Zoning Administrator

Regular Meeting
AGENDA

Please join my meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/609056237

You can also dial in using your phone.
United States: +1 (571) 317-3122
Access Code: 609-056-237

November 10, 2021 - 10:00 AM

1. CALL TO ORDER

2. VERIFICATION OF NOTICE

3. APPROVAL OF MINUTES

3.a. Consider the Zoning Administrator Minutes of the September 23, 2021 hearing.

Recommended Action: Approve the Minutes of September 23, 2021, a Regular Meeting, as submitted.

Attachments:

1. 09.23 - Minutes Draft

3.b. Consider the Zoning Administrator Minutes of the September 28, 2021 hearing.

Recommended Action: Approve the Minutes of September 28, 2021, a Regular Meeting, as submitted.

Attachments:

1. 09.28 - Minutes Draft

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

The Zoning Administrator 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.

5. APPEAL PROCESS

All determinations of the Zoning Administrator regarding minor 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 November 20, 2021 by 5:00 PM

6. SITE VISIT VERIFICATION

7. PUBLIC HEARING

7.a. Request to renew the existing Heritage Mendocino Cannabis Business-Related Use Permit at 1076 Cunningham Street. APN 003-140-52. File No. 21-6140

Recommended Action: Staff recommends the Zoning Administrator approve the renewal of the cannabis-related business at 1076 Cunningham Street; APN (003-140-52), based on the Findings, and subject to the Conditions found with the associated Staff Report.

Attachments:

1. Draft Findings
2. Draft Conditions of Approval
3. Application Materials
4. Agency Referral Response - UPD

7.b. Request for a minor modification to an existing Use Permit to allow a cannabis-related business to utilize an adjacent structure (1078 Cunningham St.) for secure storage of associated cannabis products. File No. 21-6140.

Recommended Action: Staff recommends the Zoning Administrator approve the minor modification of the cannabis-related business at 1076 & 1078 Cunningham Street; APNs (003-140-52/54), based on the Findings, and subject to the Conditions found with the associated Staff Report.

Attachments:

1. Draft Findings
2. Draft Conditions of Approval
3. Application Materials
4. Agency Referral Responses

7.c. Request for a Minor Use Permit to use of an existing commercial structure as a ‘Professional Office’ within the Heavy Commercial (C-2) zoning district at 677 North State Street; APN (002-121-15); File No. 21-6558.

Recommended Action: Staff recommends the Zoning Administrator approve the Minor Use Permit to allow use of an existing commercial structure as a ‘Professional Office’ within the Heavy Commercial (C-2) zoning district at 677 North State Street, based on the Findings, and subject to the Conditions found with the associated Staff Report.

Attachments:

1. Draft Findings
2. Draft Conditions of Approval
3. Applicaiton Materials
4. Agency Referral Responses

8. 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. 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.

CITY OF UKIAH
ZONING ADMINISTRATOR MINUTES
Meeting Held Remotely through Teleconference
August 23, 2021 @ 10:00 a.m.

STAFF PRESENT
Craig Schlatter, Zoning Administrator
Jesse Davis, Planning Manager
Tami Bartolomei, OEM Coordinator

OTHERS PRESENT
Tom Dow; Richard Ruff;
Peter Belisis

1. CALL TO ORDER

The Zoning Administrator called the meeting to order at 10:02 a.m. via a GoToMeeting teleconference.

Zoning Administrator/Community Development Director Craig Schlatter presiding.

2. VERIFICATION OF NOTICE

Planning Manager Jesse Davis confirmed the timely noticing for all public hearing items on the agenda for August 23, 2021.

3. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

None.

4. APPROVAL OF MINUTES

Zoning Administrator Craig Schlatter approved the minutes of the Zoning Administrator Hearing that occurred on July 6, 2021 with no corrections or alterations.

5. APPEAL PROCESS

For matters heard at this meeting the final date to appeal is October 4, 2021, at 5:00 p.m.

6. SITE VISIT VERIFICATION

Zoning Administrator Craig Schlatter stated that he had performed a site visit to the Project Site at 390 West Clay Street.

7. PUBLIC HEARING

a. *Request to consider a Minor Use/Site Development Permit to allow a 90' broadcast radio tower, as well as a 'Determination of Appropriate Use' to permit a broadcast and recording studio within an existing structure at 390 West Clay Street; APN 002-257-01; File No. 21-6422.*

Planning Manager Jesse Davis presented the staff report, reviewed the project, and then addressed questions of the Zoning Administrator.

With regard to the Staff Report, the Zoning Administrator identified a typographical error. Staff affirmed that the Zoning Administrator is the appropriate body to review requests for

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'Determination of Appropriate Use', and that the Planning Commission was a typographical error.

The Applicant, Tom Dow, then responded to questions of the Zoning Administrator with regard to fencing, generators, antenna type and landscaping.

At approximately 10:31 AM, Zoning Administrator Craig Schlatter opened the public hearing. After opening the public hearing, a member of the public, Peter Belisis, spoke to the project, and the importance of ensuring the tower was positioned in the most appropriate location.

Next, Tami Bartolomei, OEM Coordinator, spoke in support of the project.

At approximately 10:36 AM, Zoning Administrator Craig Schlatter closed the public hearing. A Condition of Approval regarding fencing was determined not to be required. The Zoning Administrator, however, did require a special condition of approval that a landscaping plan be submitted for the review of the City of Ukiah. The Applicant agreed to this requirement.

Staff recommended the following as Special Condition #23:

> *A Landscaping Plan shall be submitted and approved by the Community Development Director prior to the finalization the associated Use/Site Development Permit.*

Zoning Administrator Craig Schlatter approved the minor use/site development permit at 390 West Clay Street; APN 002-257-01; File No. 21-6422.; based on the findings and subject to the conditions of approval in the staff report and presented to the Zoning Administrator on August 23, 2021.

8. ADJOURNMENT

There being no further business, the meeting adjourned at 10:44 a.m.

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CITY OF UKIAH
ZONING ADMINISTRATOR MINUTES
Meeting Held Remotely through Teleconference
September 28, 2021
1:00 p.m.

STAFF PRESENT
Craig Schlatter, Zoning Administrator
Michelle Irace, Planning Manager

OTHERS PRESENT
Dean Schlesinger

1. CALL TO ORDER

The Zoning Administrator called the meeting to order at 1:14 p.m. via teleconference.

Zoning Administrator Craig Schlatter presiding.

2. VERIFICATION OF NOTICE

Staff confirmed timely noticing of all public hearings posted on today's agenda.

3. APPEAL PROCESS

Note: For matters heard at this meeting the final date to appeal is October 7, 2021, at 5:00 p.m.

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

None.

5. APPROVAL OF MINUTES – no minutes to approve

Zoning Administrator Craig Schlatter noted that there were no minutes to approve.

6. SITE VISIT VERIFICATION

Zoning Administrator Craig Schlatter stated he had performed site a visit for each item on this agenda.

7. PUBLIC HEARING

a. Consideration of Request to Renew the Existing Emerald Sun Manufacturing, LLC Cannabis Business-Related Use Permit at 1825 Airport Road. APN 180-110-07. File No. 21-6387.

Planning Manager Michelle Irace presented the staff report.

Zoning Administrator Schlatter opened the public hearing at 1:14 p.m. and Dean Schlesinger spoke. There was no one else present wishing to speak and the public hearing was closed at 1:15 p.m.

Zoning Administrator Craig Schlatter approved the renewal of the existing Emerald Sun Manufacturing, LLC Cannabis Business-Related Use Permit at 1825 Airport Road. APN

180-110-07 based on the Findings and subject to the Conditions, in the staff report, dated September 28, 2021.

b. Consideration of Request for Minor Modification to the Existing Emerald Sun Manufacturing, LLC Cannabis Business-Related Use Permit at 1825 Airport Road. APN 180-110-07. File No. 21-6350.

Planning Manager Michelle Irace presented the staff report. In response to a question from Zoning Administrator Schlatter, Planning Manager Irace clarified that the existing footprint of the building would not be expanded and the following change is made to the Project Description on pg. 2 of the Staff Report (page 29 of the agenda packet):

The additional area would be 4,000 sq.ft. in size and used for storage and processing purposes which includes drying, curing, sorting, and trimming. ~~Although the footprint of activities would be expanded into other areas,~~ The building footprint would not be expanded.

Zoning Administrator Schlatter opened the public hearing at 1:22 p.m. and Dean Schlesinger spoke. There was no one else present wishing to speak and the public hearing was closed at 1:23 p.m.

Zoning Administrator Craig Schlatter approved the Minor Modification to the Existing Emerald Sun Manufacturing, LLC Cannabis Business-Related Use Permit at 1825 Airport Road. APN 180-110-07. File No. 21-6350 based on the Findings and subject to the Conditions, in the staff report, dated September 28, 2021.

8. ADJOURNMENT

There being no further business, the meeting adjourned at 1:24 p.m.

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AGENDA ITEM NO. 7a

Department of Community Development
300 Seminary Ave.
Ukiah, CA 95482

DATE: November 10, 2021

TO: Zoning Administrator

FROM: Jesse Davis, Planning Manager

SUBJECT: Request to renew the existing Heritage Mendocino Cannabis Business-Related Use Permit at 1076 Cunningham Street. APN 003-140-52. File No. 21-6140

SUMMARY

OWNERS:	Joe Thomas
APPLICANT:	Heritage Mendocino ATTN: Kyle Greenhalgh
LOCATION:	1076 Cunningham Street; APN 003-140-52
GENERAL PLAN:	Industrial (I)
ZONING DISTRICT:	Manufacturing (M)
AIRPORT COMPATIBILITY:	Zone 1, Zone 1* & Zone 2
ENVIRONMENTAL DETERMINATION:	Categorical Exemption, pursuant to CEQA Guidelines Article 19, Class 1, Section 15301, Existing Facilities
RECOMMENDATION:	Conditional Approval (Findings in **Attachment 1** and Conditions of Approval in **Attachment 2**)

BACKGROUND

On February 13, 2019, the Planning Commission granted their original approval of a Major Use Permit and Site Development Permit to Heritage Mendocino for operation of a cannabis microbusiness that included distribution, dispensary/retail, non-volatile manufacturing, and processing (Permit # 18-3631).

Per UCC §9174.2(D), cannabis-related businesses have a one-year term from the time they are issued, after which they must be renewed subject to staff review and approval by the Zoning Administrator. The Applicant first renewed their Use Permit with the Zoning Administrator on August 11, 2020 (Permit # 20-5112). Subsequently, after finalizing all required building permits and obtaining state licensure, Heritage Mendocino opened to the general public on March 20, 2021. City Staff conducted a Site Visit on May 11, 2021, and identified no violations per the associated Conditions of Approval.

On July 19, 2021, the present application for renewal and modification was received in conformance with Ukiah City Code. Staff determined that the submitted application as complete, referred it to all agencies having jurisdiction.

PROJECT DESCRIPTION

A required renewal application was received on July 19, 202, which allowed Staff more than the 45 days identified by Ukiah City Code §5704(D) to process the request. Staff reviewed the application and determined that it was in conformance with all original Conditions of Approval. Due to a minor modification

request, the review of this renewal application by the Zoning Administrator was delayed by Staff. Application materials are included as **Attachment 3**.

SETTING

The subject property is addressed as 1076 & 1078 Cunningham Street. It is bounded by Rupe Street to the north, Cunningham Street to the east, Talmage Road to the south and Perry Street to the west. Doolin Creek traverses the southern portion of the subject properties. In general, the surrounding properties feature a mixture of vacant lots, as well as manufacturing, commercial and storage/warehouse uses. Beginning in 2019, the following improvements to the subject property and surrounding area should be noted:

- Provision of a 4,237 sf parking lot accessed with 12 parking spaces (10 standard, 1 ADA, and 1 loading space) via an encroachment from Rupe Street;
- Curb and sidewalk improvements along Rupe and Cunningham Streets;
- Exterior building and parking lot lighting for 1076 Cunningham Street (down-shielded and dark sky compliant;
- Removal of detritus and garbage from the project site, as well as adjacent parcels;
- Provision of 5,278 sf of landscaping and street trees along Cunningham and Rupe Streets;

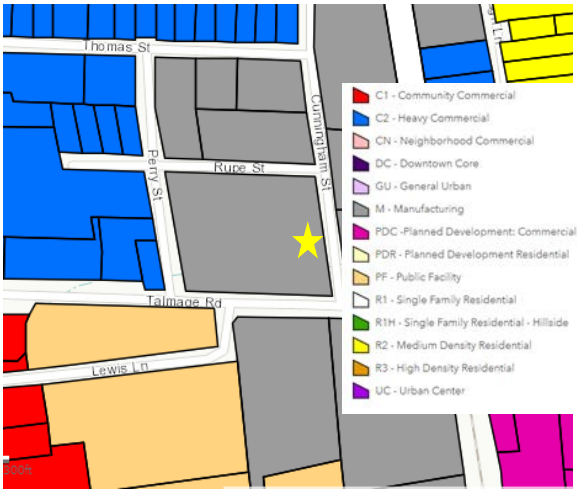
Below, Table 1 provides a summary of surrounding land uses and **Figure 1** identifies the project site.

