areas by resolution of the City Council, streets, sidewalks, alleys, highways, public parking lots as defined in section 6000 of this code and as amended, enclosed places and places of employment as defined in sections 4503 and 4505 of this code and as amended, and any other property owned or leased by the City, or

in which the City holds a right-of-way easement, and which is open to members of the general public, except while actively passing through on the way to another destination. Nothing in this section is intended, nor shall it be construed, to be inconsistent with the California Indoor Clean Air Act of 1976, Health and Safety Code section 118875 et seq. and as amended.

- **The retail delivery business at 902 Waugh Lane will not allow cannabis use within 200 feet of the premises by employees. Customers will not be within 200 feet and will therefore not be a concern for this matter.**

G. Retail Sales and Cultivation:

1. No cannabis shall be cultivated on the premises of the dispensary, except in compliance with this chapter and with sections 6093 and 9254 of this code and applicable State laws and regulations.

a. Except for immature nursery stock marijuana plants, or clones, that are not intended to be raised to maturity by the dispensary but instead sold to qualified patients and patrons, marijuana plants grown by the dispensary shall only be utilized for production of processed marijuana to dispense to patients or sell in legal quantities to eligible adult use patrons.

b. A security plan for the growing area shall be submitted to the Ukiah Police Chief for review and approval. Such plan shall include: security alarms and surveillance systems; physical measures to prevent access to the area by anyone other than dispensary staff; and physical measures to prevent vehicle penetration of the growing area.

c. The cultivation area shall include a one-hour firewall assembly and shall not create excessive humidity or mold conditions. The cultivation area shall have an air treatment system that prevents odors generated from the cultivation of marijuana on the dispensary property from being detected by any reasonable person of normal sensitivity outside the dispensary property, as set forth in subsection H4 of this section. The cannabis cultivation area shall be in compliance with the current, adopted edition of the California Building Code as regards natural ventilation or mechanical ventilation.

d. Cultivation facilities are strongly encouraged to utilize the most water-efficient and environmentally responsible cultivation practices available. The City reserves the right to require annual reports on cultivation facility practices, including but not limited to cultivation mediums and water use methods.

e. The cultivation use shall comply with applicable stormwater, wastewater, and Building Code requirements and any applicable State or Federal law, including the Clean Water Act, 33 USC section 1251 et seq.

- **The business at 902 Waugh Lane do not include any form of cannabis cultivation.**

2. With the approval of the Planning Commission, a dispensary may conduct or engage in the commercial sale of specific products, goods or services in addition to the provision of cannabis and other items permitted by these regulations on terms and conditions consistent with this chapter and applicable law.
 3. Up to one hundred fifty (150) square feet of the total square footage of the dispensary may be utilized for display and sales of devices necessary for administering cannabis, including but not limited to rolling papers and related materials and devices, pipes, water pipes, and vaporizers.
 4. Retail sales of cannabis that violate California law or this chapter are expressly prohibited.
 5. A dispensary shall meet all the operating criteria for the sale of cannabis as is required pursuant to applicable State laws and regulations.
- **The retail delivery business at 902 Waugh Lane will operate in full compliance with State laws and regulations.**
- H. Operating Plans:
1. Floor Plan: A dispensary shall have a lobby waiting area at the entrance to receive clients, and a separate and secure designated area for dispensing cannabis to qualified patients or designated caregivers or to eligible adult use patrons. The primary entrance shall be located and maintained clear of barriers, landscaping and similar obstructions so that it is clearly visible from public streets, sidewalks or site driveways.
- **The retail delivery business at 902 Waugh Lane will not have a waiting area, or a public access entrance. The only entrance is a locked door behind a locked gate.**
2. Storage: A dispensary shall have suitable locked storage on premises, identified and approved as a part of the security plan, for after-hours storage of cannabis.
- **The retail delivery business at 902 Waugh Lane will have secure locked storage for all of its cannabis products.**
3. Minimum Staffing Levels: The premises shall be staffed with at least one person during hours of operation who shall not be responsible for dispensing cannabis.
- **The retail delivery business at 902 Waugh Lane will always have one person operating the back office, in addition to any delivery drivers (who are “dispensing cannabis”).**
4. Odors Control: The dispensary shall have an air treatment system that prevents odors generated from the storage and cultivation of cannabis on the dispensary property from being detected by any reasonable person of normal sensitivity outside the dispensary

property. To achieve this, both the storage and cultivation areas shall be, at minimum, mechanically ventilated with a carbon filter or superior method.

- **The retail delivery business at 902 Waugh Lane will use carbon scrubbers.**

5. Security Plans: A dispensary shall provide adequate security on the premises, as approved by the Chief of Police and reviewed by the Planning Commission, including lighting and a premises and panic alarm system monitored by a licensed operator, to ensure the safety of persons and to protect the premises from theft.

- **The retail business at 902 Waugh Lane has engaged Deep Valley Security. The security plan complies and has been provided as part of our Use Permit application.**

6. Security Cameras: Security surveillance cameras shall be installed to monitor the main entrance and exterior of the premises to discourage loitering, crime, illegal or nuisance activities. The security surveillance system shall comply with current State standards for digital video surveillance systems to be installed on the premises of licensed cannabis businesses, currently codified in the Cal. Code of Regulations title 16, section 5044, and as may be amended.

- **The retail business at 902 Waugh Lane has engaged Deep Valley Security. The security camera plan complies and has been provided as part of our Use Permit application.**

7. Security Video Retention: Security video shall be maintained for ninety (90) days. In the event of a crime on site or anywhere within range of the dispensary's security cameras, the dispensary shall provide the Chief of Police with a useable digital copy of the security video upon request or at the earliest convenience.

- **The retail business at 902 Waugh Lane has engaged Deep Valley Security. The video retention plan complies and has been provided as part of our Use Permit application.**

8. Alarm System: Professionally monitored premises and panic alarm system shall be installed and maintained in good working condition.

- **The retail business at 902 Waugh Lane has engaged Deep Valley Security. The alarm system plan complies and has been provided as part of our Use Permit application.**

9. Emergency Contact: A dispensary shall provide the Chief of Police with the name, e-mail address, phone number and facsimile number of an on-site community relations staff person to whom one can provide notice if there are operating problems associated with the dispensary. The dispensary shall make every good faith effort to encourage neighborhood residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the City.

- **When the retail delivery business at 902 Waugh Lane commences operations, it will notify neighbors of their opening, and provide the community relations contact information. The information will also be provided to the Chief of Police.**

I. Signage and Notices:

1. A notice shall be clearly and legibly posted in the dispensary indicating that smoking, ingesting or consuming cannabis on the premises or in the vicinity of the dispensary is prohibited. The notice shall be posted in both English and Spanish.
 2. Signs on the premises shall not obstruct the entrance or windows.
 3. Address identification shall comply with illuminated address signs requirements.
 4. Business identification signage shall be limited to that needed for identification only, consisting of a single window sign or wall sign that shall comply with section 3227 of this code and any other City Code provisions regulating signage.
- **The retail delivery businesses at 902 Waugh Lane acknowledges and agrees to comply with all four signage rules above.**

J. Employee Records: Each owner or operator of a dispensary shall maintain a current register of the names of all volunteers and employees currently working at or employed by the dispensary, and shall disclose such registration for inspection by any City officer or official for purposes of determining compliance with the requirements of this chapter.

- **The retail business at 902 Waugh Lane acknowledges and agrees to comply with the employee record keeping and disclosure rules.**

K. Patient Records: Information identifying the names of patients, their medical conditions, or the names of their primary caregivers is confidential and such disclosure is prohibited pursuant to the Federal Health Insurance Portability and Accountability Act of 1996 (42 USC section 1320d et seq.) and the Confidentiality of Medical Information Act (California Civil Code section 56 et seq.). In order to protect patient confidentiality, the dispensary shall maintain records of all qualified patients with a valid identification card and primary caregivers with a valid identification card using only the identification card number issued by the State, or its agent, pursuant to California Health and Safety Code section 11362.7 et seq. Such records may be maintained on or off site, and shall be made available for inspection by any City official authorized to enforce this chapter for purposes of determining compliance with the requirements of this chapter.

- **The retail delivery business at 902 Waugh Lane will comply with all above regulations regarding the handling of medical cannabis patient records.**

L. Staff Training: Dispensary staff shall receive appropriate training for their intended duties to ensure understanding of rules and procedures regarding dispensing in compliance with State and local law, and the dispensary shall employ properly trained or use professionally hired

security personnel in accordance with the conditions of its permit. All security personnel hired or contracted for by the dispensary shall comply with Business and Professions Code Division 3, Chapters 11.4 and 11.5, or as may be amended.

- **The retail delivery business at 902 Waugh Lane will provide adequate training to its employees to ensure they understand the rules for dispensing cannabis.**

M. Site Management:

1. The operator of the establishment shall take all reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours if directly related to the patrons of the subject dispensary.

a. "Reasonable steps" shall include calling the police in a timely manner; and requesting those engaging in objectionable activities to cease those activities, unless personal safety would be threatened in making the request.

b. "Nuisance" includes, but is not limited to, disturbances of peace, open public consumption of marijuana or alcohol, excessive pedestrian or vehicular traffic, illegal drug activity, harassment of passersby, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct or excessive police detentions and arrests.

2. The operator shall take all reasonable steps to reduce loitering in public areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours.

3. The operator shall provide dispensary patients and patrons with a list of the rules and regulations governing cannabis use and consumption within the City and recommendations on sensible cannabis etiquette.

- **The retail delivery business at 902 Waugh Lane will take reasonable steps to curb any nuisances that may arise from this business. However, retail customers will not have access to this business and therefore we do not expect many problems with our patrons.**

N. Compliance with Other Requirements: The operator shall comply with all applicable provisions of local, State or Federal laws, regulations or orders, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders.

- **The retail delivery business at 902 Waugh Lane acknowledges and agrees to comply all applicable laws and any regulations, orders, or conditions placed on the businesses.**

O. Confidentiality: The information provided for purposes of this section shall be maintained by the City as confidential information, and shall not be disclosed as public records unless pursuant to subpoena issued by a court of competent jurisdiction or otherwise compelled by court order.

P. Display of Permit: Every dispensary shall display at all times during business hours the permit issued pursuant to the provisions of this chapter for such dispensary in a conspicuous place so that the same may be readily seen by all persons entering the dispensary.

- **The retail delivery at 902 Waugh Lane acknowledges and agrees to display all permits.**

Q. Reporting and Payment of Fees: Each permittee shall file an annual statement with the Planning Department: (1) indicating the number of patients served by the dispensary within the previous calendar year, if applicable, (2) the continuing accuracy of the information in the prior year's dispensary use permit application, (3) documenting any changes or additions to that information as of the date for renewal of the permit, any citizen complaints, City Code violations, and calls for law enforcement during the prior year, the applicant's compliance with applicable City and State law governing the operation of dispensaries, and (4) including any additional information the Planning Department deems necessary to administer this chapter, and pay all annual permit fees.

- **The retail delivery at 902 Waugh Lane acknowledges and agrees to complete its annual report and pay all fees each year.**

R. Alcoholic Beverages: No dispensary shall hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages, or operate a business on the premises that sells alcoholic beverages. No alcoholic beverages shall be allowed or consumed on the premises.

- **No alcoholic beverages will be sold, allowed, or consumed at 902 Waugh Lane.**

S. Inspections: During normal business hours, dispensaries permitted under this chapter shall provide access for administrative inspections by City officials or officers or consultants hired by the City to verify compliance with this chapter. Any dispensary's refusal to comply with this section shall be deemed a violation of this chapter.