Table 1: Surrounding Land Uses

	General Plan	Zoning	Lot Sizes	Uses
North	Industrial	Manufacturing	±0.80 acres	Vacant
East	Industrial	Manufacturing	±0.90; ±.36; ±.68 acres	Retail/commercial
South	Industrial	Manufacturing and Public Facility	±2.25 acres	Agricultural Sales & Services; Airport
West	Industrial	Manufacturing	±1.36 acres	Industrial/ manufacturing

Figure 1: Aerial Review

Figure 2. Zoning Designation



AGENCY COMMENTS

The permit renewal application was sent to the Ukiah Police Department for review and comment. The Police Department reported no significant issues (see **Attachment 4**). The Use Permit renewal remains subject to all existing Conditions of Approval. It was requested, however, that updated contact information be provided to the UPD for use during an emergency.

STAFF ANALYSIS

General Plan and Zoning Consistency – Renewal: The General Plan Land Use designation of the subject property is Industrial (I). Examples of allowable uses within this designation include, "*Processing and manufacturing, public facilities, places of assembly, fabrication and assembly, business centers, business parks, office parks, mixed commercial, office, and industrial sites*." Many of these particular uses are undertaken by the previously approved Cannabis Microbusiness, and have been determined consistent. The Project Site is within the "M" Manufacturing zoning district. Cannabis related businesses, including microbusinesses, are allowed within this zoning designation upon with approval of a Major Use Permit.

Pursuant to §9174.2(D) of the City Code, Cannabis Related Use Permits expire one year from the date of issuance. As previously described, the original Use Permit was approved on February 13, 2019, and most recently renewed on August 11, 2020.

The Applicant has submitted all required documents including a complete application, an updated Security Plan (omitted), Standard Operating Procedures (**Attachment 3**), etc. in compliance with the aforementioned ordinances. In addition, the Applicant has completed Live Scans for each of their employees as confirmed by the Ukiah Police Department. The project is consistent with all other requirements for Cannabis Related Businesses and the required 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.

Table 2: Criteria for Permit Renewal

Criteria	Staff Analysis
Whether the microbusiness operated by the permittee has generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the dispensary.	The Ukiah Police Department indicate that there have been minimal calls for service at the location or within the adjacent area over the last year. However, received calls do not necessarily appear related to the existing operation.
Whether there have been excessive secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but	This project location is not identified as having significant crime issues based upon crime

not limited to, disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, or lewd conduct.	reporting statistics maintained by the Police Department.
Whether the microbusiness operated by the permittee has a history of inadequate safeguards or procedures that show it is likely that it will not comply with the operating requirements and standards in this chapter.	All measures have been incorporated into the approved Operating and Security plans and executed by the cannabis-related business to ensure compliance with state and local regulations.
Whether the microbusiness has failed to pay fees, penalties, or taxes required by this code or has failed to comply with the production of records or other reporting requirements of this chapter.	All applicable fees have been paid in a timely manner.
Whether it appears that the permittee has, in its renewal application, provided a false statement of material fact or has knowingly omitted a material fact.	The application appears to be true and accurate to the best of staff's knowledge.
Whether the renewal applicant or one or more of its officers, employees, partners, managers or members with management responsibilities ("managers") has been convicted of a felony, or has engaged in misconduct that is substantially related to the qualifications, functions or duties of a dispensary operator. A "conviction" within the meaning of this chapter means a plea or verdict of guilty, or a conviction following a plea of nolo contendere. 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.	All employees of the business have been subject to a Live Scan background process. Live Scans were secured for original applicants as well as employees provided in the renewal application materials. The Police Department has not been notified of any criminal activity associated with the applicants or employees.
Whether the renewal applicant or microbusiness has previously or is currently engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.	Staff is unaware of any unlawful or fraudulent business practices associated with the applicant or business.
That the microbusiness Use Permit is consistent with the intent of the Compassionate Use Act of 1996, the Adult Use of Marijuana Act (AUMA), the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), and related State law, the provisions of this chapter and the City Code, including the application submittal and operating requirements herein.	The Cannabis-related Business Use Permit is consistent with the City Code which is consistent with related State law. In addition, the applicant has obtained a State license to operate the cannabis-related business.
That the microbusiness location is not identified as having significant crime issues (e.g., based upon crime reporting statistics as maintained by the Police Department).	This project location is not identified as having significant crime issues based upon crime reporting statistics as maintained by the Police Department.
That there have not been significant numbers of calls for police service, crimes or arrests in the area or to an existing microbusiness location.	This project location is not identified as having significant crime issues based upon crime reporting statistics as maintained by the Police Department.
That an applicant or employee is not under twenty-one (21) years of age.	No identified employee is under the age of 21 based on the materials provided by staff and the review of UPD.

That all required application materials have been provided and/or the microbusiness has operated successfully in a manner that shows it would comply with the operating requirements and standards specified in this chapter.	All materials provided and complies with operating requirements.
That all required application or annual renewal fees have been paid and reporting requirements have been satisfied in a timely manner.	Yes, on July 19, 2021.
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 microbusiness operations.	This project location is not identified as having significant crime issues based upon reporting statistics maintained by the Police Department.
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 approved Site plan, Floor Plan, Security Plan, and Operations Plan were found to be adequate at the time of the original and amended Use Permit. There are proposed changes to associated plans, but those will be reviewed as a separate request. The additional requirements requested by the Police Department include that updated contact information be provided for the purposes of emergency contact.
That no microbusiness use, owner, operator, permittee, agent, or employee has violated any provision of this chapter including grounds for suspension, modification or revocation of a permit.	There have been no violations by the owner, operator or employees of the business.
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 approved Site plan, Floor Plan, Security Plan, and Operations Plan were found to be adequate at the time of the original and amended Use Permit. There are no proposed changes to any of the associated plans, and no major additional requirements have been requested by the Police Department.
That the microbusiness 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 determination was made in the analysis of the original and amended Use Permit that the proposed cannabis-related business would not have an adverse effect on the neighborhood and since operations began has had no impact on surrounding neighborhoods. As previously discussed, no significant issues have been reported by the Police Department at this location.
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.	All original Conditions of Approval have been met and the cannabis-related business has not violated any state or local requirements.

That the applicant has not violated any local or State law, statute, rule or regulation respecting the distribution, possession, or consumption of marijuana.	All original Conditions of Approval have been met and the cannabis-related business has not violated any state or local requirements.
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.	Staff is not aware of any false statements of material fact in the permit application
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.	The Police Department has not been notified of any criminal activity associated with the applicants or employees.
That the applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.	Staff is unaware of any unlawful or fraudulent business practices associated with the applicant or business.

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.

The project involves renewal of a previously approved Cannabis microbusiness. 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 October 30, 2021
- Posted on the Project site on October 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 November 1, 2021

RECOMMENDATION

Staff recommends Zoning Administrator 1) conduct a public hearing; and 2) adopt the findings and renew the associated Use Permit for a term of one (1) year.

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Project Application Materials
4. Agency Comments Renewal - UPD

ATTACHMENT 1

**DRAFT USE PERMIT FINDINGS FOR
RENEWAL OF THE EXISTING HERITAGE MENDOCINO CANNABIS
RELATED- BUSINESS USE PERMIT
AT 1076 CUNNINGHAM ST; APN 003-140-52;
FILE NO. 21-6140**

The following findings are supported by and based on information contained in the approved Use Permit (File No.18-3631), and previous annual renewal (File No. 20-5112), as well as well information contained within this staff report, the application materials and documentation, and the public record, in accordance with UCC Sections 9262 and 9174.

1. The project, as conditioned, is consistent with the goals and policies of the General Plan for commercial and economic development.

2. The project, as conditioned, is consistent with Division 9, Chapter 2, Article 15.7, Section 9174 through 9174.2, *Cannabis-Related Businesses*, of the Ukiah City Code as described in the staff report.

3. Pursuant to City Code Section 9174.2, the proposed renewal was reviewed by Planning staff and the Police Department; it has been determined that the criteria for renewal of a cannabis-related business Use Permit has been met.

4. The existing cannabis-related business Use Permit, and subsequent amendment and renewal were determined to be compatible with surrounding land uses and will not be detrimental to the public's health, safety and general welfare. No changes to the approved operation or security plan are proposed.

5. The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to §15061 (b)(3) which states "The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

   Because the Project proposes to renew an existing Use Permit to continue operation of the existing manufacturing, processing, and distribution facility within the same footprint and as previously approved, it can be seen with certainty that the proposed renewal would not result in a significant impact to the environment.

6. A notice of public hearing was provided in accordance with UCC §9262.

ATTACHMENT 2

**DRAFT CONDITIONS OF APPROVAL FOR
RENEWAL OF THE EXISTING HERITAGE MENDOCINO
CANNABIS RELATED- BUSINESS USE PERMIT
AT 1076 CUNNINGHAM ST; APN 003-140-52;
FILE NO. 21-6140.**

This annual renewal of a Cannabis Microbusiness Use Permit is granted to Kyle Greenhalgh, for Heritage Mendocino. The Conditions of Approval from the original approved Major Use Permit (# 18-3631), shall be applicable to the renewal, with the exception of the removal of the six-foot tubular steel security fence around the site perimeter as modified by Renewal (20-5112), and will remain in effect.

The microbusiness Use Permit is subject to the following Conditions of Approval.

Approved Project Description. An application was received from Kyle Greenhalgh of Heritage Mendocino for approval of a Use Permit Renewal to allow a cannabis microbusiness that would include the following components:

- Distribution, dispensary/retail, non-volatile manufacturing, and processing of recreational and medicinal products within an existing 2,480 sf, two-story 20 ft high building. The existing building footprint would not be expanded;
- 12 parking spaces (10 standard, 1 ADA, and 1 loading space) within a 4,237 sf parking lot; the site would be accessed via a proposed driveway along Rupe Street;
- Curb and sidewalk improvements along Rupe and Cunningham Streets, as well as accessibility upgrades to the existing building;
- Exterior building and parking lot lighting (down-shielded and dark sky compliant)
- Odor control features such as carbon air filters;
- Signage including a 9'-11" x 1'-8" "Mendocino Heritage" sign, a 4'-9" x 19.5" "Entrance" sign, and a 6 ft x 3 ft monument sign on the corner of Talmage and Cunningham Streets;
- 5,278 sf of landscaping and street trees along Cunningham and Rupe Streets
- Security features such as surveillance cameras, alarms, card reader entry~~; a 6-foot tubular steel security fence around the site perimeter~~, etc;
- 0-5 deliveries are anticipated per day with use of 1 delivery vehicle;
- Operating hours for Heritage Mendocino would be as follows:
    - Mon-Sun 9 a.m. to 9 p.m.
    - Saturday 9 a.m.-7 p.m.
    - Sunday 9 a.m. – 6 p.m.; and
- The microbusiness will be staffed with 5 employees total (3 maximum at any time).

City of Ukiah Special Conditions

1. If the owner chooses to record the Lot line Adjustment, approved on January 18, 2018, all Conditions of Approval associated with it shall apply.

2. No cultivation shall occur on-site. If the applicant wishes to include it at a later date, the applicant shall contact the Community Development Department to determine which planning permits are required.
3. No consumption of cannabis or cannabis-related products shall occur on-site.
4. The facility shall operate in compliance with City Ordinance Numbers 1176, 1182, 1188 and1190 and is subject to annual review, inspection, and revocation as outlined therein.
5. Prior to issuance of building permits and commencing operations, the applicant shall submit proof of State licensure to operate the cannabis related business.
6. Prior to issuance of building permits or commencing operations, the applicant and all employees shall successfully complete a Live Scan background and provide proof of such completion.
7. 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.
8. The business is required to obtain a City of Ukiah business license prior to occupancy.

City of Ukiah Standard Conditions

9. This approval is not effective until the 10-day appeal period applicable to this Site Development 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.

10. All Conditions of Approval shall be printed on all sets of building permit project plans pertaining to any site preparation work or construction associated with the development of the multi-family project and ancillary site improvements approved by the Site Development Permit.

11. All use, construction and the location thereof, or occupancy, shall conform to the application and to any supporting documents submitted therewith, including any maps, sketches, or plot plans accompanying the application or submitted by applicant in support thereof.

12. 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.

13. Building permits shall be issued within two years after the effective date of the Site Development Permit or same shall be null and void.

14. 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.

15. The Applicant shall obtain all required Sign Permits, in compliance with Division 3, Chapter 7, Signs, of the UCC.

16. The Applicant shall submit a Landscaping and Irrigation Plan for approval prior to Building Permit issuance.

17. 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.

Department of Public Works Conditions

18. In accordance with street improvement plans prepared by a Civil Engineer and approved by the Department of Public Works, applicant shall construct curb, gutter and accessible 5-ft wide sidewalk along the subject property frontages, including a curb ramp at the intersection of Cunningham Street and Rupe Street. Face of curb shall be located 20 feet from the street centerlines, with public access and utility easements granted to the City as required. Improvement plans shall include provisions for proper drainage improvements, and sidewalk and pavement transitions. Existing utilities shall be relocated as necessary.

19. All work within the public right-of-way shall be performed by a licensed and properly insured contractor. The contractor shall obtain an encroachment permit for work within this area or otherwise affecting this area. Encroachment permit fee shall be $45 plus 3% of estimated construction costs

20. Street trees shall be spaced approximately every 30' along project street frontages within 5' of the back of sidewalk. Street trees shall be installed in accordance with City Standard Drawing No 601. Tree types shall be approved by the City Engineer.

21. Prior to construction of site improvements, a final grading and drainage plan, and an erosion and sediment control plan, prepared by a Civil Engineer, shall be submitted for review and approval by the Department of Public Works.

22. All areas of circulation shall be paved with a minimum of 2" of AC on 6" of Base or other suitable all-weather surface approved by the City Engineer. This includes the proposed driveways and parking areas. If heavy truck traffic is anticipated from the solid waste company, delivery trucks, or other heavy vehicles, the pavement section shall be calculated appropriately to ensure that it can withstand the loading.