- **The businesses at 902 Waugh Lane acknowledge and agree to allow inspections.**

T. Notification of Theft, Loss, and Criminal Activity: Cannabis retailer businesses shall comply with the California Code of Regulations title 16, section 5036, or as may be amended, by notifying the applicable State authorities and the Ukiah Police Department within twenty-four (24) hours of discovery of any of the following situations:

1. A significant discrepancy in the retailer's inventory.
2. The operator becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity pertaining to the operations of the retailer.

3. The operator becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity by an agent or employee of the retailer pertaining to the operations of the retailer.

4. The operator becomes aware of or has reason to suspect the loss or unauthorized alteration of records related to cannabis goods, patrons, or the retailer's employees or agents.

5. The operator becomes aware of or has reason to suspect any other breach of security.

The notification shall be in writing and include the date and time of occurrence of the theft, loss, or criminal activity and a description of the incident including, where applicable, the item(s) that were taken or lost.

- **The retail delivery business at 902 Waugh Lane acknowledges and agrees to provide both the Ukiah PD and applicable State authorities with any information related to any theft, diversion, or other criminal activity suspected to be occurring within the businesses**

Security Plan

Outline of measures to ensure safety of persons and protection of the premises from theft, including: installation of security cameras, alarm system monitored by a licensed operator, and security assessment of site by a qualified professional. Plan should include a description of:

- *Alarm System: description and locations of alarms, professionally monitored, maintained and in working condition. (5708 H 8)*
- *Panic alarm system monitored by a licensed operator. (5708 H 5)*
- *Surveillance system(s) & cameras: description & locations installed to monitor main entrance and exterior. (5708 H 6)*
- *Security Video Retention: maintained for ninety (90) days. (5708 H 7)*
- *Locked storage on premises for after-hours storage of medical marijuana. (5708 H 2)*
- *Emergency Contact information provided (5708 H 9)*

To ensure the safety and security of all employees, product, and the neighboring community, we worked with Deep Valley Security to conduct an assessment of the facility and develop a comprehensive security plan.

The security plan includes four major security systems:

1. Burglary Alarm System
2. Camera System
3. Access Control System
4. Fire Alarm System

Burglary Alarm System

The Burglary alarm system is a comprehensive alarm system covering all entrances and windows around the building. Contacts will be installed and connected to the central alarm system to alert security personnel in the event a door or window is opened or in any way tampered with such that it can't close properly. The alarm system is also connected to the Ukiah Police Department to notify law enforcement of any break in. The system includes:

- Wireless transmitters for doors, windows and rollup door sensors
- Contact sensors for doors, windows and rollup doors
- Keypads at exterior entrances
- Motion Sensors
- Sirens
- Control Panel

The Burglary alarm system will also include Total Connect Services, which allows remote use of the alarm system for the business owners to monitor from home as needed.

Camera System

The Camera System provides detailed and comprehensive visual security around the exterior, parking area, and interior of the building. The cameras are 4 megapixel resolution and the 64 channel NVR recorder will house 60 terabytes of hard drive storage, in order to maintain 90 days of security footage from the 10 exterior and 22 interior cameras. The NVR recorder will also be equipped for remote viewing, to allow the business owners to access the footage as needed.

The cameras are strategically placed around all sides of the building and parking area to eliminate any blind spots and provide full visibility of the exterior of the premises. The interior cameras are placed to monitor all license activities in order to deter theft or diversion of cannabis.

The centralized monitor in the security room provides flexibility and visibility to the security guards to monitor any unusual behavior and respond as needed.

Access Control System

There are three distinct functions and licenses inside the building: Processing, Distribution and Retail Delivery. In addition to protecting the exterior doors through Keycard Access Control, we are also installing keycard access control panels at the interior doors to protect each license and manage access of that different employees have to each facility.

All staff will be issued HID keycards with certain authorizations for them to access the appropriate rooms for their work. Only authorized staff will be allowed to access the different licenses. Security personnel will have access to all doors in order to respond to any security issues that may arise.

Fire Alarm System

The building is equipped with a fire suppression/ sprinkler system. As required, we will be installing a fire alarm system that monitors and alerts our security and the fire department of any activation of the fire sprinklers. There will also be a keypad installed at the exterior of the building that allows the fire department access to the building without security needed.

Accessibility Evaluation

Written evaluation of accessibility to and within the building, and identification of planned accessibility improvements.

The three businesses – Processing, Distribution, and Delivery-Only Retail, are all located on the first floor of the building at 902 Waugh Lane. All support functions for the businesses – security office, employee breakroom and kitchen, and bathrooms – are located on the first floor of the building. There are no stairs required to access these rooms.

There are several planned accessibility improvements to the building and parking area, including:

1. Remodel first floor bathrooms to bring into ADA compliance
2. Install ADA parking spot with marked path of travel to the entrance
3. Install ADA hardware on all exterior gates
4. Install lever hardware on all interior doors

These improvements will create a fully accessible work environment for all staff and authorized visitors of the building.

PROPERTY LINE _____
BUILDING ENVELOPE _____
EDGE OF PAVEMENT _____
FENCE LINE x x x x x x x x x x x x x x x x
BUILDING SETBACK LINE - - - - -
CONTOUR LINES ~~~~~

[illegible]Page 61 of 96

Square Footage Legend	SQ FT
Existing Square Footage	12,766
Proposed Alteration Square Footage	2300

Door Schedule

- 101 - 3'0" x 6'8" - Exterior Metal Clad Solid Core
102 - 3'0" x 6'8" - Exterior Metal Clad Solid Core
103 - 3'0" x 6'8" - Interior Wood Hollow Core
104 - 3'0" x 6'8" - Interior Wood Hollow Core
105 - 3'0" x 6'8" - Interior Wood Hollow Core
106 - 3'0" x 6'8" - Interior Wood Hollow Core
107 - 3'0" x 6'8" - Interior Wood Solid Core **TO BE REMOVED**
108 - 6'0" x 6'8" - Interior Wood Solid Core **TO BE REMOVED**
109 - 6'0" x 6'8" - Metal Clad Solid Core
110 - 3'0" x 6'8" - Metal Clad Solid Core
111 - 3'0" x 6'8" - Metal Clad Solid Core
112 - 3'0" x 6'8" - Interior Wood Solid Core **TO BE REMOVED**
113 - 3'0" x 6'8" - Interior Wood Solid Core
114 - 3'0" x 6'8" - Interior Wood Solid Core **TO BE REMOVED**
115 - 4'0" x 6'8" - Metal Clad Solid Core
116 - 3'0" x 6'8" - Interior Wood Solid Core
117 - 3'0" x 6'8" - Exterior Metal Clad Solid Core
118 - 2'8" x 6'8" - Interior Wood Solid Core
119 - 2'8" x 6'8" - Interior Wood Solid Core
120 - 2'6" x 6'8" - Interior Wood Solid Core
121 - 2'6" x 6'8" - Interior Wood Solid Core
122 - (N) 5'0" x 8'0" - Chain Link Gate w/ Lock & ADA HARDWARE
123 - (N) 5'0" x 8'0" - Chain Link Gate w/ Lock & ADA HARDWARE
124 - (N) 6'0" x 6'8" - Interior Wood Solid Core
125 - (N) 3'0" x 6'8" - Interior Wood Solid Core
126 - (N) 3'0" x 6'8" - Interior Wood Solid Core

Window Schedule

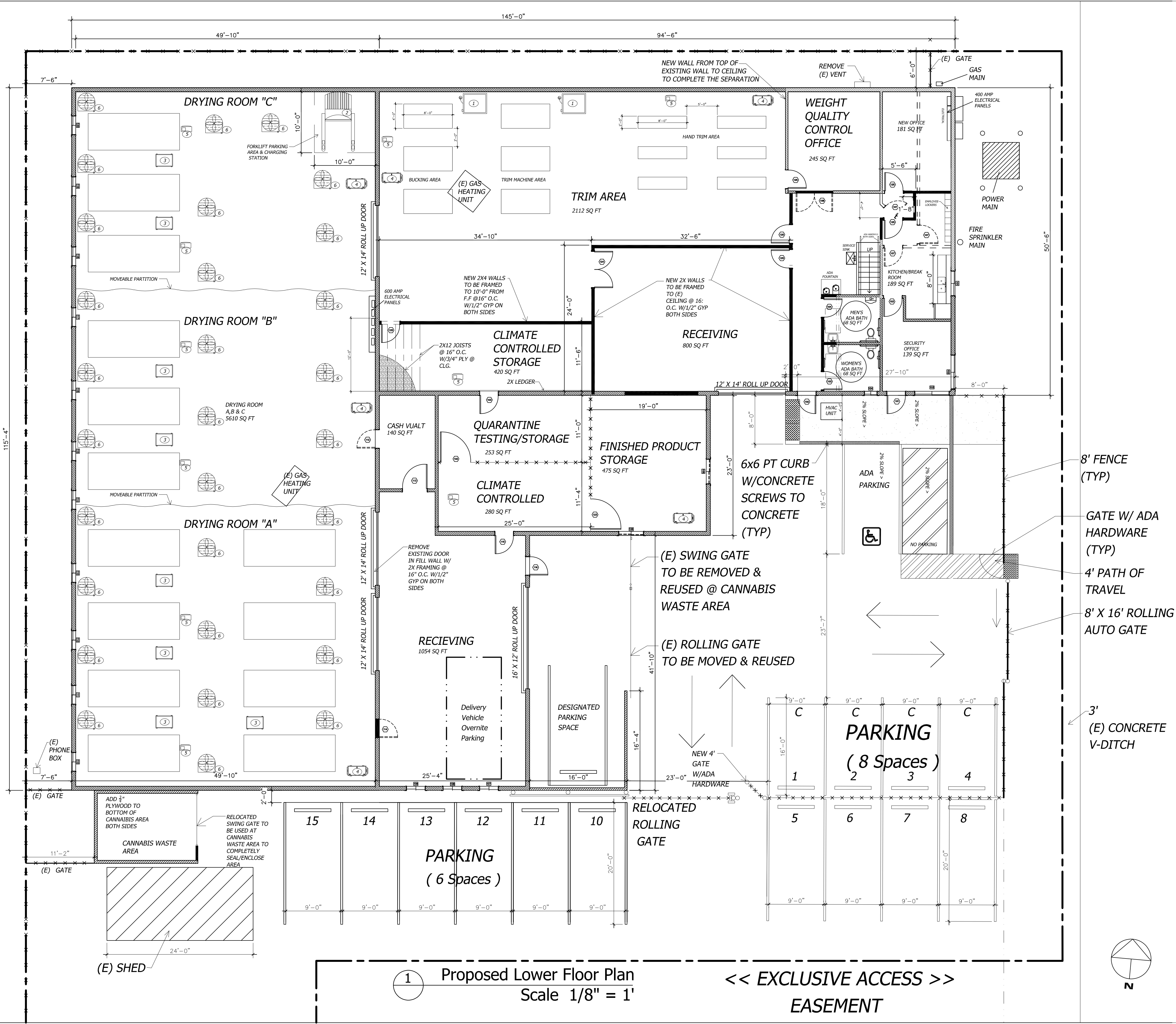
- 101 - 6'0" x 3'0" - Dual Pane Slider
102 - 6'0" x 4'0" - Dual Pane Slider
103 - 6'0" x 4'0" - Dual Pane Slider
104 - 2'0" x 2'0" - Dual Pane Slider Glazed
105 - 4'0" x 5'0" - Dual Pane Slider **TO BE REMOVED**
106 - 4'0" x 5'0" - Dual Pane Slider **TO BE REMOVED**
107 - 4'0" x 3'0" - Dual Pane Slider
108 - 4'0" x 3'0" - Dual Pane Slider
109 - 4'0" x 3'0" - Dual Pane Slider
110 - 4'0" x 4'0" - Dual Pane Slider
111 - 4'0" x 4'0" - Dual Pane Slider
112 - 4'0" x 4'0" - Dual Pane Slider
113 - 4'0" x 4'0" - Dual Pane Slider
114 - 4'0" x 4'0" - Dual Pane Slider
115 - 4'0" x 4'0" - Dual Pane Slider
116 - 4'0" x 4'0" - Dual Pane Slider
117 - 4'0" x 4'0" - Dual Pane Slider
118 - 4'0" x 4'0" - Dual Pane Slider
119 - 4'0" x 4'0" - Dual Pane Slider
120 - 4'0" x 4'0" - Dual Pane Slider
121 - 4'0" x 4'0" - Dual Pane Slider
122 - 4'0" x 4'0" - Dual Pane Slider
123 - 4'0" x 4'0" - Dual Pane Slider
124 - 2'0" x 4'0" - Dual Pane Slider
125 - 4'0" x 3'0" - Dual Pane Slider
126 - 4'0" x 3'0" - Dual Pane Slider