23. Should improvements exceed 10,000 square feet of new or replaced impervious surface, post-construction storm water mitigation measures may be required.

24. Existing sewer laterals planned to be utilized as part of this project shall be cleaned and tested, and repaired or replaced if required.

25. Sewer connection fees shall be paid at the time of building permit issuance.

Electric Utility Department Conditions

26. This property will be served from Overhead power lines.

27. Developer is to provide EUSERC approved electrical equipment compatible with the City of Ukiah's EUSERC Acceptability Chart before the panel can be used on this project.

28. All future site improvements shall be submitted to the Electric Utility Department for review and comment. At that time, specific service requirements, service Voltage and developer costs and requirements will be determined.

29. Developer/customer shall incur all costs of this future project to include (labor, materials, equipment and future services).

30. There shall be an easement provided to the EUD for any electric service that transverses through the property. Or around any City owned Electric equipment.

Building Department Conditions

31. The existing illegal addition that connects the building to the adjacent building on the adjoining parcel will need to be removed as a part of the building permit.

32. Submit plans and building permit application. Please submit three complete plan sets, two wet stamped and signed

33. The design and construction of all site alterations shall comply with the 2016 California Building Code, 2016 Plumbing Code, 2016 Electrical Code, 2016 California Mechanical Code, 2016 California Fire Code, 2016 California Energy Code, 2016 Title 24 California Energy Efficiency Standards, 2016 California Green Building Standards Code and City of Ukiah Ordinances and Amendments.

Ukiah Police Department Conditions

Prior to Building Permit Final and for the Duration of the Use:

34. 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.

35. 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.

36. The business permittee shall immediately report to the City Police Department all criminal activity occurring on the business site.

37. 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.

38. 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.

39. 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.

40. 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 building.
41. All perimeter fencing and gates shall be constructed of decorative tubular steel, no climb type.
42. All solid core exterior doors shall be equipped with a 180 degree viewing device to screen persons before allowing entry.
43. Broken or damaged exterior lighting shall be repaired or replaced within t48 hours of being noted.
44. Report any graffiti to UPD @ (707) 463-6262. After reporting, clean-up/paint over as soon as possible. Spray on graffiti remover can be purchased at hardware supply stores.
45. Property shall be kept free of debris/garbage.
46. Applicant shall install a “Knock Box” to allow Police Department emergency access to the interior and exterior areas of the property after hours.
47. Height markers shall be installed on the interior doorways and front door entrance.
48. Building shall be equipped with UL compliant security system including Video Assessment Surveillance System (VASS), Intrusion Detection System with private security response and emergency panic alarms. Security system must be monitored by UL listed monitoring company and installed via a UL certified installer.
49. Any proposed revisions to the approved Security Plan shall be made in writing and subject to approval.
50. An inspection shall be conducted by the Department in order to confirm compliance with approved Security Plan prior to building permit final.

Ukiah Valley Fire Authority Conditions

51. All exit doors shall be equipped with lighted exit signage and emergency lighting with a battery backup.
52. Main entry door must swing in direction of egress travel “out”.
53. There may be other minor Fire Code additions when plans are submitted, ie. Address location, and the need for additional fire extinguishers.
54. 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.
55. Fire extinguishers shall be required. Fire Marshal can assist with location and number of required extinguishers.
56. Fire sprinkler system shall be maintained and modified as necessary.
57. Carbon Monoxide cylinders must be secured and restricted from falling. Amount of cylinders shall be verified and properly stored at all times. If stored in a closed room, room must be vented and alarmed.

58. 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

59. 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.

60. In the event of power supply failure, an emergency electrical system shall automatically illuminate the means of egress. CFC 1008.3.

61. An "Knock Box" key security safe shall be required, and mounted on the exterior at a location specified by the Fire Marshal.

62. Emergency contact information shall also be provided to the Fire Department.

Airport Land Use Commission Conditions

63. A dedication of avigation easement or a Deed Notice shall be recorded and a copy of the recorded document shall be provided to the Community Development Department prior to issuance of building permits.

Mendocino County Air Quality Management District Conditions

64. The applicant may be required to obtain an Authority to Construct permit from the District prior to beginning construction and demolition.

65. Diesel Engines – Stationary and Portable Equipment and Mobile Vehicles:

- Any stationary onsite diesel IC engines 50 horsepower or greater (i.e. large power generators or pumps) or any propane or natural gas engines 250 horsepower or greater may require a permit from the District.
- Portable diesel powered equipment that may be used during the proposed project are required to be registered with the state Portable Equipment Registration Program (PERP) or obtain permits from the District.
- Projects located adjacent to sensitive receptors (schools, child care facilities, health care facilities, senior facilities, businesses, and residences, etc.) during the construction phase of this project have the potential for exposure to diesel particulate.
- Heavy duty truck idling and off-road diesel equipment or other diesel engine idling is limited to less than 5 minutes.

66. Demolition/Renovation Projects- All Commercial Buildings, Government Buildings, Schools, Multi-Family Dwellings are subject to the requirements of Mendocino County Air Quality Management District Regulation 1, Rule 492, National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Asbestos.

- Prior to receiving a Demolition / Renovation Permit from the Planning & Building Agency the applicant is required to:
  1) Have an Asbestos Survey conducted by a licensed Asbestos contractor for the presence of asbestos containing materials,
  2) Submit a completed Asbestos Demolition/Renovation form, all test results and applicable notification fees to the District at least 10 days prior to beginning the project,

3) Have any Asbestos containing materials abated by a licensed abatement contractor prior to beginning any demolition or renovation activities.
4) Obtain written authorization from the District indicating that all requirements have been met prior to receiving.

67. New Commercial Development Recommendations:

a. New Road Construction: The District recommends that at a bare minimum all roads be covered with a sealant or rocked to prevent fugitive dust emissions.
b. Parking Lot Tree Planting: The District recommends that commercial parking lot tree planting be defined as no less than 1 tree per 4 parking spaces to provide a beneficial reduction in summer heat gain.
c. Mass Transit: The District recommends that applicant work in conjunction with the local Transit Authority (MTA) to provide a shelter in addition to the concrete pad so that the benefits and incentives to use mass transit would be immediately available.
d. Electric Vehicle Charging: To further mitigate impacts to local air quality, it is recommended that applicant encourage the use of low emission vehicles by providing a minimum of 2, AC Level 2, electric vehicle charging stations.

DRAFT

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

City of Ukiah

Planning Permit Application 21-6410

PROJECT NAME: Heritage Mendocino			
PROJECT ADDRESS/CROSS STREETS: 1076 Cunningham St. Ukiah, CA 95482			AP NUMBER(S):
APPLICANT/AUTHORIZED AGENT: Kyle Greenhalgh	PHONE NO: 510 919-6743	FAX NO:	E-MAIL ADDRESS: kyle@heritage-mendocino.com
APPLICANT/AUTHORIZED AGENT ADDRESS: 7950 Hearst Willits Rd	CITY: Willits		STATE/ZIP: CA 95490
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: Joseph Thomas	PHONE NO: 707-367-3296	FAX NO:	E-MAIL ADDRESS: joethomas8@yahoo.com
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT 8010 Pinecrest Dr.	CITY: Redwood Valley		STATE/ZIP: CA 95470

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	$ X
☐ ANNEXATION 100.0800.611.001	$	☐ SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	$	☒ USE PERMIT – MAJOR 100.0400.449.001	$ X
☐ 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 Renewal	$ X

COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	$ 50	MAJOR PERMIT DEPOSIT:	$ $1,000	FILING DATE:	07-19-21
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	$ –	MINOR PERMIT FEE:	$ –	TOTAL AMOUNT PAID: $	1000
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	$ –	TOTAL FEE:	$ $1,000	RECEIPT NUMBER:	B-27026

APPLICATION NUMBER(S): 21-6410

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:	**Building Size:**	**Number of Floors:**	
Use of Building (check all that apply)	**Description**	**Square Footage**	**Number of Units/Suites**
☐ **Office (business/professional)**			
☐ **Office (medical/dental)**			
☐ **Retail**			
☐ **Light Industrial**			
☐ **Residential**			
☐ **Other:**			

See Attached.

Operating Characteristics			
Days and Hours of Operation:			
Number of Shifts:	**Days and Hours of Shifts:**		
Number of Employees/Shift:			
Loading Facilities: ☐ Yes ☐ No	**Type/Vehicle Size:**		
Deliveries: ☐ Yes ☐ No	**Type:**	**Number** (day/week/month):	**Time(s) of Day:**
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: Industrial	**Zoning District:** Manufacturing	**Airport Land Use Designation:** 1, 1*, 2
City's Architectural & Historic Inventory: ☐ YES ☑ NO	**Age of Building:** +50	**Demolition Policy:** N/A
Hillside: ☐ YES ☑ NO	**Flood Designation FIRM Map:** N/A	**Flood Designation Floodway Map:** N/A.

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

I, Joe Thomas, owner authorize Heritage Mendocino 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).

7/19/2021

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.

7/19/2021

☒ **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 n 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.

Joe Thomas

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

7/19/2021

☒ **PROPERTY OWNER / ☐AUTHORIZED AGENT** **DATE**
(SIGNATURE)

Revised 08/19/2019

CITY OF UKIAH

B 27026

DEPARTMENT OF FINANCE

7/19/2021

AMT $ 1000 —

VED FROM Kyle Greenhalgh - Heritage Mendocino

'MENT FOR deposit - Cannabis UP renewal

CCT. DISTRIBUTION	AMOUNT	DESCRIPTION
200000.2111.P6410	1000 —	deposit - Cannabis Permit Renewal

- ☐ BUSINESS LICENSE
- ☐ BLDG. PERMIT
- ☐ PARKING TICKET
- ☐ ELECTRIC SERVICE
- ☐ WATER SERVICE CH
- ☐ INVOICE
- ☐ DUMP A/R
- ☐ AIRPORT A/R
- ☐ PER ATTACHED

Joe Thomas
Heritage Mendocino
Use Permit # 18-3631 Renewal
1076 Cunningham St
Ukiah, CA 95482

July 15, 2021

Jesse Davis
City of Ukiah
300 Seminary Ave.
Ukiah, CA 95482

Jesse,

In conjunction with the renewal of Use Permit # 18-3631, Heritage Mendocino plans to amend its current operations to include the existing, adjacent storage building located at 1078 Cunningham st.

The purpose of this expansion is to enlarge our capacity to securely store cannabis onsite, and to help grow the distribution component of our business.

Improvements to 1078 Cunningham will include the following:

Improve structural components
Construct an accessible bathroom
Improve accessibility to the site
Install secure, conditioned storage (shipping containers) for the storage of cannabis
Improve security
Improve the building aesthetics

In order to facilitate the amendment, JBT Investments (landlord) will also complete a LLA to remove the existing property line between the 2x building.

Please see attached conceptuals showing our proposed floorplan and site plan. Please not that these plans are preliminary, and will evolve as we work with the city to complete this project.

Thank you.

Joe Thomas

(707) 367-3296

Heritage Mendocino Project Description

Heritage Mendocino will be focused on being the premier Micro Business located within the City of Ukiah. Our main goal is to focus on these four key elements; Dispensary/Retail, Distribution, Manufacturing, and Processing. We will feature top quality organic cannabis products from local licensed farmers. We plan to bridge the gap from distribution to distribution in order to assist those local farmers and bring stability to our local economy.

Heritage Mendocino strives to represent exactly what our name implies; our true Mendocino heritage. Our facility will be built in a style that is upscale and classic vintage, representing the roots of cannabis culture in Mendocino County.

Our Key elements are as follows:

Dispensary/Retial:

1500 Sq. Ft. of showroom to showcase products from Mendocino and other neighboring counties.

Processing:

360 Sq. Ft. dedicated to the packaging of local products to assist Mendocino County farmers with compliant packaging requirements.

Distribution:

Our goal is to bridge the gap from distributer to distributer, and to assist other companies and their products in reaching their end destination in a safe and compliant manner. We will have secure storage for these products and distributers.

Manufacturing:

Compliant non volatile extraction methods, please see attached file: Manufacturing

1) Security Plan – Updates or Changes

a. Should Staff utilize the approved plan from May 4, 2020 for the renewal?

Please see updated security plan, a few changes have been made including adding the address of the Storage Facility, Change in hours, and a couple of other minor changes.

i. What changes should be made to address the new storage facility?

Security at the new storage facility will be the same as with our current facility, we will expand our current surveillance system to include the new building in all of the existing security procedures. All storage areas located within the facility will comply with security standards for a cannabis storage facility. We will be using the guidelines for an "Alternative Vault" for Cannabis storage provided by our insurance provider. Please see attached page.

1. Please review the previous plan, undertake updates and resubmit, if necessary.

Updated plan is attached.

b. Since becoming operational, have there been any recurring security issues or requests for UPD assistance?

We had an incident of the fence being cut in the Southwest Corner. We filed a police report to request additional monitoring from UPD. We also added a locked steel shipping container to the backyard as a storage shed and have not had any additional issues with trespassing.

i. Alternatively, has the security situation improved since opening? How?

Now that we have a locked storage container in the back yard we have not had additional breaches in security.

c. Have all employees received their required live-scans from UPD? Will the new storage facility require additional staff?

All employees have received live-scans, please see attached employee roster. No additional staff will be required at the new storage facility.

i. Please provide an updated roster, as well as submit any new employees for live-scan review by UPD?

See Above.

2) Site Layout (See Site Plan)

a. Clarify the location of new bicycle parking, and on-site circulation considerations.

b. Landscaping plan and building elevations

NEIGHBORHOOD MAP

1. AFFORDABLE AUTOMOTIVE 150 PERRY ST.
2. 205 TALMAGE RD. GRATON TRACTOR
3. KENS AUTO CARE
4. 1009 CUNNINGHAM RD. MY CUSTOM DESIGN
5. REDWOOD PLAZA CAR WASH
6. 150 TALMAGE RD. BOTTLE SHOP/ MARINOS PIZZA
7. UKIAH RECYCLE
8. SMALL ENGINE REPAIR
9. 303 TALMAGE AG. UNLIMITED
10. 1051 CUNNINGHAM ROAD FISH PEDDELER
11. 940 WAUGH LANE PRICELESSRENT A CAR
12. 930 WAUGH GLASS WORKS
13. 920 WAUGH LANE BUSINESS
14. 910 WAUGH LANE CHRIS FURNITURE & UPHOLSTERY
15. UNLIMITED WHEAK & TIRES
16. 201 THOMAS CROP PRODUCTIONS
17. 233 THOMAS RESIDENCE
18. 235 THOMAS DUNN RIGHT PAINTING\
19. 265 THOMAS BUSINESS
20. WOOD BUSINESS
21. 950 WAUGH LANE EMPIRE MOTOR SERVICES
22 & 23 415/419 TALMAGE RD. TALMAGE OFFICE PARK
24. 290 THOMAS RESIDENCE
25. 260 THOMAS RESIDENCE
27. 240 THOMAS RESIDENCE
28. 332 THOMAS RESIDENCE
29. 188 THOMAS RESIDENCE
30. 184 THOMAS RESIDENCE
31. 182 THOMAS BUSINESS
32. VACANT PARCEL
33. STORE IT RENTAL
34. 290-1/2 CUNNINGHAM RD. RESIDENCE
35. 180 THOMAS RESIDENCE
36. 200 PERRY ST. BUSINESS
37. 203 TALMAGE COIN STOP/BERTZ INCOME TAX
MENDOCINO FARM BUREAU
38.400 TALMAGE GUIDVILLE INDIAN RANCHERIA

1 NEIGHBORHOOD CONTEX MAP
1/4" = 1'-0"

N

#	REVISIONS	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
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CA License # C11736 - B597217

LICENSED ARCHITECT RICHARD RUFF NO. C11736 REN.11-30-12 STATE OF CALIFORNIA

TENNANT IMPROVEMENT FOR:
KYLE GREENHALGH
1076 CUNNINGHAM &
TALMAGE RD. UKIAH, CA, 95482

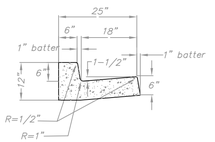
SHEET TITLE
NEIGHBORHOOD CONTEXT MAP

DRAWN BY	ROBFOX
CHECKED BY	RPR
DATE CREATED	3/10/18
DATE ISSUED	--
SCALE	AS NOTED
PAGE	A0.2
SHEET	OF

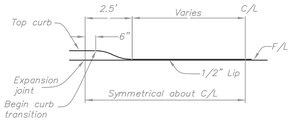
Z:\PROJECTS 2018\Kyle 10778 Cunningham\drawing\Heritage Mendocino New.rvt
8/8/2018 7:46:18 AM

SIDEWALK NOTES: (refer to City of Ukiah details 101 and 102)

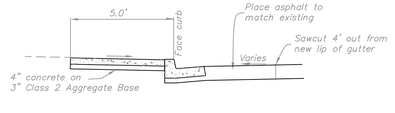
1. Weakened plane joints shall be at 10' o.c., 1/8" wide x 1" deep in sidewalk and 1/8" wide x 1-1/2" deep in curb & gutter. Install joint at center of driveway also.
2. Expansion joints shall be at each side of drwy. Material to be 1/2" thick premolded joint filler, full thickness of concrete. Approved mechanical joints may be used in lieu of expansion joints. Expansion joints shall be placed in the sidewalk at the same location as those in the curb and gutter. Expansion joints shall be installed in the curb & gutter at all curb returns and driveways.
3. Score marks shall be placed in sidewalk at 5' o.c..
4. Class "B" concrete (5 sack mix) shall be used.
5. Relative compaction for aggregate base material shall be 95% min.
6. Curb and gutter shall be poured monolithic with sidewalk.
7. Driveway approach and gutter section shall be poured monolithic.
8. New asphalt pavement shall be type B – 1/2 medium asphalt concrete. Thickness = match (E)



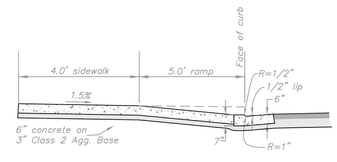
CURB & GUTTER SECTION



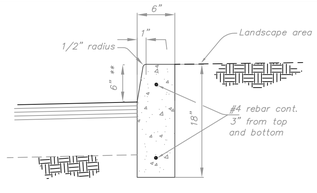
DRIVEWAY ELEVATION



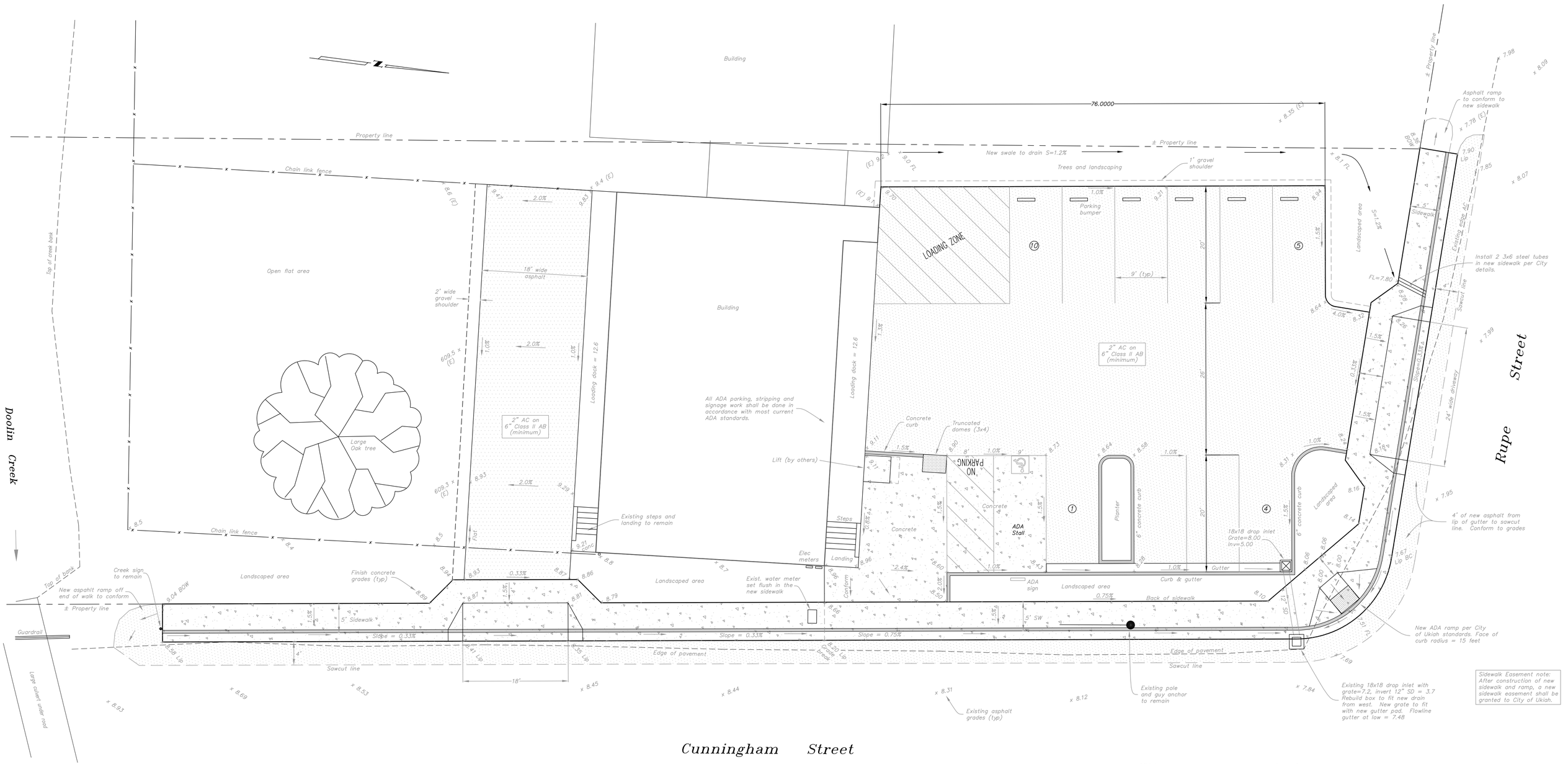
SIDEWALK, CURB AND GUTTER SECTION



DRIVEWAY SECTION



CONCRETE CURB



Sidewalk Easement note: After construction of new sidewalk and ramp, a new sidewalk easement shall be granted to City of Ukiah.

Prepared By:
Franz Engineering
Ron W. Franz RCE, PLS
2335 Appolinaris Drive
Ukiah, CA 95482
707-462-1087

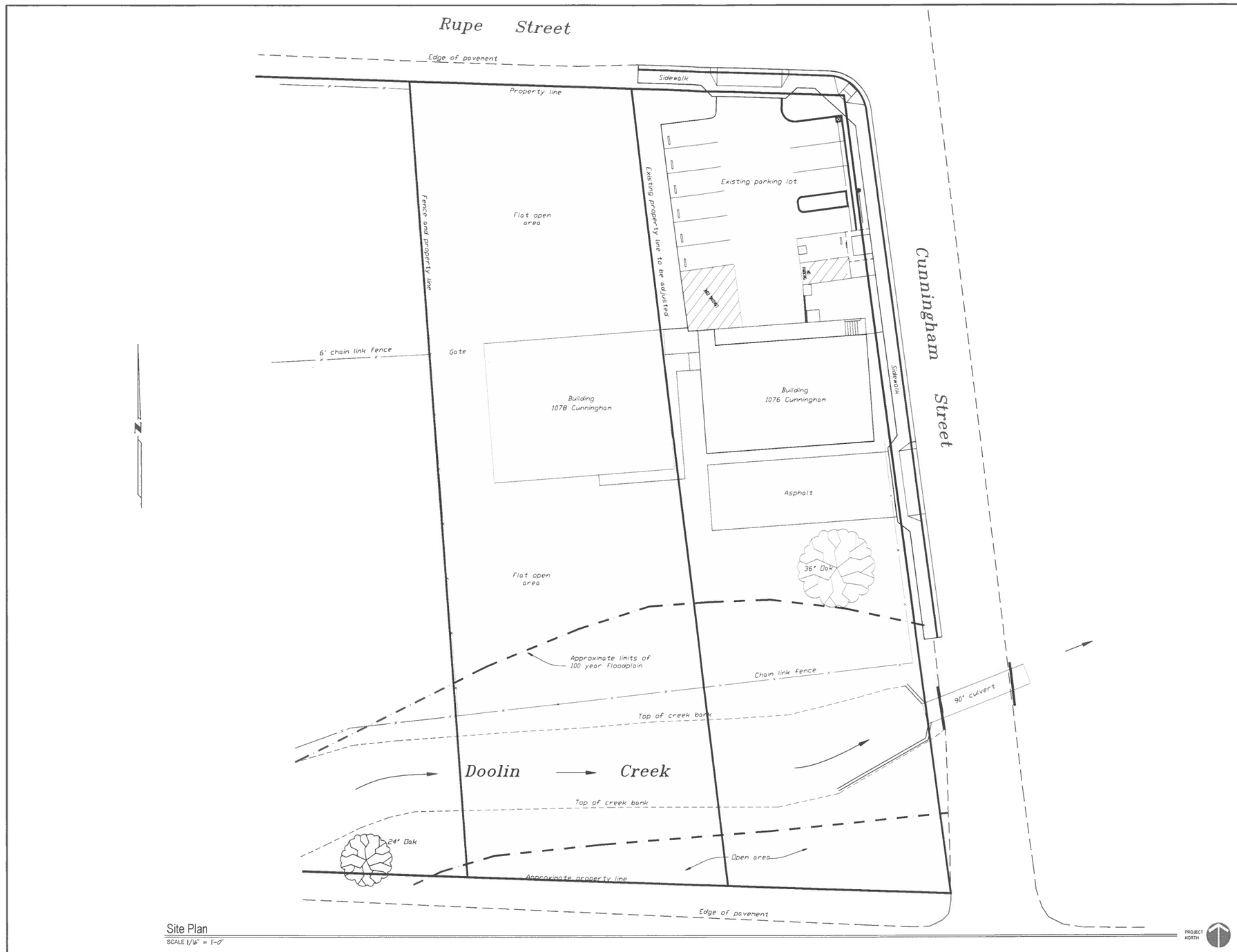
REGISTERED PROFESSIONAL ENGINEER RON W. FRANZ NO. 43938 EXP. 6-30-21 CIVIL STATE OF CALIFORNIA

Site Improvement Plan
1076 Cunningham Street

Jan 4, 2020 -- Scale: 1"=8'

0 8 16 24

A0.2



Verdier Architects

12861 Ornbaun Road Boonville, CA 95415
Tel:707-489-1491

LICENSED ARCHITECT
RONALD L VERDIER
No. C 22472
EXP APRIL, 2023
STATE OF CALIFORNIA

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Revisions	Date
Issued for Planning	15 July 2021