Wall Schedule

- Existing Wall 
New Wall 
Demo Wall 

Equipment Schedule

- 1.-2. TOMS TUMBLER TTT3000
2.-1. YALE NR04DA FORKLIFT
3.-8. ALUMINUM CANNABIS DRYING TRAY
4.-6. AMAIRCARE 26-A-1KME-00-HVY-VOC
5.-8. VG-2200 LRG DEHUMIDIFIER
6.-30 MAXAIR 24" FANS

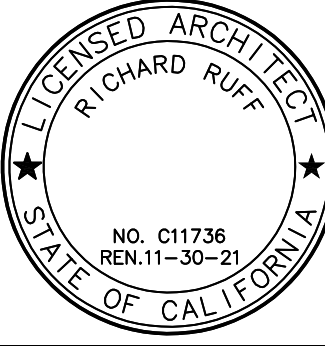


DATE					
REVISIONS					
#					



RUFF + ASSOCIATES
Architecture Planning Development
100 West Standley Street, Ukiah, CA 95482
Phone: 707-472-0525 Fax: 707-472-0527
e-mail: richard@ruffarchitect.com
COPYRIGHT © BY RUFF + ASSOCIATES. ALL RIGHTS RESERVED.

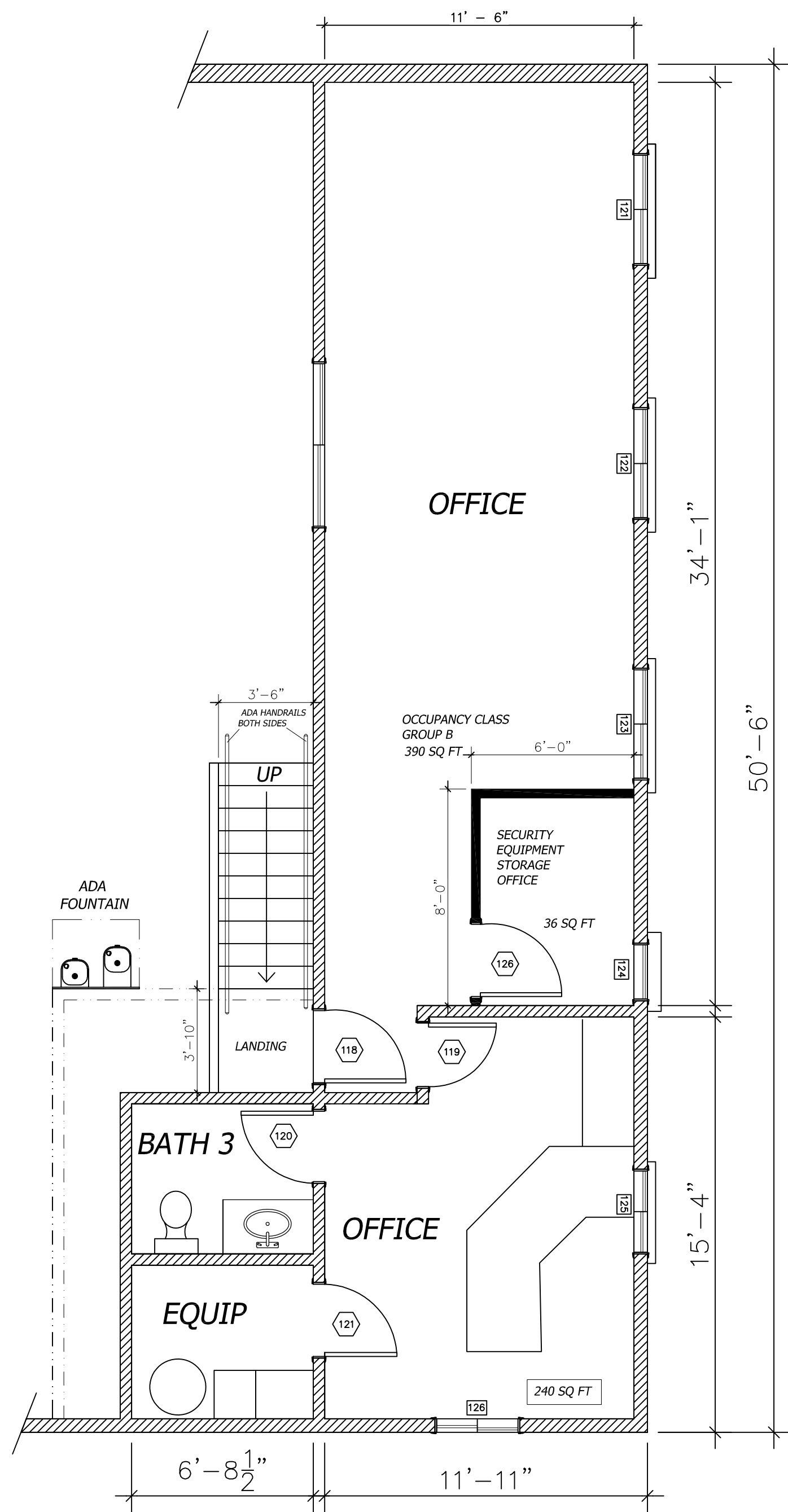
CA License # C11736 - B591217



NO. C11736
RENT-11-30-21
STATE OF CALIFORNIA

TENANT IMPROVEMENT FOR:
FAMILY ROOTS INC.
902 WAUGH LANE
UKIAH, CA 95482

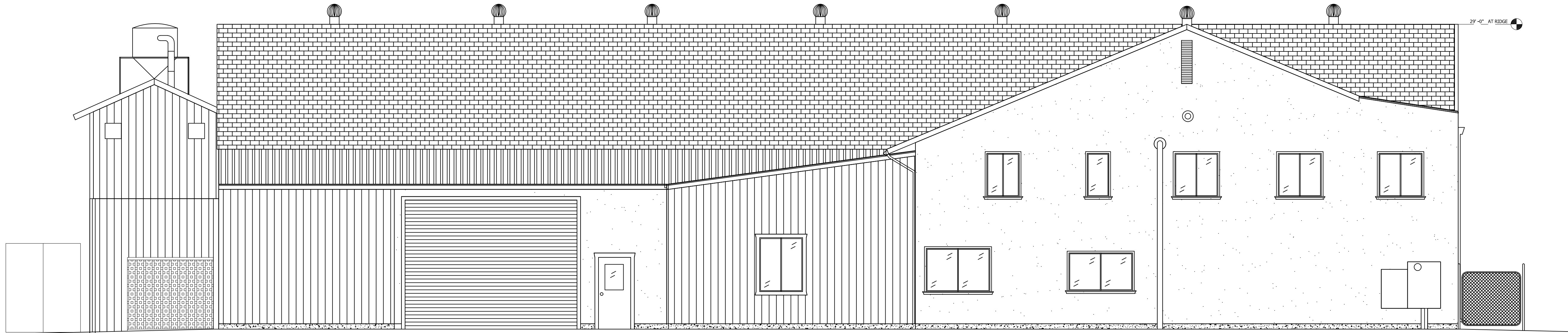
SHEET TITLE	
PROPOSED FLOOR PLAN & EQUIPMENT PLAN	
DRAWN BY	ROBFOX
CHECKED BY	RPR
DATE SUBMITTED	
DATE CREATED	8/24/20
SCALE	AS NOTED
PAGE	
A2.1	
SHEET	6 OF 16



2 Upper Floor Plan
Scale 1/4" = 1'

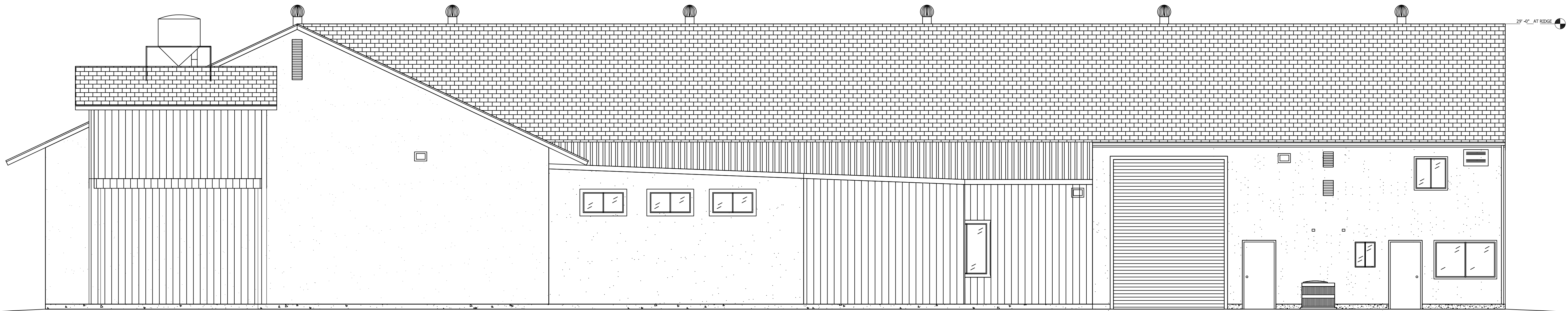
Wall Schedule	
Existing Wall	
New Wall	
Demo Wall	

DATE	BY					
REVISIONS						
#						
RUFF + ASSOCIATES						
RUFF + ASSOCIATES		Architecture Planning Development				
100 West Standley Street, Ukiah, CA 95482		Phone: 707-472-0525 Fax: 707-472-0527				
e-mail: richard@ruffarchitect.com		COPYRIGHT © BY RUFF + ASSOCIATES. ALL RIGHTS RESERVED.				
CA License # C11736 - B597217						
TENANT IMPEOVEMENT FOR: FAMILY ROOTS INC. 902 WAUGH LANE UKIAH, CA 95482						
SHEET TITLE						
OFFICE ALTERATIONS 2ND FLOOR PLAN						
DRAWN BY		ROBFOX				
CHECKED BY		RPR				
DATE SUBMITTED						
DATE CREATED		8/24/20				
SCALE		AS NOTED				
PAGE		A2.2				
SHEET		7		OF		16



1

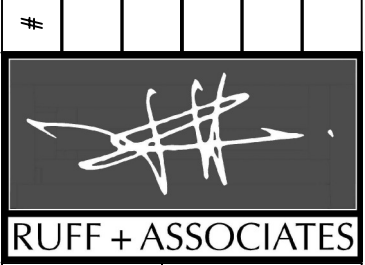
EAST ELEVATION
Scale 3/16" = 1'