Heritage Mendocino Storage Facility

1076 Cunningham St,
Ukiah, CA 95482

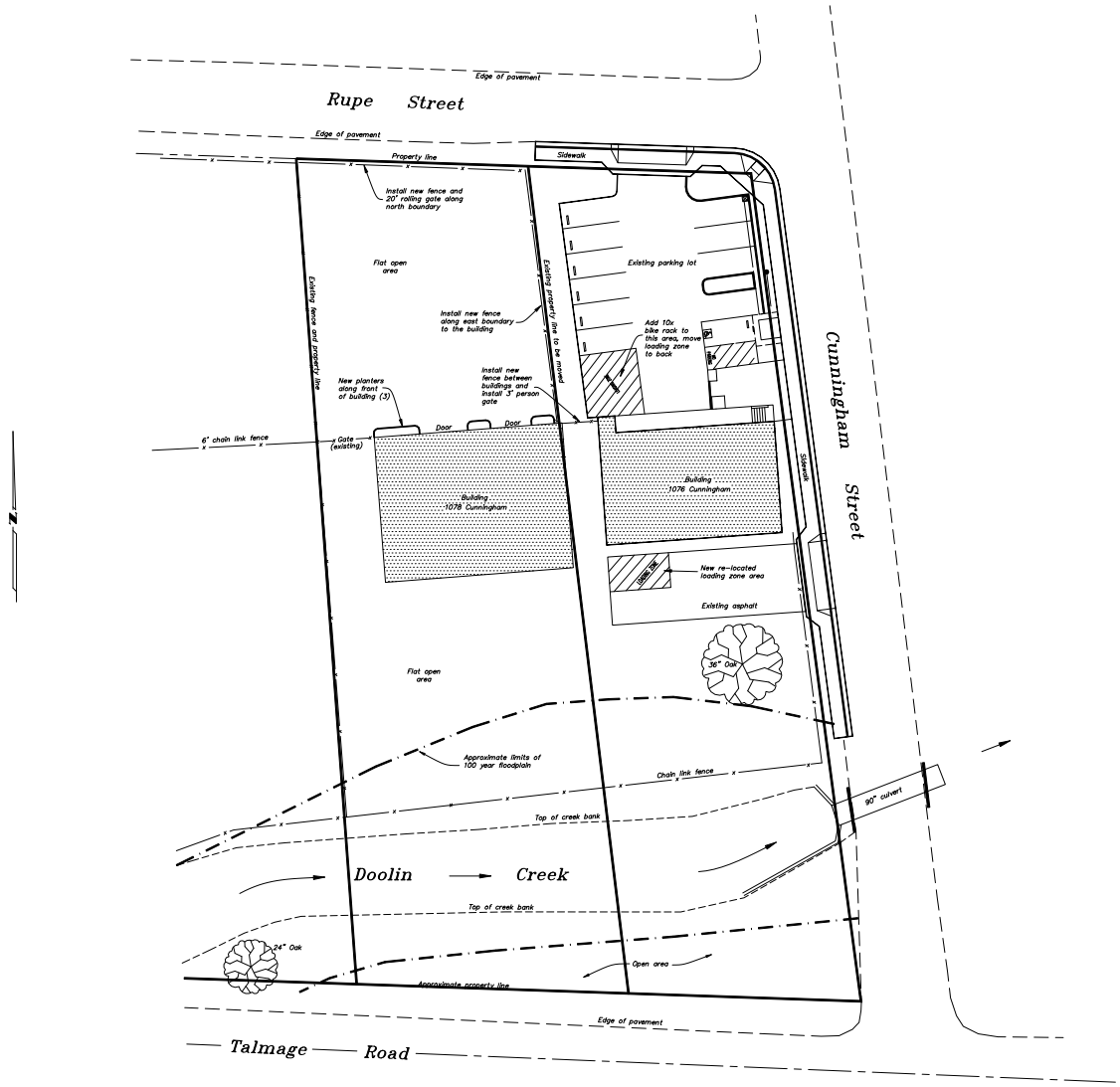
APN: 003-140-07

Drawing Title

SITE PLAN

Scale: As Noted
Date: July 2021
Drawn: RV
Job Number: 2112
Drawing Number

A1.1

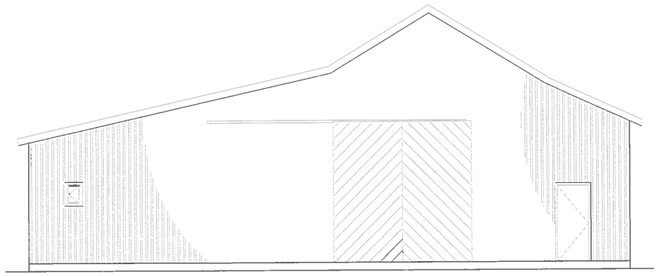


Prepared By:
Franz Engineering
Ron W. Franz RCE, PLS
2335 Appolinaris Drive
Ukiah, CA 95482
707-462-1087

REGISTERED PROFESSIONAL ENGINEER
RON W. FRANZ
NO. 43938
EXP. 6-30-23
CIVIL
STATE OF CALIFORNIA

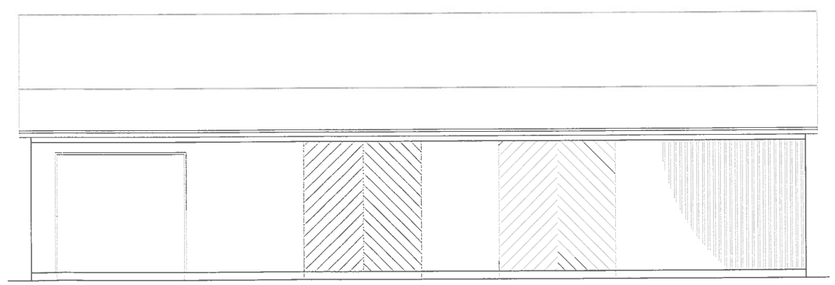
Site Map
1076 & 1078 Cunningham Rd
August 26, 2021 -- Scale: 1"=20'

0 20 40 60



East Elevation

SCALE 1/4" = 1'-0"



North Elevation

SCALE 1/4" = 1'-0"

Verdier Architects

12861 Ornbaun Road Boonville, CA 95415
Tel:707-489-1491

LICENSED ARCHITECT
RONALD L VERDIER
No. C-27872
EXP. APRIL, 2023
STATE OF CALIFORNIA

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Revisions	Date
Issued for Planning	15 July 2021

Heritage Mendocino Storage Facility

1076 Cunningham St, Ukiah, CA 95482

APN: 003-140-07

Drawing Title

ELEVATIONS

Scale: As Noted

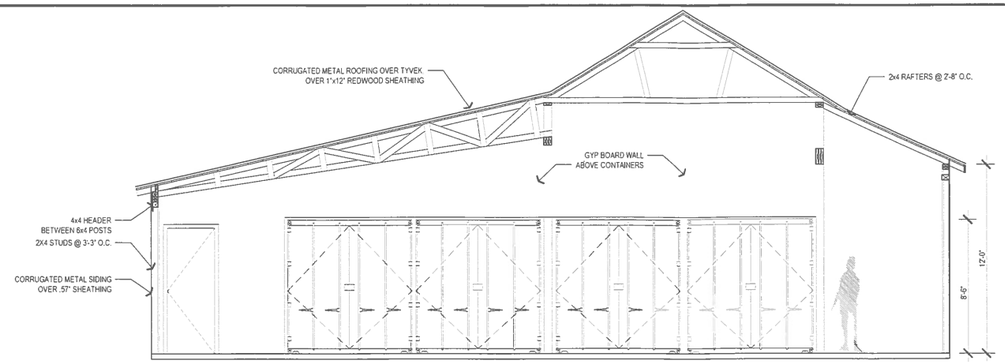
Date: July 2021

Drawn: RV

Job Number: 2112

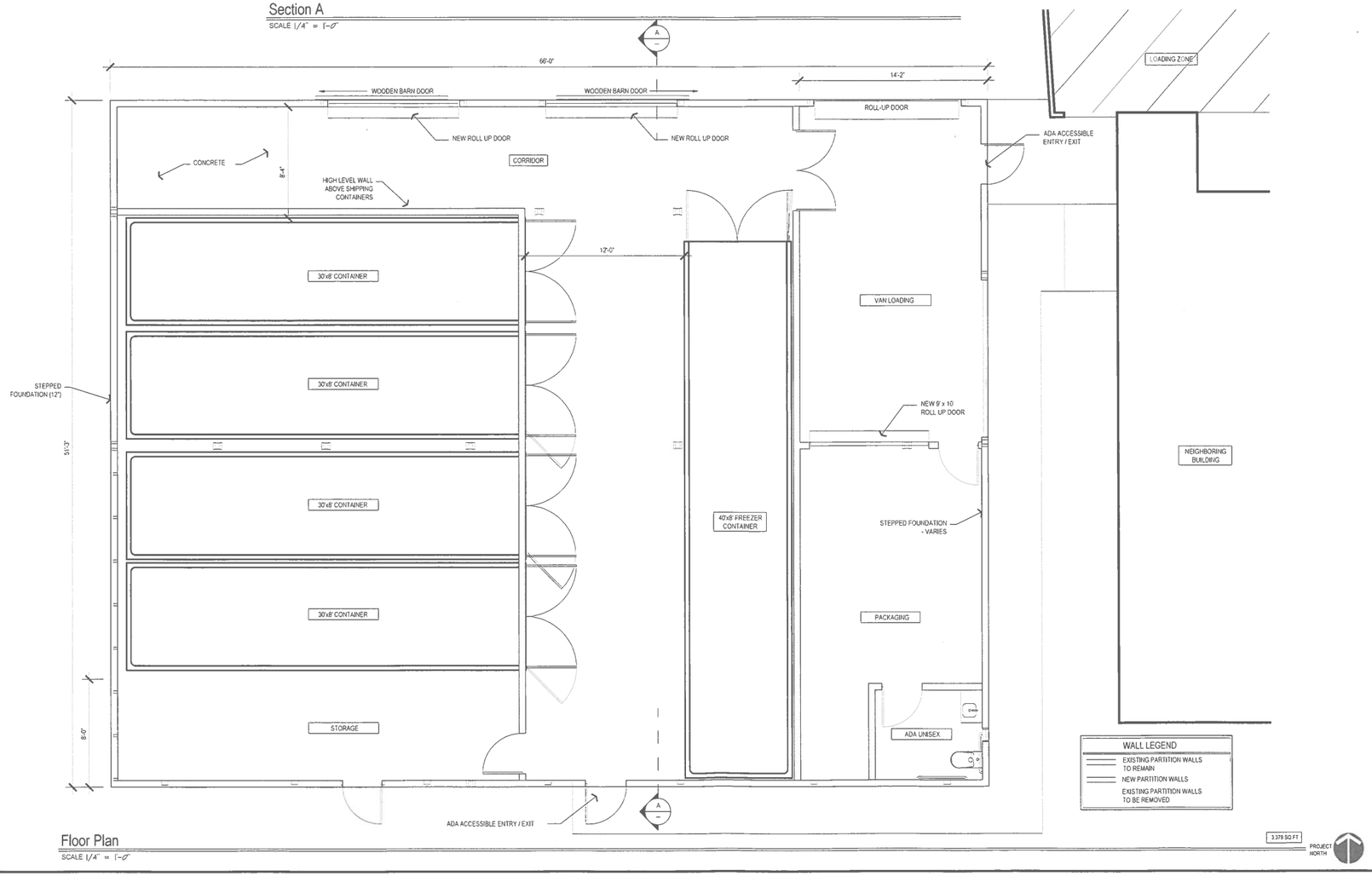
Drawing Number

A3.1



Section A

SCALE 1/4" = 1'-0"



Floor Plan

SCALE 1/4" = 1'-0"

Verdier Architects

12861 Ornbaun Road Boonville, CA 95415
Tel:707-489-1491

LICENSED ARCHITECT
RONALD L. VERDIER
NO. C-27472
EXP. APRIL, 2023
STATE OF CALIFORNIA

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Revisions	Date
Issued for Planning	15 July 2021

Heritage Mendocino Storage Facility

1076 Cunningham St, Ukiah, CA 95482

APN: 003-140-07

Drawing Title

FLOOR PLAN AND SECTION A

Scale: As Noted
Date: July 2021
Drawn: RV
Job Number: 2112
Drawing Number:

A2.1

1-866-710-GROW Online Customer Service Hours M-F 9:00-5:00 pm

MY ACCOUNT (1) - $185.95 CHECKOUT

HTGSUPPLY GROW LIGHTS · HYDROPONICS · NUTRIENTS

STORE LOCATIONS ABOUT US CONTACT CATALOG REQUEST

keywords or SKU GO

Home > Products > Ventilation & Odor Control > Fans > High-Velocity Fans / Blowers > GrowBright 6 Inch High Velocity Fan

6 inch high-velocity inline fan from AgroMax

Control odor and temperature in your grow area with this Grow Bright 6" fan. Inline fans are perfect for carbon filters, air cooling, lighting reflectors or attaching to ducting to ventilate your grow room! Growers

Read More

SHARE:

In Stock! **$100.95**

Click to Zoom Image +

1 ADD TO CART

DETAILS REVIEWS

Control odor and temperature in your grow area with this Grow Bright 6" fan. Inline fans are perfect for carbon filters, air cooling, lighting reflectors or attaching to ducting to ventilate your grow room!

Customers can control odors and keep equipment cool with this compact metal fan. Extremely quiet and easy to install, this 110-watt, 6-inch fan pushes 424 cubic feet per minute.