2

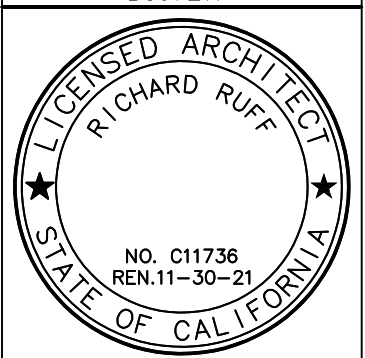
NORTH ELEVATION
Scale 3/16" = 1'

DATE	BY



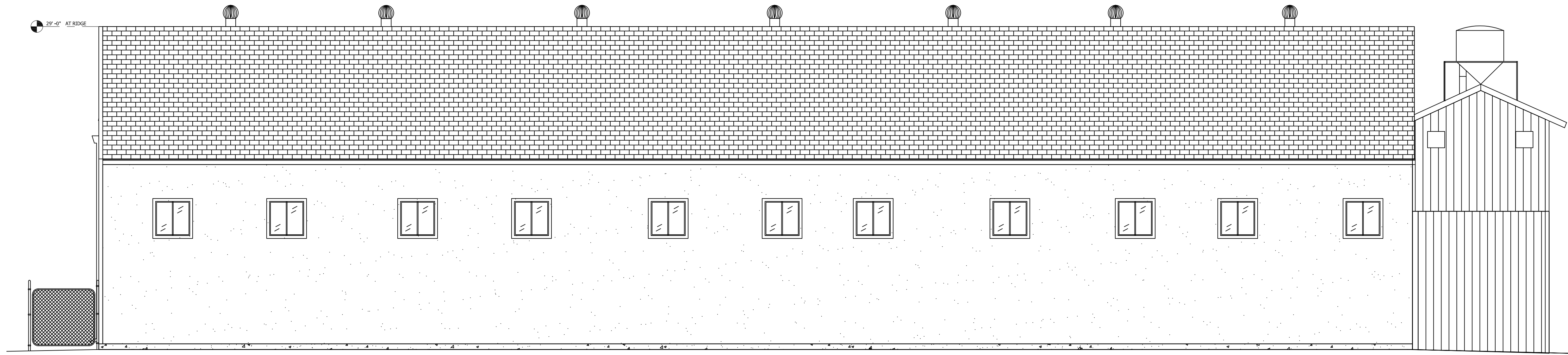
RUFF + ASSOCIATES
Architecture Planning Development
100 West Standley Street, Ukiah, CA 95482
Phone: 707-472-0525 Fax: 707-472-0527
e-mail: richard@ruffarchitect.com
COPYRIGHT © BY RUFF + ASSOCIATES. ALL RIGHTS RESERVED.

CA License # C11736 -
8897217



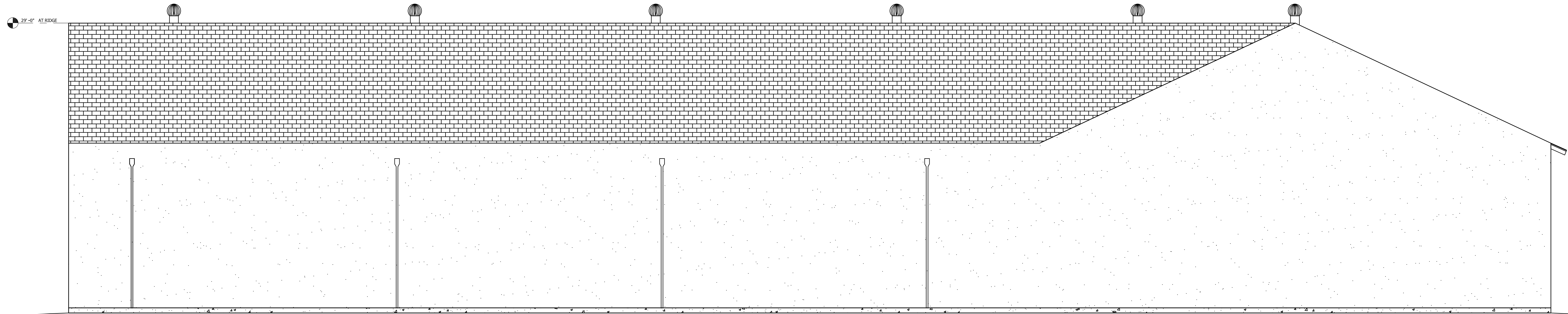
TENANT IMPEOVEMENT FOR:
FAMILY ROOTS INC.
902 WAUGH LANE
UKIAH, CA 95482

SHEET TITLE
ELEVATIONS
DRAWN BY ROBFOX
CHECKED BY RPR
DATE SUBMITTED
DATE CREATED 8/24/20
SCALE AS NOTED
PAGE
A3.0
SHEET 9 OF 16



1

WEST ELEVATION
Scale 3/16" = 1'



2

NORTH ELEVATION
Scale 3/16" = 1'

REVISIONS	DATE	BY

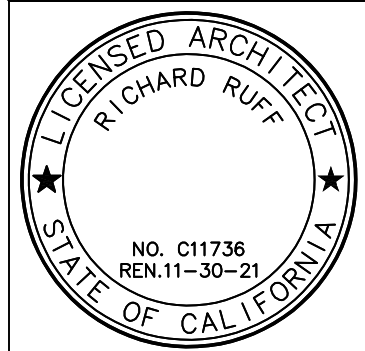
#



RUFF + ASSOCIATES

RUFF + ASSOCIATES
Architecture Planning Development
100 West Standley Street, Ukiah, CA 95482
Phone: 707-472-0525 Fax: 707-472-0527
e-mail: richard@uffarchitect.com
COPYRIGHT © BY RUFF + ASSOCIATES. ALL RIGHTS RESERVED.

CA License # C11736 -
BS97217



TENANT IMPEOVEMENT FOR:
FAMILY ROOTS INC.
902 WAUGH LANE
UKIAH, CA 95482

SHEET TITLE

ELEVATIONS

DRAWN BY ROBFOX

CHECKED BY RPR

DATE SUBMITTED

DATE CREATED 8/24/20

SCALE AS NOTED

PAGE

A3.1

SHEET 10 OF 16

FEATURES & SPECIFICATIONS

INTENDED USE — LBL LED wraparound provides a digital lighting platform to deliver general ambient lighting for surface-mount applications. The LED system delivers long life and excellent color to ensure a quality, low-maintenance lighting installation. Ideal for closets, storage rooms, hallways, stairwells and offices.

CONSTRUCTION — Metal parts are die formed from code-gauge steel. Prismatic diffuser is 100% acrylic with sonically welded luminous ends. Continuous side flanges on fixture body provide light trap and continuous diffuser support to prevent accidental opening and simplify maintenance.

Finish: Five-stage iron phosphate pretreatment assures superior paint adhesion and rust resistance.

Painted parts finished with high-gloss, high-reflectivity baked white polyester enamel (low VOC).

OPTICS — Curved prismatic diffuser with linear side prisms and highly transmissive overlay minimizes lamp image and provides high-angle brightness control. Luminous end plates soften appearance for improved aesthetics.

ELECTRICAL — Long-life LEDs, coupled with high-efficiency drivers, provide superior quantity and quality of illumination for extended service life. 90% LED lumen maintenance at 60,000 hours (L90/60,000). The LEDs have a CRI of 82.

eldoLED driver options deliver choice of dimming range and choices for control, while assuring flicker-free, low-current inrush, 89% efficiency and low EMI.

Step-level dimming option allows system to be switched to 50% power for compliance with common energy codes while maintaining fixture appearance.

CONTROLS — Pair the LBL with the fixture mount Sensor Switch LSXR sensor for additional energy savings when the space is unoccupied. The LSXRHL sensor dims the fixture down to a low-level setting when there is no occupancy. This option is ideal for stairwells, back rooms, and closets due to the low occupancy level in those spaces.

Optional nLight® embedded controls continuously monitor system performance, allow for constant lumen management / compensation function, facilitate simple “plug-and-play” network and controls upgrading via Cat-5 cable. Ballast disconnect provided where required to comply with US and Canadian codes.

LISTINGS — CSA certified to meet U.S. and Canadian standards.

DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

Damp listed.

WARRANTY — 5-year limited warranty. Complete warranty terms located at www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx

Note: Actual performance may differ as a result of end-user environment and application.

All values are design or typical values, measured under laboratory conditions at 25 °C.

Specifications subject to change without notice.

Catalog Number
Notes
Type

Low-Profile Curved-Basket LED Wraparound

LBL4

4' LENGTH, NARROW HOUSING

LED



eldoLED®  

Stock version through Contractor Select Offering
LBL4 LP835
LBL4 LP840

ORDERING INFORMATION

Lead times will vary depending on options selected. Consult with your sales representative.

Example: LBL4 40L EZ1 LP840

LBL4													
Series		Lumens ¹		Voltage		Driver		Color temperature		Control		Options	Finish
LBL4 4' wrap LED	30L	3000 lumens	(blank)	MVOLT (120-277)	EZ1	eldoLED dims to 1%, 0-10V		LP830 3000 K		(blank)	No controls	EL7L LED Emergency battery pack (nominal 700 lumens) ⁵	(blank) White
	40L	4000 lumens	347	347V ²	SLD	Step-level dimming ³		LP835 3500 K		N80	nLight with 80% (L80) lumen management		
	48L	4800 lumens						LP840 4000 K		N80EMG	nLight with 80% (L80) lumen management for use with generator supply EM power	EL14L LED Emergency battery pack (nominal 1400 lumens) ⁵	
	60L	6000 lumens			EOHN	eldoLED non-dimming, on/off ³		LP850 5000 K		N100	nLight without lumen management		
	72L	7200 lumens								N100EMG	nLight without lumen management for use with generator supply EM power		
										LSXRHL	Sensor Switch® fixture mount sensor with High/Low occupancy operation ⁴		
										LSXR10	Sensor Switch® fixture mount sensor with On/Off occupancy operation		

Notes

- 1 Approximate lumen output.
- 2 Not available with EL7L, EL14L, or SLD driver.
- 3 Not available with control options.
- 4 Dims to approximately 10% light output when unoccupied. See sensor details on next page.
- 5 Not available with 72L option.

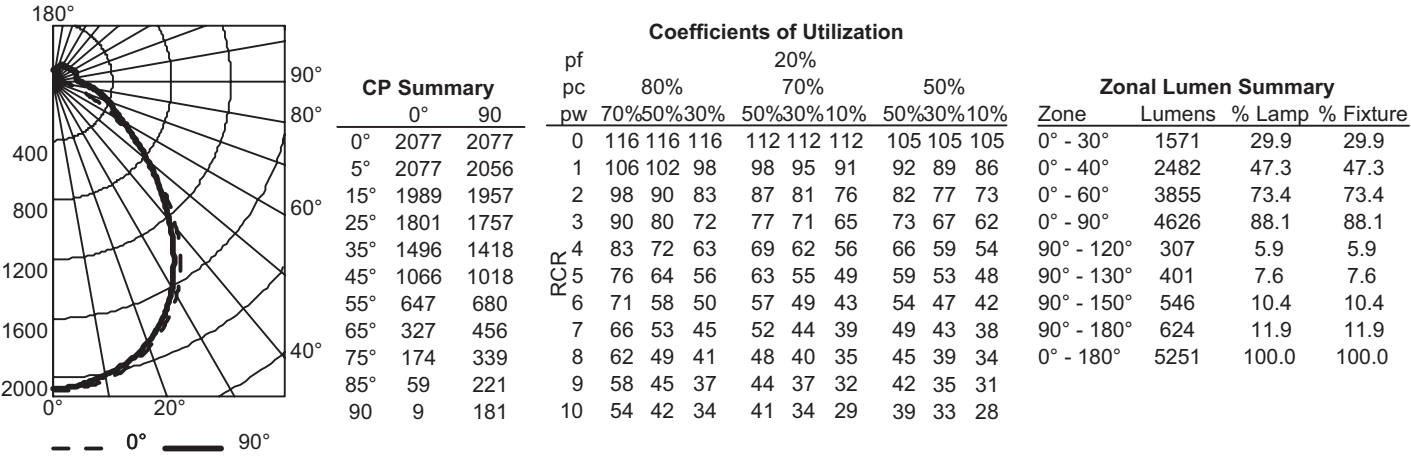
Performance Data				
Lumen	Package	Lumens	Input Watts	LPW
30L	LP830	3,018.1	27	111.8
30L	LP835	3,080.6	27	114.1
30L	LP840	3,105.4	27	115.0
30L	LP850	3,144.9	27	116.5
40L	LP830	4,471.2	41	109.1
40L	LP835	4,563.8	41	111.3
40L	LP840	4,600.4	41	112.2
40L	LP850	4,659.0	41	113.6
48L	LP830	5,103.2	48	106.3
48L	LP835	5,208.9	48	108.5
48L	LP840	5,250.7	48	109.4
48L	LP850	5,317.6	48	110.8
60L	LP830	6,187.3	55	112.5
60L	LP835	6,315.4	55	114.8
60L	LP840	6,366.1	55	115.7
60L	LP850	6,447.2	55	117.2
72L	LP830	7,223.3	70	103.2
72L	LP835	7,372.9	70	105.3
72L	LP840	7,432.1	70	106.2
72L	LP850	7,526.7	70	107.5



Sensor Switch LSXRHL Sensor	
Lens type:	10 - Low Mount 360° coverage
Dimming:	HL - High/Low Occupancy operation
Min Dim Level:	3V - approximately 10% light output when unoccupied
Time Delay:	5M - 5 minutes

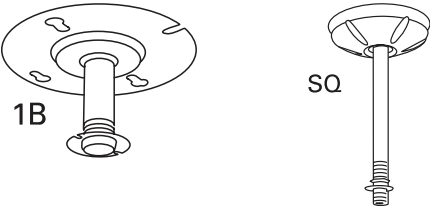
PHOTOMETRICS

LBL4 48L EZ1 LP840, 5250.7 delivered lumens, test no. LTL27386P14, tested in accordance to IESNA LM-79.



MOUNTING DATA

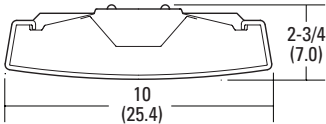
Suspension Kit Ceiling Types: F1 for use with most T-bar and screw slot grid ceiling applications. Designed for on-grid and off-grid installations.
F2 for use with recessed or surface-mount horizontal J-box applications.
For unit or row installation; surface or suspend mounting.
Individual installation — One double-stem or two single-stem hangers required.
For aircraft cable, one STACG_, STACGF_, or STACGE_ required for each suspension point.
Note: 2' configurations with emergency option cannot be stem mounted.
See ACCESSORIES below for hanging devices.



DIMENSIONS

All dimensions are inches (centimeters) unless otherwise noted.

Specifications	
Length:	48 (122.0)
Width:	10 (25.4)
Depth:	2-3/4 (7.0)



All dimensions are inches (centimeters) unless otherwise indicated.

Specification Submittal Data / Panasonic Ventilation Fan/Light

Description:

Ventilating fan/light shall be Low Noise ceiling or wall mount type rated for continuous run. Fan shall be ENERGY STAR[®] rated and certified by the Home Ventilation Institute (HVI). Evaluated by Underwriters Laboratories and conform to both UL and cUL safety standards.

Motor/Blower:

- Enclosed brushless ECM motor technology rated for continuous run.
- Fan ventilation rates shall be manually adjustable for 50-80-100 CFM.
- Power rating shall be 120 volts and 60 Hz.
- Fan shall be UL and cUL listed for tub/shower enclosure when GFCI protected and used in insulated ceiling (TYPE I.C.).
- PCB board equipped with thermal-cutoff fuse.
- Removable with permanently lubricated plug-in motor.

Housing:

- 26 gauge galvanized steel body.
- Built-in 4" Oval duct collar. Also compatible with 4" round duct.
- Optional 24 gauge steel, fire code rated 4" oval to 3" round duct adaptor sold separately (Model # FV-VS43R).
- Built in backdraft damper.
- Built-in metal flange provides blocking for penetrations through drywall as an Air Barrier, and assists with the decrease in leakage in the Building Envelope during blower door testing.
- Unique L-shaped bracket simplifies installation and provides strong support.



(1) 10 Watt Dimmable LED chip panel/3000 Kelvin Warm White/90CRI/700 lumens/70 LPW/ ENERGY STAR 2.0 certified/50,000 hours rated average life /<1W LED night light.

Ceiling Radiation Damper:

- WhisperValue DC is UL listed for use with the Panasonic Ceiling Radiation Damper (Model #: PC-RD05C5, sold separately).

Grille:

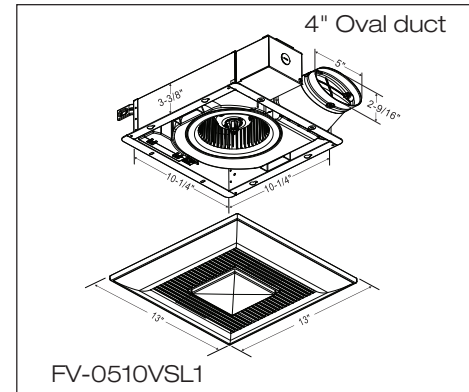
- Attractive design using Poly Pro material.
- Attaches directly to housing with torsion springs.

Warranty:

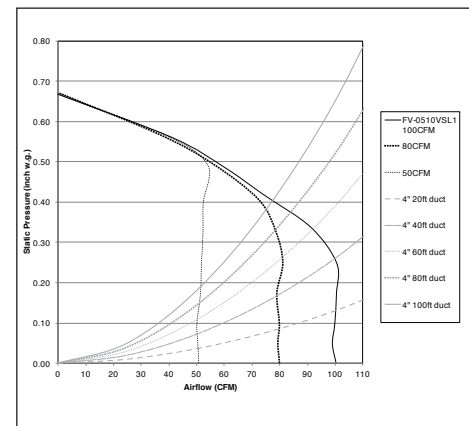
- ECM Motor: 6 Years from original purchase date.
- LED: 5 Years from original purchase date.
- ALL Parts: 3 Years from original purchase date.

Architectural Specifications:

Ventilation fan/light shall be UL and cUL listed for ceiling or wall mount and tub/shower enclosure when GFCI protected. Fan/light shall also be ENERGY STAR[®] certified, with a built-in speed selector. Choose from 50-80-100 CFM and no more than <0.3/0.4/0.9 sone as certified by the Home Ventilating Institute (HVI) at 0.1 static pressure in inches water gauge (w.g.) with no less than 52/81/101 CFM and no more than 0.5/0.8/1.3 sone as certified by HVI at 0.25 w.g. Power Consumption shall be no greater than 4.5/8.5/12.4 watts at 0.1 w.g. and 7.7/13.2/18.0 watts at 0.25 w.g., with efficiency of no less than 12.1/10.0/8.2 CFM/watt at 0.1 w.g. and 7.3/6.5/5.7 CFM/watt at 0.25 w.g. The motor shall be totally enclosed with a brushless ECM motor engineered to run continuously. ECM motor speed shall automatically increase when the fan senses static pressure to maintain selected CFM. Power rating shall be 120V/60Hz. Lamp shall be of the LED dimmable type and be no less than (1) 10W, ENERGY STAR 2.0 certified, LED chip panel that maintains 50,000 hours rated average life and incorporates a <1W LED night light. Duct diameter shall be no less than 4". Optional 24 gauge steel, fire code rated 4" oval to 3" round duct adaptor sold separately (Model # FV-VS43R). Fan can be used to comply with ASHRAE 62.2, LEED, EarthCraft, California Title-24 and WA Ventilation Code.



Performance Curve 4" Oval duct



Specifications and additional features, including Dimmer Switch Compatibility, on following page.

For complete Installation Instructions visit us.panasonic.com/ventfans

Model	Quantity	Comments	Project:
			Location:
			Architect:
			Engineer:
			Contractor:
			Submitted by:
			Date:

Specification Submittal Data / Panasonic Ventilation Fan/Light
(Continued)



ECM Motor Technology

When the fan senses static pressure, its speed is automatically increased to ensure that the desired CFM is not compromised, which allows the fan to perform as rated.

Specifications: WhisperValueDC FV-0510VSL1		4" Oval		4" Oval		4" Oval	
Ventilation Fan Characteristics (HVI Certified Data)	Static Pressure in inches w.g.	0.1	0.25	0.1	0.25	0.1	0.25
	Air Volume (CFM)	100	101	80	81	50	52
	Noise (sones)	0.9	1.3	0.4	0.8	<0.3	0.5
	Power Consumption (watts)	12.4	18.0	8.5	13.2	4.5	7.7
	Energy Efficiency (CFM/Watt)	8.2	5.7	10.0	6.5	12.1	7.3
	Speed (RPM)	954	1176	856	1114	733	1050
	Current (amps)	0.18	0.25	0.13	0.20	0.08	0.13
	MAX. Current (amps)	0.39					
	Power Rating (V/Hz)	120/60					
	ENERGY STAR rated	YES					

0.25=Installed Performance

Dimmer Switch Compatibility		
Brand	Model	Load
Lutron	DV-603P	600W
	S-600	
	S-600PR-WH	
Leviton	6684	600W
	6683	
	6631-LA	
	IPI06	
	S-600P	
GE	18024	600W
Almond	LUXDM600-12	600W
Top	HCL453PTC	600W
	HCL453PW	

Panasonic Eco Solutions North America
Eco Products Division
Two Riverfront Plaza
Newark, NJ 07102

us.panasonic.com/ventfans





Mireya Turner

From: Matthew Keizer
Sent: Wednesday, November 4, 2020 10:43 AM
To: Mireya Turner
Subject: RE: Request for Review - Cannabis Processing/Distribution/Retail (delivery only) at 902 Waugh Ln.

Building comments.

1. A permit will be required for T.I. (Tenant Improvements) Please submit plans, building permit application, and hardship form see links below. Please submit four complete plan sets, two wet stamped and signed.

Useful City Hand outs and submittal documents links below.

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/HANDOUT-Tenant-Improvements.pdf>

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/Application-for-Unreasonable-Hardship-Determination-for-Accessibility.pdf>

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Building-Permit-Application-02102014-fillable.pdf>

http://www.co.mendocino.ca.us/aqmd/pdf_files/ADRN-2791-revised.pdf

[http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Special-Inspection-Agreement-2016-](http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Special-Inspection-Agreement-2016-CBC_complete-fillable.pdf)

[CBC_complete-fillable.pdf](http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Special-Inspection-Agreement-2016-CBC_complete-fillable.pdf)

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/AB3002Notice.pdf>

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/Commercial-Building-Permit-Submittal-Documents1.pdf>

2. The design and construction of all site alterations shall comply with the 2019 California Building Code, 2019 Plumbing Code, 2019 Electrical Code, 2019 California Mechanical Code, 2019 California Fire Code, 2019 California Energy Code, 2019 Title 24 California Energy Efficiency Standards, 2019 California Green Building Standards Code and City of Ukiah Ordinances and Amendments.
3. The Building is currently a F occupancy and will need to be converted to an S,M, or B occupancy. Per 2019 CBC 3408 "No change shall be made in the character of occupancies or use of any building unless such building is made to comply with all current code requirements". This may be an extensive remodel and we recommend you hire an Architect or Engineer and a Casp to review your building for code compliance before you comment to a change of occupancy.
4. It is possible the proposed work will change the occupancy of the building, or section of the building. Per 2019 CBC 3408 "No change shall be made in the character of occupancies or use of any building unless such building is made to comply with all current code requirements". This may be an extensive remodel and we recommend you hire an Architect or Engineer and a Casp to review your building for code compliance before you comment to a change of occupancy.