6" INLINE FAN by GrowBright

- HIGH VELOCITY
- 424 CFM (cubic feet per minute)
- Solid STEEL Construction (not cheap plastic)
- ELT Listed for Safety
- Mounting Bracket included
- Grounded Power Cord (plugs into a standard household outlet)
- Uses 110 watts of electricity 120V/60Hz

1-866-710-GROW Online Customer Service Hours M-F 9:00-5:00 pm

MY ACCOUNT (0) - $0.00 CHECKOUT

HTGSUPPLY GROW LIGHTS · HYDROPONICS · NUTRIENTS

STORE LOCATIONS ABOUT US CONTACT CATALOG REQUEST

keywords or SKU GO

Home · Products · Ventilation & Odor Control · Filters - Carbon & HEPA Air Filters · GrowBright 6 Inch Carbon Filter

GrowBright 6 Inch Carbon Filter

The GrowBright Pure Flow 6 Carbon Filter easily adapts to all squirrel cage and centrifugal blowers (some blowers may require an adapter). This makes the GrowBright Pure Flow 6 Carbon Filter a perfect

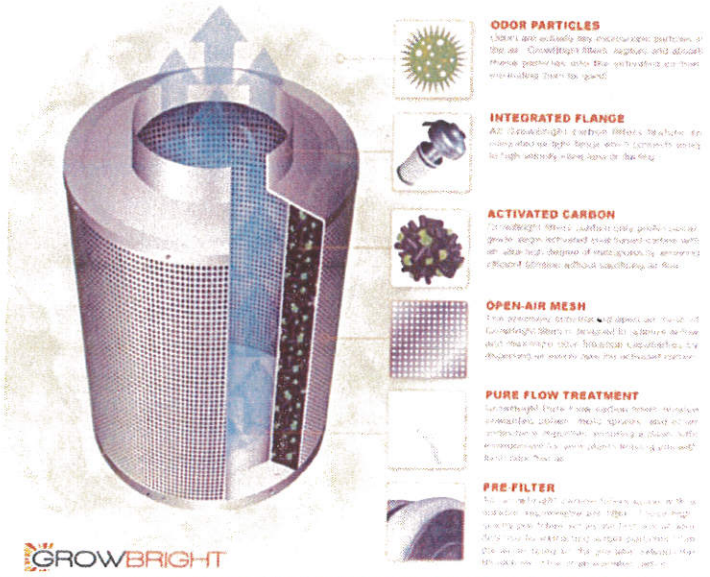
Read More

SHARE:

PURE FLOW TECHNOLOGY

In Stock!

$89.95



Click to Zoom Image

1 ADD TO CART

DETAILS REVIEWS

The GrowBright Pure Flow 6 Carbon Filter easily adapts to all squirrel cage and centrifugal blowers (some blowers may require an adapter). This makes the GrowBright Pure Flow 6 Carbon Filter a perfect companion to almost every exhaust situation. Great for small spaces where the filter must be in the air, attached directly to the exhaust fan, (due to its light weight). Packed with highly porous charcoal, the GrowBright Pure Flow 6 Carbon Filter eliminates all odors as the air is forced by the millions of open fissures in the packed charcoal.

This GrowBright Pure Flow 6 Carbon Filter is perfect for use with the GrowBright 6"" High Velocity Inline Fan.

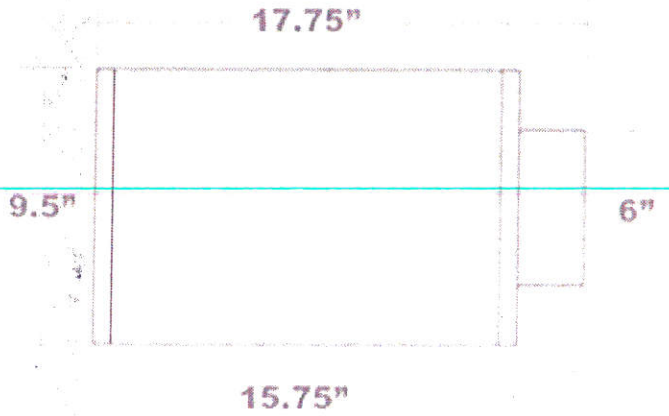
Weight: 12 lbs (7.6 lbs of Activated Carbon)
Flange: 6 inches

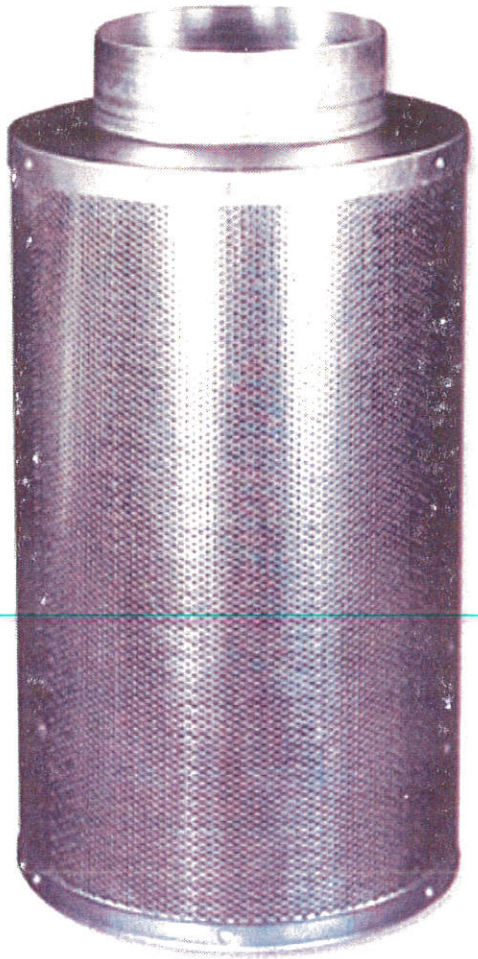
6" PURE FLOW SPECIFICATIONS

GROWBRIGHT 6" SPECS

MODEL	6" CARBON FILTER
CARBON WEIGHT	7.6 LBS / 3.45 KG
FLANGE	6" DIAMETER
CFM	265 min - 425 max
CARBON	Virgin Activated Coal Based
IAV VALUE	minimum of 1050

All GB Carbon Filters are Machine Packed





GROWBRIGHT

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT REVIEW REFERRAL

Please provide comments by: September 30, 2021

The City of Ukiah Community Development Department is soliciting input on the project described below for use in the staff analysis, CEQA document, and public hearing documents. Please identify any questions you have or missing information you need to complete your review, as well as suggested Conditions of Approval.

TO:			
X	City Electric Utility Dept. - Jimmy L. & Scott B.	Ukiah Airport Manager – Greg O.	X
X	City Building Official – Matthew K.	Mendocino County ALUC Staff – Keith G.	X
X	City Public Works Dept. – Tim E. & Jason B.	Air Quality Management District (MCAQMD)	X
X	Ukiah Valley Fire Authority – Ian B.	Ukiah Police Department – Nobel W.	X
FROM PROJECT PLANNER: Jesse Davis, AICP | jdavis@cityofukiah.com; (707) 463-6207			

PROJECT INFORMATION:	
Project Name & Permit #:	Heritage Microbusiness Renewal & Modification, #21-6140
Site Address & APN:	1076 Cunningham (APN: 003-140-54); 1078 Cunningham (APN: 003-140-54).
General Plan:	Industrial (I)
Zoning:	Manufacturing (M)
Airport Compatibility Zone:	Zone 1, Zone 1*, & Zone 2
Date Filed:	07/19/2021
Resubmittal:	N/A
Date Referred:	0/15/2021
Prev. Projects on Site (include file #)	LLA # 18-3221; LLA # 19-4787; Use Permits # 18-3631/#20-5112
Applicant/Agent Name:	Heritage Mendocino (Kyle Greenhalgh)/ Joe Thomas
Phone:	(707) 367-3296
Email:	Joethomas8@yahoo.com
Project Summary: As required, the Applicant (Heritage Mendocino) is seeking annual renewal of their Use/Site Development Permit for a 'Cannabis Microbusiness' at 1076 Cunningham Street that was originally approved on February 13, 2019 by the Planning Commission, and most recently renewed on August 11, 2020 by the Zoning Administrator. Additionally, the Applicant requests modification of this Use/Site Development Permit for the secure storage of 'Cannabis Products' within an adjacent structure (1078 Cunningham St.). With regard to parking considerations, the Applicant requests a Bicycle Facility Exemption, and proposes to relocate the existing 'Loading Area' for use of both structures. To ensure that all activities occur on the same legal parcel, the Applicant submitted a Lot Line Adjustment (#21-6503) on August 30, 2021. Fencing and landscaping improvements will be made throughout the proposed subject property in accordance with the previous recommendations of the Design Review Board and existing conditions of approval. No new uses are requested, nor will expansion of the subject structures be required.	

Please indicate whether you have comments and sign and date below. Return this Project Referral Form by the date noted above to the Project Planner listed.

Name and Affiliation/Department (please print) CONNIE CROOK UKIAH PD

☐ No Comment

☑ Comments / Conditions of Approval Attached

LT. C. Crook 9/28/21

Signature **Date**

POLICE
CITY OF UKIAH
"Safety, Professionalism & Community Service"

Noble Waidelich
Chief of Police

To: Jesse Davis, Planning Manager
From: Cedric Crook
CC: Chief Waidelich
Subject: Heritage Mendocino Planning Permit Application #21-6410
Date: 9/28/21

On 9/28/21, I reviewed the attached Planning Permit Application (Renewal and Modification) #21-6410. I found the security plan submitted addresses the requirements listed in the City of Ukiah ordinance. Prior to final approval of the project, the business permittee provide the police department 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.

Lt. C. Crook

Lieutenant Cedric Crook
Administrative Commander

AGENDA ITEM NO. 7b

Department of Community Development
Planning Division
300 Seminary Ave.
Ukiah, CA 95482

DATE: November 10, 2021

TO: Zoning Administrator

FROM: Jesse Davis, Planning Manager

SUBJECT: Request for a minor modification to an existing Use Permit to allow the existing cannabis-related business to utilize an adjacent structure (1078 Cunningham St.) for secure storage of associated cannabis products. File No. 21-6140.

SUMMARY

OWNERS:	Joe Thomas
APPLICANT:	Heritage Mendocino ATTN: Kyle Greenhalgh
LOCATION:	1076 Cunningham Street; APN 003-140-52 1078 Cunningham Street; APN 003-140-54
GENERAL PLAN:	Industrial (I)
ZONING DISTRICT:	Manufacturing (M)
AIRPORT COMPATIBILITY:	Zone 1, Zone 1* & Zone 2
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 Findings in **Attachment 1** and Conditions of Approval in **Attachment 2)**

BACKGROUND

On February 13, 2019, the Planning Commission granted their original approval of a Major Use Permit and Site Development Permit to Heritage Mendocino for operation of a cannabis microbusiness that included distribution, dispensary/retail, non-volatile manufacturing, and processing (Permit # 18-3631).

Per UCC §9174.2(D), cannabis-related businesses have a one-year term from the time they are issued, after which they must be renewed subject to staff review and approval by the Zoning Administrator. The Applicant first renewed their Use Permit with the Zoning Administrator on August 11, 2020 (Permit # 20-5112). Subsequently, after finalizing all required building permits and obtaining state licensure, Heritage Mendocino opened to the general public on March 20, 2021. City Staff conducted a Site Visit on May 11, 2021, and identified no violations per the associated Conditions of Approval.

On July 19, 2021, the present application for renewal and modification was received in conformance with Ukiah City Code. Staff determined that the submitted application as complete, referred it to all agencies having jurisdiction.

PROJECT DESCRIPTION

An application was received on July 19, 2021 for renewal of the existing Use Permit as required by Ukiah City Code. In addition to renewal, the applicant requests a minor modification to allow for use of an adjacent structure addressed at 1078 Cunningham Street. The adjacent structure, which is existing, would be renovated and then utilized for the storage of cannabis products associated with the microbusiness. Cannabis products would be further secured within modified shipping containers within the structure. To address revised parking considerations, the applicant requests a bicycle parking exemption per Ukiah City Code §9199 (B).

No additional modifications are requested, but a Lot Line Adjustment (#21-6503) is associated with this request to ensure that all cannabis related activities occur on the same legal parcel. This Lot Line Adjustment application was received on September 2, 2021, and was subsequently approved by the City Engineer on October 10, 2021. All original Conditions of Approval are applicable to the proposed modification, and will remain in effect. Application materials are included as **Attachment 3**.

SETTING

The subject property is addressed as 1076 & 1078 Cunningham Street. It is bounded by Rupe Street to the north, Cunningham Street to the east, Talmage Road to the south and Perry Street to the west. Doolin Creek traverses the southern portion of the subject properties. In general, the surrounding properties feature a mixture of vacant lots, manufacturing, commercial and storage/warehouse uses. Beginning in 2019, the following improvements to the subject property and surrounding area should be noted:

- Provision of a 4,237 sf parking lot accessed with 12 parking spaces (10 standard, 1 ADA, and 1 loading space) via an encroachment from Rupe Street;
- Curb and sidewalk improvements along Rupe and Cunningham Streets;
- Exterior building and parking lot lighting for 1076 Cunningham Street (down-shielded and dark sky compliant;
- Removal of detritus and garbage from the project site, as well as adjacent parcels;
- Provision of 5,278 sf of landscaping and street trees along Cunningham and Rupe Streets;

Below, Table 1 provides a summary of surrounding land uses and **Figure 1** identifies the project site.

Table 1: Surrounding Land Uses

	General Plan	Zoning	Lot Sizes	Uses
North	Industrial	Manufacturing	±0.80 acres	Vacant
East	Industrial	Manufacturing	±0.90; ±.36; ±.68 acres	Retail/commercial
South	Industrial	Manufacturing and Public Facility	±2.25 acres	Agricultural Sales & Services; Airport
West	Industrial	Manufacturing	±1.36 acres	Industrial/ manufacturing

Figure 1: Aerial Review

AGENCY COMMENTS

Project referrals were sent to responsible or trustee agencies with interest or jurisdiction over the project. The agencies' comments and recommended Conditions of Approval are contained in **Attachment 4.**

STAFF ANALYSIS

General Plan and Zoning Consistency – Modification:

The Applicant has submitted all required documents including a complete application, a Security Plan (omitted from the attachments for security reasons), and updated operating procedures in compliance with Ukiah City Code. In addition, as needed, the Applicant completes Live Scans for each of their employees, which are subsequently confirmed by the Ukiah Police Department. The project is consistent with all other requirements of the Cannabis Related Businesses and Dispensary Use Permit requirements. Furthermore, the project is consistent with all applicable development standards for the "M" Manufacturing zoning district outlined in §9110-9117 of the Ukiah City Code. Finally, the proposed modification is not within restricted distances to residences, schools, youth-oriented facilities, or other cannabis retail uses.

Parking: UCC Section 9198(G)(1) requires one parking space for each employee on the maximum shift, plus required space for any office area, plus a minimum of two (2) spaces for customer parking, plus one space for each vehicle operated from or on the site.

To address revised parking considerations associated with the minor modification, the applicant requests an exemption per Ukiah City Code §9199 (B). The Applicant will provide 10 bicycle parking spaces within the existing loading zone. This loading zone will be repositioned to the opposite side of 1076 Cunningham Street, and will utilize the existing, secured encroachment from Cunningham Street for deliveries and shipments. This revised loading zone location improves efficiency and security, as loading activities are no longer occurring within the public parking lot.

Airport Compatibility: Prior to the adoption of the Ukiah Municipal Airport Land Use Compatibility Plan (UKI ALUCP), the entirety of the subject parcels were located within Zone A*. Within Zone A*, site-wide average and single-acre intensities of up to 10 people per acre were permitted, but allowed uses were otherwise constrained. It was the intention of the City of Ukiah to provide long-term control of the uses within Zone A* by either acquiring property in fee simple or obtaining easements restricting the type and density of land uses permitted. On February 6th, 2019 to complete the airport land use review process for this project, the City Council passed and adopted a resolution (2019-05) to overrule a previous consistency determination of the Mendocino County Airport Land Use Commission.

On February 13, 2019, the Applicant was awarded a Use/Site Development Permit to operate a Cannabis Micro-Business at 1076 Cunningham Street that included: Distribution, Dispensary/Retail/, Non-Volatile

Manufacturing and Processing. In that same month, the City of Ukiah, with support from the County of Mendocino and the Mendocino County ALUC initiated a planning effort to facilitate the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP). The updated compatibility plan was formally adopted by the City of Ukiah in July 2021.

Upon adoption of the UKI ALUCP, Zone 1* was created with the intent of preserving the option for ultimate extension of the runway to 5,000 feet to accommodate CalFire Lockheed C-130 fire attack aircraft. The compatibility criteria for Zone 1* match those of Zone A*. The subject property features Zone 1, Zone 1* and Zone 2.

Per Table 3A of the UKIALUCP, Zone 2 considers 'Indoor Storage' to be a conditionally compatible use, so long as the intensity criteria are met and airspace obstructions do not occur. Per its definition, indoor storage includes wholesale and distribution centers, warehouses, mini/other storage, barns and greenhouses. Historically, multiple industrial and commercial businesses have utilized 1078 Cunningham for commercial purposes. Until December 31, 2020, 'Neal's Auto Repair & Service' utilized the property. Automobile repair, however, is a land use that does not conform with the adopted UKIALUCP, and is considered a 'Non-Conforming Use'. This is similar to the uses at 1076 Cunningham Street, which upon adoption of the UKI ALUCP also became 'Non-Conforming' with regard to airport land use considerations.

With regard to 1078 Cunningham, the western 2/3^{rds} of the subject structure are located within Zone 1*, while the eastern 1/3rd is located within Zone 2. A portion of APN (003-140-54), particularly the southeast corner, is located within Zone 1, however, it is not associated with the request and will remain 'Open Land'.

Figure 2: Airport Compatibility Zones

Per the UKIALUCP 1.5.3(d):

> *Proposed changes to uses within existing structures are not subject to ALUC review unless the changes would result in an increased nonconformity with the compatibility criteria (see Policy 3.3.1)* ***and*** *requires discretionary approval on the part of the Local Agency (e.g., proposal for an indoor sport facility or place of worship within an existing industrial building)* ***(Emphasis Added).***

As previously stated, a portion of the 1078 Cunningham is within Zone 2, and considered compatible with the requested use for the secure storage of cannabis. While indoor storage appears incompatible within Zone 1* based on Table 3A, the Applicant's request would not increase nonconformity or intensity of use, and therefore is not subject to ALUC review. The proposal aligns with ALUCP Policy 3.3.3(b) and can be progressed without ALUC review for the following reasons:

- As of 2020, an active 'Business License' was associated with 1078 Cunningham for 'Neal's Auto Repair & Service'. Per the UKIALUCP, the typical occupancy load factor for auto repair is approx. 350 s.f./person, while indoor storage is approx. 1,000 s.f./person. Accordingly, the utilization of the 1078 Cunningham St. for the secure storage of cannabis products can be considered less intense than use for automobile repair.

- While a Use Permit is required, it is due to the association with cannabis products. For similar non-cannabis applications, the requested indoor storage use would be considered allowed by right. Per Ukiah City Code Section §9111, wholesale and storage establishments are considered an allowed use. Additionally, the associated Use Permit will be conditioned to restrict customers from entering 1078 Cunningham, and limits the activities allowed and the number of employees present within the structure at any given time.
- To the extent possible under the building code, employee facilities, such as bathrooms and rest-areas, are located in the primary structure 1076 Cunningham St, which are within Zone 2. No employee will be stationed or assigned within the warehouse, and access to the public is highly-restricted.
- Employees will be required to wear appropriate personal protective equipment to further limit any potential airport related impacts, such as noise.
- The request will not result in expansion of either the portion of the site devoted to the nonconforming use or the floor area of the building. No expansion is requested or required.
- The Applicant proposes no alterations to the footprint or height of the subject structure at 1078 Cunningham, and intends to limit its usage to storage purposes only. A floor plan of the proposed storage activities is included within **Attachment 3.**
- Unlike automobile repair, the proposed use for indoor storage does not include or require the use of hazardous materials. No hazardous materials will be stored at 1078 Cunningham St. per the Applicant..
- The Avigation Easement dedication and sound attenuation requirements set by Policies 3.3.6 and 3.4.2 shall apply.
- There are no windows proposed for the structure, and for security purposes, doors are to remain closed at all times, with the exception of temporary loading or distribution purposes. The existing loading area will be relocated to a more secure and appropriate area to better accommodate shipping and receiving activities.

Furthermore, the ALUC has no ability to reduce or remove non-conforming or otherwise incompatible existing land uses from the airport environs. It is understood that the UKIALUCP is not intended to compel the City of Ukiah to reduce or remove incompatible existing land uses. Proposed changes to uses within existing structures are not subject to ALUC review unless the changes would result in an increased nonconformity with the compatibility criteria *and* require discretionary approval.

Ultimately, the project was referred to the County of Mendocino's Airport Land Use Committee staff for review on September 16, 2021. On September 27, 2020, County staff responded that a consistency determination was not required by the ALUC, and that Mendocino County staff [have] no issues with the project **(Attachment 4).**

Lot Line Adjustment: To ensure that all related cannabis uses occur on the same parcel, the Applicant submitted a Lot Line Adjustment for the review and consideration of Staff. The Lot Line Adjustment was approved by the City Engineer on October 10, 2021. The request adjusts three parcels within the City of Ukiah. Lot 1 (APN 003-140-53) will decrease to .82 acres. Lot 2 (APN 003-140-54) will decrease to .51 acres. Lot 3 (APN 003-140-52), which is to host 1076 and 1078 Cunningham will increase to 1.14 acres.

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 October 30, 2021
- Posted on the Project site on October 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 November 1, 2021

RECOMMENDATION

Staff recommends Zoning Administrator 1) conduct a public hearing; and 2) adopt the findings and conditionally approve the requested minor modification to the Use Permit.

ATTACHMENTS

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

ATTACHMENT 1

DRAFT CONDITIONS OF APPROVAL
FOR MINOR MODIFICAITON OF THE EXISTING USE PERMIT
AT 1076 & 1078 CUNNINGHAM ST; APNS 003-140-52/54;
FILE NO. 21-6140

The following findings are supported by and based on information contained in the approved Use Permit (File No.18-3631), and previous annual renewal (File Nos. 20-5112; 21-6140), as well as well information contained within this staff report, the application materials and documentation, and the public record, in accordance with UCC Sections 9262 and 9174.

1. The project, as conditioned, is consistent with the goals and policies of the General Plan for commercial and economic development.

2. The project, as conditioned, is consistent with Division 9, Chapter 2, Article 15.7, Section 9174 through 9174.2, *Cannabis-Related Businesses*, of the Ukiah City Code as described in the staff report.

3. Pursuant to City Code Section 9174.2, the proposed modification was reviewed by Planning staff and the Police Department; it has been determined that the criteria for renewal of a cannabis-related business Use Permit has been met.

4. The existing cannabis-related business Use Permit, and subsequent amendment and renewal were determined to be compatible with surrounding land uses and will not be detrimental to the public's health, safety and general welfare. Changes to the approved operation or security plan have been considered and reviewed.

5. 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.

6. A notice of public hearing was provided in accordance with UCC §9262.

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FILE NO. 21-6140.

All applicable original Conditions of Approval from the approved Major Use Permit (# 18-3631), as well as previous modification (20-5112), shall be applicable to this requested modification.

Approved Project Description. Request for a minor modification to an existing Use Permit to allow the existing cannabis-related business to utilize an adjacent structure (1078 Cunningham St.) for secure storage of associated cannabis products. File No. 21-6140.

The microbusiness Use Permit is subject to the following Conditions of Approval.

City of Ukiah Special Conditions

1. No cultivation shall occur on-site. If the applicant wishes to include it at a later date, the applicant shall contact the Community Development Department to determine which planning permits are required.

2. No consumption of cannabis or cannabis-related products shall occur on-site.

3. The facility shall operate in compliance with City Ordinance Numbers 1176, 1182, 1188 and1190 and is subject to annual review, inspection, and revocation as outlined therein.

4. Prior to issuance of building permits and commencing operations, the applicant shall submit proof of State licensure to operate the cannabis related business.

5. Prior to issuance of building permits or commencing operations, the applicant and all employees shall successfully complete a Live Scan background and provide proof of such completion.

6. 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.

7. The business is required to obtain a City of Ukiah business license prior to occupancy.

8. NEW: The applicant shall restrict the use of 1078 Cunningham to only identified employees, and all entrants shall wear appropriate Personal Protective Equipment. No employee will be stationed or assigned within the warehouse. The General Public shall not be allowed entry at 1078 Cunningham.

City of Ukiah Standard Conditions

9. This approval is not effective until the 10-day appeal period applicable to this Site Development 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.

10. All Conditions of Approval shall be printed on all sets of building permit project plans pertaining to any site preparation work or construction associated with the development of the multi-family project and ancillary site improvements approved by the Site Development Permit.

11. All use, construction and the location thereof, or occupancy, shall conform to the application and to any supporting documents submitted therewith, including any maps, sketches, or plot plans

accompanying the application or submitted by applicant in support thereof.

12. 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.

13. Building permits shall be issued within two years after the effective date of the Site Development Permit or same shall be null and void.

14. 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.

15. The Applicant shall obtain all required Sign Permits, in compliance with Division 3, Chapter 7, Signs, of the UCC.

16. The Applicant shall submit a Landscaping and Irrigation Plan for approval prior to Building Permit issuance.

17. 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.

Department of Public Works Conditions

18. In accordance with street improvement plans prepared by a Civil Engineer and approved by the Department of Public Works, applicant shall construct curb, gutter and accessible 5-ft wide sidewalk along the subject property frontages, including a curb ramp at the intersection of Cunningham Street and Rupe Street. Face of curb shall be located 20 feet from the street centerlines, with public access and utility easements granted to the City as required. Improvement plans shall include provisions for proper drainage improvements, and sidewalk and pavement transitions. Existing utilities shall be relocated as necessary.

19. All work within the public right-of-way shall be performed by a licensed and properly insured contractor. The contractor shall obtain an encroachment permit for work within this area or otherwise affecting this area. Encroachment permit fee shall be $45 plus 3% of estimated construction costs.

20. Street trees shall be spaced approximately every 30’ along project street frontages within 5’ of the back of sidewalk. Street trees shall be installed in accordance with City Standard Drawing No 601. Tree types shall be approved by the City Engineer.

21. Prior to construction of site improvements, a final grading and drainage plan, and an erosion and sediment control plan, prepared by a Civil Engineer, shall be submitted for review and approval by the Department of Public Works.

22. All areas of circulation shall be paved with a minimum of 2” of AC on 6” of Base or other suitable all-weather surface approved by the City Engineer. This includes the proposed driveways and parking areas. If heavy truck traffic is anticipated from the solid waste company, delivery trucks, or other heavy vehicles, the pavement section shall be calculated appropriately to ensure that it can withstand the loading.