From: Mireya Turner <mturner@cityofukiah.com>

Sent: Wednesday, November 4, 2020 10:34 AM

To: Matthew Keizer <mkeizer@cityofukiah.com>; Jason Benson <jbenson@cityofukiah.com>; Jarod Thiele <jthiele@cityofukiah.com>; Ian Broeske <ibroeske@cityofukiah.onmicrosoft.com>; Sean Kaeser <skaeser@cityofukiah.com>; Noble Waidelich <nwaidelich@cityofukiah.com>; Jimmy Lozano

<jlozano@cityofukiah.com>; Scott Bozzoli <sbozzoli@cityofukiah.com>; Jesse Davis <davisj@mendocinocounty.org>; Keith Gronendyke <gronendykek@mendocinocounty.org>

Subject: Request for Review - Cannabis Processing/Distribution/Retail (delivery only) at 902 Waugh Ln.

Good morning,

Attached please find the Review Referral Request for Crave, a proposed cannabis processing, distribution, and retail (delivery only) business at 902 Waugh Lane. The Applicant proposes only interior improvements; no façade improvements or expansion of footprint.

Your consideration and comments no later than November 18, 2020, are greatly appreciated.

Cordially,



Mireya G. Turner, MPA

Planning Manager

Department of Community Development

300 Seminary Avenue, Ukiah, CA 95482

P: 707.463.6203

www.cityofukiah.com/community-development

Mireya Turner

From: Jesse Davis <davisj@mendocinocounty.org>
Sent: Monday, November 16, 2020 11:06 AM
To: Mireya Turner
Subject: Re: Request for Review - Cannabis Processing/Distribution/Retail (delivery only) at 902 Waugh Ln.

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Morning Mireya,

Greetings, and thank you for the opportunity to review this project. As described, no expansion of the structure's footprint is to occur, and no on-site commercial retail is requested at 902 Waugh Ln. It is indicated that the required staff on premises will not exceed 13 persons, which aligns with the non-residential density limitations for the Ukiah Airport. Furthermore, there are minimal tenant improvements required to establish the requested functions, as the requested use is similar to those ministerially permitted at this location. The property is within the City of Ukiah, and is zoned for Manufacturing (M). The County submits the following recommendations and suggested Conditions of Approval to City staff:

1) A consistency determination is not required by the Mendocino County Airport Land Use Committee. as the requested activities align with 'Warehouse and Distribution Facilities' activities, which are considered potentially compatible within the B1 Zone. The uses requested are considered examples of normally acceptable uses per 'Table 2A- Compatibility Criteria' of the Mendocino County Airport Land Use Commission.

County Staff recommends that this application be Approved, but suggests that the following conditions of approval be included by the City of Ukiah:

(1) Per Mendocino County Code Section 20.243.050(D): Retailers/dispensaries that engage in mobile deliveries are prohibited from having any advertisement of their business or services on their delivery vehicles. The Applicant is requested to adhere to this requirement while operating within unincorporated portions of Mendocino County.

(2) Per Mendocino County Code Section 6.32.050(D), if the Applicant is 'Engaged in Business' within unincorporated Mendocino County, the Applicant should be made aware that they are subject to the payment of the associated taxes at the review of the Mendocino County Treasurer Tax-Collector.

Thank you for this opportunity to provide comment. Should you require anything further, please do not hesitate to reach out to County staff.

Best Regards,
Jesse Davis

Jesse Davis, AICP

Senior Planner

County of Mendocino

Planning & Building Services

860 N Bush Street

Ukiah, CA 95482

Main Line: [\(707\) 234-6650](tel:7072346650)
davisj@mendocinocounty.org

>>> Mireya Turner <mtturner@cityofukiah.com> 11/4/2020 10:33 AM >>>

Good morning,

Attached please find the Review Referral Request for Crave, a proposed cannabis processing, distribution, and retail (delivery only) business at 902 Waugh Lane. The Applicant proposes only interior improvements; no façade improvements or expansion of footprint.

Your consideration and comments no later than November 18, 2020, are greatly appreciated.

Cordially,



Mireya G. Turner, MPA

Planning Manager

Department of Community Development

300 Seminary Avenue, Ukiah, CA 95482

P: 707.463.6203

www.cityofukiah.com/community-development

Mireya Turner

From: Jimmy Lozano
Sent: Wednesday, November 4, 2020 11:23 AM
To: Mireya Turner
Subject: RE: Request for Review - Cannabis Processing/Distribution/Retail (delivery only) at 902 Waugh Ln.

Hi Mireya,

Regarding Review Referral Request for Crave Processing, Distribution and Delivery Project File # 20-5750 (902 Waugh Lane),

The Electric Utility Department offers the following comments/conditions :

- 1) This property will be served from existing underground facilities and a 150kva 3-phase Transformer that serves multiple address/buildings in the immediate area. Should the project need to upgrade to a larger panel or increase the electric load in the future, they will need to contact the Electric Utility Office. Applicant will need to provide projected load calculations to the COUEUD for their project.
- 2) All future site improvements shall be submitted to the Electric Utility Department for review and comment. At this time, specific service requirements, service Voltage and developer costs and requirements will be determined.
- 3) Developer will need to provide EUSERC approved electrical equipment that is to be used on this project.
- 4) Developer/customer shall incur all costs of this future project to include (labor, materials, equipment).

Should they have any questions please call Jim Lozano at 467-5774

Thank you, Jimmy

Jim Lozano

City of Ukiah Electric Utility

1320 Airport Road

Ukiah, Ca. 95482

PH: (707) 467-5774

FX: (707) 467-2811

jlozano@cityofukiah.com



From: Mireya Turner <mturner@cityofukiah.com>
Sent: Wednesday, November 4, 2020 10:34 AM
To: Matthew Keizer <mkeizer@cityofukiah.com>; Jason Benson <jbenson@cityofukiah.com>; Jarod Thiele <jthiele@cityofukiah.com>; Ian Broeske <ibroeske@cityofukiah.onmicrosoft.com>; Sean Kaeser <skaeser@cityofukiah.com>; Noble Waidelich <nwaidelich@cityofukiah.com>; Jimmy Lozano <jlozano@cityofukiah.com>; Scott Bozzoli <sbozzoli@cityofukiah.com>; Jesse Davis <davisj@mendocinocounty.org>;

Keith Gronendyke <gronendykek@mendocinocounty.org>

Subject: Request for Review - Cannabis Processing/Distribution/Retail (delivery only) at 902 Waugh Ln.

Good morning,

Attached please find the Review Referral Request for Crave, a proposed cannabis processing, distribution, and retail (delivery only) business at 902 Waugh Lane. The Applicant proposes only interior improvements; no façade improvements or expansion of footprint.

Your consideration and comments no later than November 18, 2020, are greatly appreciated.

Cordially,



Mireya G. Turner, MPA

Planning Manager

Department of Community Development

300 Seminary Avenue, Ukiah, CA 95482

P: 707.463.6203

www.cityofukiah.com/community-development

Mireya Turner

From: Jason Benson
Sent: Tuesday, November 10, 2020 4:17 PM
To: Mireya Turner
Cc: Tim Eriksen
Subject: RE: Request for Review - Cannabis Processing/Distribution/Retail (delivery only) at 902 Waugh Ln.

Mireya,

Please include this comment as a condition:

This property has been identified as a likely connection to the Great Redwood Trail from the Waugh Lane residential area. Current ownership has been informed of this by Public Works Staff and the former owner. This proposed business would greatly benefit from a multi-mobile connection to the existing Great Redwood Trail that serves as this property's western boundary.

Let us know if you have further questions.



Thanks,

Jason Benson, PE
Public Works – Senior Engineer
P: (707)510-5485

From: Mireya Turner <mturner@cityofukiah.com>
Sent: Wednesday, November 4, 2020 10:34 AM
To: Matthew Keizer <mkeizer@cityofukiah.com>; Jason Benson <jbenson@cityofukiah.com>; Jarod Thiele <jthiele@cityofukiah.com>; Ian Broeske <ibroeske@cityofukiah.onmicrosoft.com>; Sean Kaeser <skaeser@cityofukiah.com>; Noble Waidelich <nwaidelich@cityofukiah.com>; Jimmy Lozano <jlozano@cityofukiah.com>; Scott Bozzoli <sbozzoli@cityofukiah.com>; Jesse Davis <davisj@mendocinocounty.org>; Keith Gronendyke <gronendykek@mendocinocounty.org>
Subject: Request for Review - Cannabis Processing/Distribution/Retail (delivery only) at 902 Waugh Ln.

Good morning,

Attached please find the Review Referral Request for Crave, a proposed cannabis processing, distribution, and retail (delivery only) business at 902 Waugh Lane. The Applicant proposes only interior improvements; no façade improvements or expansion of footprint.

Your consideration and comments no later than November 18, 2020, are greatly appreciated.

Cordially,



Mireya G. Turner, MPA
Planning Manager

Department of Community Development
300 Seminary Avenue, Ukiah, CA 95482
P: 707.463.6203
www.cityofukiah.com/community-development



"Safety, Professionalism & Community Service"

Justin Wyatt
Chief of Police

To: Mireya Turner

CC: Chief Wyatt, Captain Kaeser,

From: Lt. Noble Waidelich

Subject: Crave Processing, Distribution and Delivery, Major Use Permit #20-5627

Date: 11/05/2020

On or about 11/04/2020, I reviewed the Major Use Permit #20-5627, for the proposed Cannabis-related business at 902 Waugh Lane, DBA Crave Processing, Distribution and Delivery. Based on this review the Police Department has the following comments or requests the following;

- The business's proposed location is 902 Waugh Lane, which is approximately 95 feet from the property boundary of another proposed cannabis business located on Cunningham Street. This location may be in conflict with Ukiah City Code. (5707 C 5).
- The business permittee notes the requirement to comply with Ukiah City Code ordinance (5708 A) regarding criminal history checks of employees, however it appears that currently one of the owners Michael Lovell, has not submitted to a criminal history check as of writing this. It is additionally requested that the identity of any additional staff be made available as soon as practical and that they be directed to the department for criminal history/ livescan checks as per the Ukiah City Code requirements.
- In terms of a security plan, the permittee submitted a two-page plan along with several blue prints. Although the permittee acknowledged many of the elements required in a security plan, as per the Ukiah City Code, the permittee failed to provide sufficient detail in the plan regarding many of these requirements. In order for the Police Department to accurately assess the permittee's security plan these details are vital. For example, one requirement is to maintain a video surveillance system and to maintain video surveillance footage for 90 days, yet the security plan does not address how or where this video will be stored, i.e. cloud based server, onsite, etc. Or how such video could or would be provided to the Police Department in the event of a crime.
- Another example of this would be the storage area of cannabis. The permittee acknowledged on page 33 of the plan, the need to maintain a locked storage area for cannabis (5708 H 2), however does not specifically address details as to how this will be accomplished and or if areas where cannabis will be stored will be fortified to prevent theft. An example of this is that in reviewing the submitted blue prints, it appears that there will be numerous windows along the west wall of the proposed cannabis drying area. A question of security, would be what measures are being taken to mitigate the possibility of intrusion through one of these windows, i.e. how will they be fortified.
- The Police Department would recommend that the business permittee consider the assistance of a professional security plan developer and or then resubmit their security plan so that the Police

300 Seminary Avenue | Ukiah, California 95482
Telephone: (707) 463-6262 | Fax: (707) 462-6068 | www.ukiahpolice.com



"Safety, Professionalism & Community Service"

Justin Wyatt
Chief of Police

Department can adequately evaluate their plan to ensure safety. It may also be mutually beneficial for an onsite visit and inspection of related operations and security by the Police Department prior to operation.

A handwritten signature in blue ink that reads "N. WAIDELICH".

Noble Waidelich
Lieutenant
Ukiah Police Department



"Safety, Professionalism & Community Service"

Justin Wyatt
Chief of Police

To: Mireya Turner, Michelle Irace
CC: Chief Wyatt
From: Captain Noble Waidelich
Subject: Crave Processing, Distribution and Delivery, Major Use Permit #20-5627

Date: 02/09/2021

On or about 02/09/2021, I reviewed a newly submitted seven-page untitled document regarding security concerns previously addressed related to Major Use Permit #20-5627, for the proposed Cannabis-related business at 902 Waugh Lane, DBA Crave Processing, Distribution and Delivery. Based on this review the Police Department still has the following comments or requests the following;

- The business's proposed location is 902 Waugh Lane, which is approximately 95 feet from the property boundary of another proposed cannabis business located on Cunningham Street. This location may be in conflict with Ukiah City Code. (5707 C 5). ****See note below**
- The business permittee notes the requirement to comply with Ukiah City Code ordinance (5708 A) regarding criminal history checks of employees, however it still appears that currently one of the owners Michael Lovell, has not submitted to a criminal history check as of writing this. **Live -Scan Receipt Provided on 2/23/21**
- In regards to the video surveillance system the permittee is addressing a plan to have cameras installed which do meet the resolution required by both the City and California Code of Regulations. This video surveillance system will be acceptable as long as cameras are placed in a location which allows the camera "to clearly record activity occurring within 20 feet of all points of entry and exit" and meets the additional requirements of the Cal. Code of Regulations title 16, section 5044. **Email Follow-up documented on 2/23/21**
- Other previous mentioned areas of concern regarding the security plan appear to have been addressed.

****This issue was resolved with Planning Staff and the Police Dept. on 2/9/21.
There is no conflict with the location limitations in the UCC
-Michelle Irace, Planning Manager**


Noble Waidelich
Captain
Ukiah Police Department



DATE: May 4, 2021
TO: Planning Commission
FROM: Craig Schlatter, Director of Community Development
SUBJECT: **13a. Nomination and Appointment of Vice Chair of the Planning Commission; and Planning Commission Reorganization on the Dias**

Background:

Section 4 of the City of Ukiah Planning Commission Procedures of Conduct (Attachment 1), adopted November 8, 2017 through Resolution No. 2017-01, requires the Planning Commission have a Chair and Vice Chair. At its July 25, 2018 regular meeting, the Commission directed that annual nominations and appointments of the Chair and Vice Chair occur the second meeting of each calendar year. The Commission also directed annual rotation of new Officer appointments. The duties and responsibilities of the Chair and Vice Chair are important for preserving order and decorum, as stated in Section 5 of the Procedures.

The Commission previously directed that the Vice Chair become the Chair upon serving one year as the Vice Chair and upon the conclusion of the Chair's one-year tenure. This effectually results in two-year Officer appointments for Commissioners. It also allows newer Commissioners the opportunity to observe the responsibilities and duties of the Chair for one year prior to becoming the Chair.

Laura Christensen was appointed as Vice Chair of the Planning Commission on February 13, 2019. Upon serving one year as Vice Chair, Ms. Christensen was appointed to Chair of the Planning Commission on February 12, 2020. Ms. Linda Sanders was appointed as Vice Chair during the February 12, 2020 meeting.

Ms. Sanders resigned from the Planning Commission in October 2020. No Commissioner has been appointed to fill the Vice Chair position formerly held by Ms. Sanders.

Discussion:

Because of the requirement that the Vice Chair serve for one year prior to becoming the Chair, Staff recommends the following:

- 1) Nominate and appoint a Commissioner to the position of Vice Chair; and reorganize the Commission according to Section 7I of the Procedures of Conduct.
- 2) Rotate the Officers of the Commission in May 2022.

EXHIBIT "A"

**PROCEDURES OF CONDUCT
OF THE UKIAH PLANNING COMMISSION MEETINGS
FOR THE CITY OF UKIAH**

SECTION 1. UKIAH PLANNING COMMISSION MEETINGS

The Ukiah Planning Commission ("Commission") meets regularly on the second and fourth Wednesday of each month at 6:00 p.m. The Commission meetings are held at the Civic Center Council Chambers, located at 300 Seminary Avenue. The Rules of Conduct set forth procedural guidelines for the conduct of Ukiah Planning Commission meetings as follows:

I. Special Meetings/Time and Place/Notices

Special Planning Commission meetings may be called at any time by the Planning Commission Chair or by three (3) members of the Commission by directing the Recording Secretary to deliver or mail a written notice to each Commissioner and to each local newspaper of general circulation. Such notice shall be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting, as set forth in the notice. The notice shall set forth (1) the time and place of the special meeting, which may be at a time and place different from the regular meeting time or place, and (2) the business to be transacted at the special meeting. A copy of the notice shall also be posted at or near the door to the Civic Center Council Chambers. No other business than what is specified in the notice shall be considered at such meetings. Such written notice may be dispensed with as to any Commissioner who, at or prior to the time the meeting convenes, files with the Planning Commission a written waiver notice. Such waiver may be given by U.S. Mail, e-mail, or facsimile. The written notice may also be dispensed with as to any Commissioner who is actually present at the meeting at the time it convenes.

II. Open to the Public/Exception

All regular and special meetings of the Planning Commission shall be public; provided, however, the Commission may hold a special meeting, pursuant to applicable provisions of state law, including the Ralph M. Brown Act (Government Code Sections 54950 et seq.).

III. Closed sessions/Disclosure of Information

Not applicable.

SECTION 2. AGENDAS**I. Preparation and Posting of Meeting Agendas**

Except for documents or information prepared by City staff that are not available by 12:00 pm on Wednesday, but in the Planning Director's judgment should be included with the meeting agenda prior to its delivery to the members of the Planning Commission, all reports, communications, ordinances, resolutions, contract documents, or other documents regarding matters to be submitted to the Commission at a regular meeting, shall be delivered to the Recording Secretary no later than 12:00 pm on Wednesday, six (6) working days preceding the meeting. The Recording Secretary or City Planning Division staff shall prepare the agenda of all such matters under the direction of the City Planning Director. The agenda and supporting documents shall be delivered to the Planning Commissioners no later than the Friday preceding the Wednesday Planning Commission meeting to which the agenda pertains. The agenda itself shall be posted in a location freely accessible to the public at least 72 hours before each regular meeting or 24 hours before any special meeting of the Planning Commission. The agenda must include a brief description of each item of business to be transacted or discussed at the meeting, as well as the time and location of the meeting. The Planning Director shall review the items to be placed on the agenda and place those items which he or she believes to be of a routine non-controversial nature and that are properly documented, on for adoption by a single motion.

II. Order of Business

The business of the Planning Commission and the order of its agenda shall be in such form, as the Commission may from time to time adopt by resolution.

SECTION 3. PLANNING CORRESPONDENCE

I. Availability to the Public

Correspondence addressed to the Planning Commission and received by the Recording Secretary, Planning Division staff, or any other officer or employee of the City, shall not become a public record until received and filed by the Commission at a regular, special, or adjourned meeting of the Planning Commission. Correspondence should not be read aloud at a Planning Commission meeting unless requested by a majority vote of the Commission.

II. Authority of the Planning Director

The City Planning Director is hereby authorized to open and examine all mail or other written communications addressed to the Planning Commission and to give them immediate attention to this end, that all administrative business referred to in such communications, and not necessarily requiring Commission action, may be acted upon between Commission meetings; provided, however, mail addressed to individual Commissioners shall not be opened without the consent of the Commissioner.

SECTION 4. PRESIDING OFFICER

The Planning Commission Chair shall be the presiding officer at all meetings of the Planning Commission. In the absence of the Planning Commission Chair, the Planning

Commission Vice Chair shall preside. In the absence of both the Chair and Vice Chair, the Recording Secretary shall call the Commission to order, whereupon, a temporary presiding officer or Commissioner shall be elected by the Planning Commissioners present to serve until the arrival of the Planning Commission Chair or Vice Chair or until adjournment. Wherever in this Article the term Chair is used, it shall apply equally to the presiding officer as set forth in this section.

I. Powers and Duties

- A. Participation: The presiding officer may move, second, debate, and vote from the Chair.
- B. Signing of Documents: The presiding officer shall sign all resolutions, contracts, and other documents necessitating his/her signature which were adopted in his/her presence, unless he or she is unavailable, in which case the signature of an alternate presiding officer may be used.
- C. Discussion of and Action on Agenda Items: Under rules, as shall be determined from time to time by the Commission Chair, the public shall be offered an opportunity to address at the meeting, any item included on the agenda. The Planning Commission shall not take action on any item not appearing on the posted agenda unless: 1) a Commission majority determines that an "emergency situation", as defined herein, exists; 2) the Commission determines by a two-thirds (2/3) vote, or by a unanimous vote if less than two-thirds (2/3) of the Planning Commissioners are present, that a need to take immediate action to the item arose subsequent to the posting of the agenda; or 3) the item was included in a properly posted agenda for a prior meeting occurring not more than five (5) days prior to the meeting at which time the action is taken and was continued to the meeting at which time the action is taken

As used in this section "emergency" means an event which will cause a work stoppage, severely impairing public health or safety, or a crippling disaster severely impairing public health or safety.

SECTION 5. RULES OF ORDER

In the event of questions as to procedure not set forth in this article for Planning Commission meetings, the Chair shall be guided by the rules of general parliamentary procedure.

I. Rules of Order/Failure to Observe

Rules adopted to expedite the transaction of the business of the Commission in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe such

rules shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting, which is otherwise held in conformity with law.

II. Rules of Decorum

- A. Commissioners: While the Commission is in session, the Commissioners shall preserve order and decorum, and a Commissioner shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission, nor disturb any Commissioner while speaking, nor refuse to obey the orders of the presiding officer. Commissioners shall not leave their seats during a meeting without first obtaining the permission of the presiding officer.
- B. Employees: Members of the City staff and employees shall observe rules of order and decorum as are applicable to the Planning Commission. However, members of the City Planning Division staff seated at the Staff table may not leave their seats during a meeting without first obtaining the permission of the presiding officer.
- C. Persons Addressing the Council: Any person making impertinent, slanderous, or profane remarks, or who becomes belligerent while addressing the Commission, shall be called to order by the presiding officer, and if such conduct continues, may, at the discretion of the presiding officer, be ordered barred from further attendance before the Commission during that meeting.
- D. Members of the Audience: Any person in the audience who engages in disorderly conduct, such as clapping of the hands, stamping of the feet, whistling, using profane language, yelling, or similar demonstrations, which disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the presiding officer, is guilty of a misdemeanor under the provisions of State law, and, upon instructions from the presiding officer, it shall be the duty of the sergeant at arms to remove such person from the Council Chamber and to place him or her under arrest.
- E. Dangerous Instruments: No person may enter the chambers of a legislative body, as defined in Section 54952 of the California Government Code, or any place where such legislative body is in session, with any firearm, weapon, or explosive device of any nature. The provisions of this Section shall not apply to authorized peace officers or to those persons authorized by the California Penal Code to carry such weapons.
- F. Rules of Decorum/Enforcement: The Chief of Police, or such members of the Police Department as the Chief of Policy may designate, shall be sergeant at arms of the Commission and shall carry out all orders given by the presiding officer for the purpose of maintaining order and decorum at Commission meetings. Any Commissioner may move to require the

presiding officer to enforce the rules, and the affirmative vote of a majority of the Commission shall require him or her to do so.

II. Rules of Debate

- A. Getting the Floor: Every Commissioner desiring to speak at a Planning Commission meeting shall first address the Chair, gain recognition by the presiding officer, and confine himself/herself to the question under debate, avoiding indecorous language.
- B. Questioning the Staff: Every Commissioner desiring to question the City staff shall, after recognition by the presiding officer, address his or her questions to City staff.
- C. Interruptions: A Commissioner, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer, a point of order or chooses to yield to a question by another Commissioner. If a Commissioner is called to order while speaking, he or she shall cease speaking until the question of order is determined to be in order, then he or she may proceed. Members of the City staff, after recognition by the presiding officer, shall hold the floor until the completion of their remarks or until recognition is withdrawn by the presiding officer.
- D. Points of Order: The presiding officer shall determine all points of order, subject to the right of any Commissioner to appeal to the Council. If an appeal is taken, the question shall be, "*Shall the decision of the presiding officer be sustained?*" A majority vote shall conclusively determine such question of order.
- F. Privilege of Closing Debate: The Commissioner moving the adoption of an ordinance, resolution, or motion shall have the privilege of closing debate.
- G. Limitation of Debate: No Commissioner shall be permitted to speak more than once on any particular subject until every other Commissioner desiring to do so shall have spoken.

SECTION 6. MOTIONS

A motion by any member of the Planning Commission, including the presiding officer, may not be considered by the Commission without receiving a second.

I. After Motions are Made and Hearings are Closed

After a motion has been made or a public hearing has been closed, no member of the public shall address the Commission from the audience on the matter under consideration without first seconding permission to do so by a majority vote of the Commission.

SECTION 7. VOTING RULES

I. Seating Arrangement for Commission

The Planning Commission Chair shall sit in the center chair of the Commission; the next most senior in years served on the Commission Commissioner (and if there is more than one of the same seniority, then by highest vote count at that election) shall sit alternately on the left and right of the Planning Commission Chair.

II. Question to be Stated

Upon moving the question, the presiding officer shall call for the vote which shall be taken first from the least senior member then moving by seniority rank to the most senior member, with Planning Commission Chair voting last.

III. Registration of Votes

Any vote of the Planning Commission, including a roll call vote, may be registered by the members by answering "aye" for an affirmative vote or "no" for a negative note upon the name of the Planning Commissioner.

IV. Voting Procedure/Disqualification

Any Planning Commissioner who is disqualified from voting on a particular matter by reason of a conflict of interest, shall publicly state, or have the presiding officer state, the nature of such disqualification in open meeting. A Commissioner who is disqualified by reason of a conflict of interest in any matter, shall not remain in his or her seat during the debate and vote on such matter, but shall request and be given the permission of the presiding officer to step down from the Council table and leave the Council Chamber. A Commissioner stating such disqualification shall not be counted as a part of a quorum, and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

V. Failure to Vote

Planning Commissioners present at a Planning Commission meeting shall vote unless disqualified by reason of a conflict of interest or where the Commissioner, in good faith, believes that he or she should not vote on a measure for good cause, such as, but not limited to, not having attended a prior meeting essential to an informed vote on the measure. A failure to vote or an abstention shall not be counted. A measure shall pass only if it receives "aye" votes from a majority of the Commissioners present at the meeting, provided a quorum is established. Commissioners abstaining shall be counted in determining whether a quorum is present.

VI. Tie Votes

Tie votes shall be lost motions and may be reconsidered.

VIII. Changing Votes/Abstention

A Planning Commissioner may change his or her vote only if he or she makes a timely request to do so immediately following the announcement of the vote by the Recording Secretary and prior to the time the next item in the order of business is taken up. A Commissioner who publicly announces he or she is abstaining from voting on a particular matter shall not subsequently be allowed to withdraw his or her abstention.

SECTION 8. RECONSIDERATION OF ACTIONS

A motion to reconsider any action taken by the Planning Commission may be made only on the day such action was taken. It may be made either immediately during the same session or at recessed or adjourned session thereof. Such motion may be made only by one of the Commissioners who voted with the prevailing side. The provision of this Section shall not be construed to prevent any Commissioner from making or remaking the same or any other motion at a subsequent meeting of the Council.

SECTION 9. PUBLIC HEARINGS

I. Public Hearing Defined

A public hearing is any hearing which is publicly noticed by publication in a newspaper of general circulation, posting on affected property, or mailing to affected parties. Generally, public hearings can be classified as quasi-judicial or quasi-legislative. Generally, a quasi-judicial decision is any decision affecting one, or a limited number of individual applicants, in which the Planning Commission is legally required to make its decision based on the evidence presented during the hearing. Examples of such hearings include, but are not limited to those concerning major use permits, variances, and major site development permits.

II. Submission of Documents

In order to give adequate consideration to written documents, the following rules shall apply:

- A. Time and Submission: Any written document, whether containing factual information or legal or policy arguments exceeding 250 words, must be submitted to the Recording Secretary six (6) calendar days prior to the scheduled hearing date. Photographs or other graphic depictions may be filed at the hearing.
 - 1. If the submission deadline falls on a legal holiday or weekend, the document must be submitted the last working day prior to the submission deadline.
 - 2. The Planning Commission shall exclude from the record and not consider any document submitted after the submission deadline, unless upon a motion by a Commissioner, a majority of the

Commissioners present at the hearing vote to consider the document. A decision to consider a document not timely filed shall be considered automatic grounds to continue the hearing, although a continuance shall require a specific motion adopted by a majority of the Commissioners present at the meeting.

B. Manner of Submission: All documents must be presented to the Recording Secretary for consideration at the hearing. No documents presented to the individual Commissioners prior to the hearing shall be considered as part of the hearing record.

1. To be considered, an original and seven (7) copies must be filed with the Recording Secretary.
2. Upon receipt, the Recording Secretary shall date stamp as Received the original and all copies. Upon request, the Recording Secretary will furnish the proponent of the document with a date stamped copy. The Recording Secretary shall immediately distribute copies of the submitted documents to the individual Commissioners and the Planning Director. The Recording Secretary shall retain the original and include it in the hearing record, which the Recording Secretary shall compile and maintain.

III. Notice of Hearing

Any notice of a public hearing shall include a statement that anyone wishing the Planning Commission to consider a document exceeding 250 words must submit the original document and seven (7) legible copies to the Recording Secretary not less than six (6) calendar days prior to the scheduled meeting date.

IV. Viewing the Site

In quasi-judicial hearings involving specific property, it shall be the duty of Planning Commissioners to view the site prior to the hearing. At the beginning of the hearing the Planning Commission Chair shall poll the Commissioners to establish, on the record, whether they have viewed the site. If any Commissioner indicates that he or she has not viewed the site, the hearing shall be continued to the next regular meeting date. In viewing the site, no Commissioner shall have any discussion with project proponents or opponents.

In quasi-legislative public hearings involving specific property, any Commissioner may, but is not required to, view the site. In such hearings, Commissioners may, but are not required to, reveal on the record whether they have viewed the site.

V. Making a Decision

In quasi-judicial hearings, the Planning Commission shall base its decision exclusively on the record, including documents submitted in accordance with this rule, and testimony and oral argument presented during the hearing. Any motion deciding the matter shall include sufficient findings of fact to inform the parties of the basis on which the Planning Commission made its decision, and to determine whether the decision is based on lawful principles. Where possible, the staff report on the quasi-judicial hearing provided to the Planning Commission shall include proposed findings for Planning Commission consideration.

VI. Conduct of Public Hearing

As presiding officer, the Planning Commission Chair shall conduct the hearing to promote an orderly presentation of the evidence by all parties. Subject to the following guidelines, the Chair shall use his or her discretion in presiding over the hearing:

- A. Order of Proof: Generally, all those supporting an application or measure shall present their evidence and argument first. Those opposing the application or measure shall present their evidence and argument second. Those supporting the measure shall be allowed some additional time for rebuttal. If, during the rebuttal, project proponents present new argument or evidence, project opponents shall be allowed some additional time to rebut that new matter.
- B. Time Limitations: The Planning Commission Chair may impose time limitations on all those wishing to present evidence or argument. The Chair may prevent the presentation of irrelevant, repetitive, or cumulative testimony or argument.
- C. Manner: Each person desiring to address the Planning Commission shall step up to the microphone reserved for that purpose, state his or her name and address for the record, state the subject he or she wishes to discuss, state whom he or she is representing, if he or she represents an organization or other persons, and, unless further time is granted by a majority vote of the Commission, shall limit his or her remarks to three (3) minutes. All remarks shall be addressed to the Commission as a whole and not to any member thereof.
- D. Spokesperson for Groups of Persons: In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Planning Commission on the same subject matter, it shall be proper for the presiding officer to request that spokesperson be chosen by the group to address the Commission, and in the event additional matters are to be presented by any other member of such group, to limit the number of such persons addressing the Commission.

SECTION 10. ORDINANCES/RESOLUTIONS/CONTRACTS

I. Motions

Motions shall be used to express decisions of the Planning Commission on routine questions or matters of temporary importance, or to give instructions to the staff and shall be moved, seconded, and adopted by a voice vote unless a roll call is requested by a Commissioner.

II. Resolutions

Resolutions shall be used to express decisions of the Planning Commission of a permanent or lasting nature and shall be introduced, seconded, and adopted by a roll call vote.

III. Ordinances

Not applicable.

SECTION 11. MINUTES/PREPARATION AND CHANGES

The Recording Secretary shall have the exclusive responsibility for the preparation of the minutes of Planning Commission meetings, and any directions for changes in the minutes shall be made only by a majority action of the Commission.

I. Minutes/Request for Detail

During a Planning Commission meeting any Commissioner may request the Recording Secretary include in the minutes for that meeting a verbatim transcript of any portion of the meeting designated by the Commissioner. If so requested, the Recording Secretary shall include the verbatim transcript of such segment in the draft minutes presented to the Planning Commission for approval, unless the request is rejected by a majority vote of the Commission.

II. Minutes/Reading

Unless the reading of the minutes of a Planning Commission meeting is ordered by a majority vote of the Commission, such minutes may be approved without reading, if the Recording Secretary has previously furnished each Commissioner with a copy.

III. Minutes/Entry of Statements

A Planning Commissioner may request through the presiding officer of a Planning Commissioner meeting, the privilege of having an abstract of the statement of such Commissioner on any subject under consideration by the Commission entered in the minutes. If the Commission consents thereto, such statement shall be inserted in the minutes.

SECTION 12. SPECIAL COMMITTEES

All special Planning Commission committees shall be appointed by the presiding officer with a majority consent of the Commission. Such committees shall be temporary in tenure and shall automatically be discharged upon the completion of their charge, or upon an order of the presiding officer or majority of the Commission.