23. Should improvements exceed 10,000 square feet of new or replaced impervious surface, post-construction storm water mitigation measures may be required.

24. Existing sewer laterals planned to be utilized as part of this project shall be cleaned and tested, and repaired or replaced if required.

25. Sewer connection fees shall be paid at the time of building permit issuance.

Electric Utility Department Conditions

26. This property will be served from Overhead power lines.

27. Developer is to provide EUSERC approved electrical equipment compatible with the City of Ukiah's EUSERC Acceptability Chart before the panel can be used on this project
All future site improvements shall be submitted to the Electric Utility Department for review and comment. At that time, specific service requirements, service Voltage and developer costs and requirements will be determined.

28. Developer/customer shall incur all costs of this future project to include (labor, materials, equipment and future services).

29. There shall be an easement provided to the EUD for any electric service that transverses through the property. Or around any City owned Electric equipment.

Building Department Conditions

30. The existing illegal addition that connects the building to the adjacent building on the adjoining parcel will need to be removed as a part of the building permit.

31. Submit plans and building permit application. Please submit three complete plan sets, two wet stamped and signed

32. The design and construction of all site alterations shall comply with the 2016 California Building Code, 2016 Plumbing Code, 2016 Electrical Code, 2016 California Mechanical Code, 2016 California Fire Code, 2016 California Energy Code, 2016 Title 24 California Energy Efficiency Standards, 2016 California Green Building Standards Code and City of Ukiah Ordinances and Amendments.

Ukiah Police Department Conditions

Prior to Building Permit Final and for the Duration of the Use:

33. 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.

34. 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.

35. The business permittee shall immediately report to the City Police Department all criminal activity occurring on the business site.

36. 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.

37. 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.

38. 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.

39. 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 building.

40. All perimeter fencing and gates shall be constructed of decorative tubular steel, no climb type.

41. All solid core exterior doors shall be equipped with a 180 degree viewing device to screen persons before allowing entry.

42. Broken or damaged exterior lighting shall be repaired or replaced within t48 hours of being noted.

43. Report any graffiti to UPD @ (707) 463-6262. After reporting, clean-up/paint over as soon as possible. Spray on graffiti remover can be purchased at hardware supply stores.

44. Property shall be kept free of debris/garbage.

45. Applicant shall install a "Knock Box" to allow Police Department emergency access to the interior and exterior areas of the property after hours.

46. Height markers shall be installed on the interior doorways and front door entrance.

47. Building shall be equipped with UL compliant security system including Video Assessment Surveillance System (VASS), Intrusion Detection System with private security response and emergency panic alarms. Security system must be monitored by UL listed monitoring company and installed via a UL certified installer.

48. Any proposed revisions to the approved Security Plan shall be made in writing and subject to approval.

49. An inspection shall be conducted by the Department in order to confirm compliance with approved Security Plan prior to building permit final.

Ukiah Valley Fire Authority Conditions

50. All exit doors shall be equipped with lighted exit signage and emergency lighting with a battery backup.

51. Main entry door must swing in direction of egress travel "out".

52. There may be other minor Fire Code additions when plans are submitted, ie. Address location, and the need for additional fire extinguishers.

53. 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.

54. Fire extinguishers shall be required. Fire Marshal can assist with location and number of required extinguishers.

55. Fire sprinkler system shall be maintained and modified as necessary.

56. Carbon Monoxide cylinders must be secured and restricted from falling. Amount of cylinders shall be verified and properly stored at all times. If stored in a closed room, room must be vented and alarmed.

57. 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

58. 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.

59. In the event of power supply failure, an emergency electrical system shall automatically illuminate the means of egress. CFC 1008.3.

60. An “Knock Box” key security safe shall be required, and mounted on the exterior at a location specified by the Fire Marshal.

61. Emergency contact information shall also be provided to the Fire Department.

Airport Land Use Commission Conditions

62. A dedication of avigation easement or a Deed Notice shall be recorded and a copy of the recorded document shall be provided to the Community Development Department prior to issuance of building permits.

Mendocino County Air Quality Management District Conditions

63. The applicant may be required to obtain an Authority to Construct permit from the District prior to beginning construction and demolition.

64. Diesel Engines – Stationary and Portable Equipment and Mobile Vehicles:

    a. Any stationary onsite diesel IC engines 50 horsepower or greater (i.e. large power generators or pumps) or any propane or natural gas engines 250 horsepower or greater may require a permit from the District.
    b. Portable diesel powered equipment that may be used during the proposed project are required to be registered with the state Portable Equipment Registration Program (PERP) or obtain permits from the District.
    c. Projects located adjacent to sensitive receptors (schools, child care facilities, health care facilities, senior facilities, businesses, and residences, etc.) during the construction phase of this project have the potential for exposure to diesel particulate.
    d. Heavy duty truck idling and off-road diesel equipment or other diesel engine idling is

limited to less than 5 minutes.

65. Demolition/Renovation Projects- All Commercial Buildings, Government Buildings, Schools, Multi-Family Dwellings are subject to the requirements of Mendocino County Air Quality Management District Regulation 1, Rule 492, National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Asbestos.
    a. Prior to receiving a Demolition / Renovation Permit from the Planning & Building Agency the applicant is required to:
        i. Have an Asbestos Survey conducted by a licensed Asbestos contractor for the presence of asbestos containing materials,
        ii. Submit a completed Asbestos Demolition/Renovation form, all test results and applicable notification fees to the District at least 10 days prior to beginning the project,
        iii. Have any Asbestos containing materials abated by a licensed abatement contractor prior to beginning any demolition or renovation activities.
        iv. Obtain written authorization from the District indicating that all requirements have been met prior to receiving.

66. New Commercial Development Recommendations:

    a. New Road Construction: The District recommends that at a bare minimum all roads be covered with a sealant or rocked to prevent fugitive dust emissions.
    b. Parking Lot Tree Planting: The District recommends that commercial parking lot tree planting be defined as no less than 1 tree per 4 parking spaces to provide a beneficial reduction in summer heat gain.
    c. Mass Transit: The District recommends that applicant work in conjunction with the local Transit Authority (MTA) to provide a shelter in addition to the concrete pad so that the benefits and incentives to use mass transit would be immediately available.
    d. Electric Vehicle Charging: To further mitigate impacts to local air quality, it is recommended that applicant encourage the use of low emission vehicles by providing a minimum of 2, AC Level 2, electric vehicle charging stations.

DRAFT

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

City of Ukiah

Planning Permit Application 21-6410

PROJECT NAME: Heritage Mendocino			
PROJECT ADDRESS/CROSS STREETS: 1076 Cunningham St. Ukiah, CA 95482			AP NUMBER(S):
APPLICANT/AUTHORIZED AGENT: Kyle Greenhalgh	PHONE NO: 510 919-6743	FAX NO:	E-MAIL ADDRESS: kyle@heritage-mendocino.com
APPLICANT/AUTHORIZED AGENT ADDRESS: 7950 Hearst Willits Rd	CITY: Willits		STATE/ZIP: CA 95490
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: Joseph Thomas	PHONE NO: 707-367-3296	FAX NO:	E-MAIL ADDRESS: joethomas8@yahoo.com
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT 8010 Pinecrest Dr.	CITY: Redwood Valley		STATE/ZIP: CA 95470

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	$ X
☐ ANNEXATION 100.0800.611.001	$	☐ SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	$	☒ USE PERMIT – MAJOR 100.0400.449.001	$ X
☐ 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 Renewal	$ X

COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	$ 50	MAJOR PERMIT DEPOSIT:	$ $1,000	FILING DATE:	07-19-21
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	$ –	MINOR PERMIT FEE:	$ –	TOTAL AMOUNT PAID: $	1000
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	$ –	TOTAL FEE:	$ $1,000	RECEIPT NUMBER:	B-27026

APPLICATION NUMBER(S): 21-6410

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:	**Building Size:**	**Number of Floors:**	
Use of Building (check all that apply)	**Description**	**Square Footage**	**Number of Units/Suites**
☐ **Office (business/professional)**			
☐ **Office (medical/dental)**			
☐ **Retail**			
☐ **Light Industrial**			
☐ **Residential**			
☐ **Other:**			

See Attached.

Operating Characteristics			
Days and Hours of Operation:			
Number of Shifts:	**Days and Hours of Shifts:**		
Number of Employees/Shift:			
Loading Facilities: ☐ Yes ☐ No	**Type/Vehicle Size:**		
Deliveries: ☐ Yes ☐ No	**Type:**	**Number** (day/week/month):	**Time(s) of Day:**
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: Industrial	**Zoning District:** Manufacturing	**Airport Land Use Designation:** 1, 1*, 2
City's Architectural & Historic Inventory: ☐ YES ☑ NO	**Age of Building:** +50	**Demolition Policy:** N/A
Hillside: ☐ YES ☑ NO	**Flood Designation FIRM Map:** N/A	**Flood Designation Floodway Map:** N/A.

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

I, Joe Thomas, owner authorize Heritage Mendocino 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).

7/19/2021

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.

7/19/2021

☒ 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 n 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.

Joe Thomas

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

7/19/2021

☒ PROPERTY OWNER / ☐AUTHORIZED AGENT **DATE**
(SIGNATURE)

Revised 08/19/2019

CITY OF UKIAH

B 27026

DEPARTMENT OF FINANCE

7/19/2021

AMT $ 1000 —

VED FROM Kyle Greenhalgh - Heritage Mendocino

'MENT FOR deposit - Cannabis UP renewal

CCT. DISTRIBUTION	AMOUNT	DESCRIPTION
200000.2111.P6410	1000 —	deposit - Cannabis Permit Renewal

- ☐ BUSINESS LICENSE
- ☐ BLDG. PERMIT
- ☐ PARKING TICKET
- ☐ ELECTRIC SERVICE
- ☐ WATER SERVICE CH
- ☐ INVOICE
- ☐ DUMP A/R
- ☐ AIRPORT A/R
- ☐ PER ATTACHED

Joe Thomas
Heritage Mendocino
Use Permit # 18-3631 Renewal
1076 Cunningham St
Ukiah, CA 95482

July 15, 2021

Jesse Davis
City of Ukiah
300 Seminary Ave.
Ukiah, CA 95482

Jesse,

In conjunction with the renewal of Use Permit # 18-3631, Heritage Mendocino plans to amend its current operations to include the existing, adjacent storage building located at 1078 Cunningham st.

The purpose of this expansion is to enlarge our capacity to securely store cannabis onsite, and to help grow the distribution component of our business.

Improvements to 1078 Cunningham will include the following:

Improve structural components
Construct an accessible bathroom
Improve accessibility to the site
Install secure, conditioned storage (shipping containers) for the storage of cannabis
Improve security
Improve the building aesthetics

In order to facilitate the amendment, JBT Investments (landlord) will also complete a LLA to remove the existing property line between the 2x building.

Please see attached conceptuals showing our proposed floorplan and site plan. Please not that these plans are preliminary, and will evolve as we work with the city to complete this project.

Thank you.

Joe Thomas

(707) 367-3296

Heritage Mendocino Project Description

Heritage Mendocino will be focused on being the premier Micro Business located within the City of Ukiah. Our main goal is to focus on these four key elements; Dispensary/Retail, Distribution, Manufacturing, and Processing. We will feature top quality organic cannabis products from local licensed farmers. We plan to bridge the gap from distribution to distribution in order to assist those local farmers and bring stability to our local economy.

Heritage Mendocino strives to represent exactly what our name implies; our true Mendocino heritage. Our facility will be built in a style that is upscale and classic vintage, representing the roots of cannabis culture in Mendocino County.

Our Key elements are as follows:

Dispensary/Retial:

1500 Sq. Ft. of showroom to showcase products from Mendocino and other neighboring counties.

Processing:

360 Sq. Ft. dedicated to the packaging of local products to assist Mendocino County farmers with compliant packaging requirements.

Distribution:

Our goal is to bridge the gap from distributer to distributer, and to assist other companies and their products in reaching their end destination in a safe and compliant manner. We will have secure storage for these products and distributers.

Manufacturing:

Compliant non volatile extraction methods, please see attached file: Manufacturing

1) Security Plan – Updates or Changes

a. Should Staff utilize the approved plan from May 4, 2020 for the renewal?

Please see updated security plan, a few changes have been made including adding the address of the Storage Facility, Change in hours, and a couple of other minor changes.

i. What changes should be made to address the new storage facility?

Security at the new storage facility will be the same as with our current facility, we will expand our current surveillance system to include the new building in all of the existing security procedures. All storage areas located within the facility will comply with security standards for a cannabis storage facility. We will be using the guidelines for an "Alternative Vault" for Cannabis storage provided by our insurance provider. Please see attached page.

1. Please review the previous plan, undertake updates and resubmit, if necessary.

Updated plan is attached.

b. Since becoming operational, have there been any recurring security issues or requests for UPD assistance?

We had an incident of the fence being cut in the Southwest Corner. We filed a police report to request additional monitoring from UPD. We also added a locked steel shipping container to the backyard as a storage shed and have not had any additional issues with trespassing.

i. Alternatively, has the security situation improved since opening? How?

Now that we have a locked storage container in the back yard we have not had additional breaches in security.

c. Have all employees received their required live-scans from UPD? Will the new storage facility require additional staff?

All employees have received live-scans, please see attached employee roster. No additional staff will be required at the new storage facility.

i. Please provide an updated roster, as well as submit any new employees for live-scan review by UPD?

See Above.

2) Site Layout (See Site Plan)

a. Clarify the location of new bicycle parking, and on-site circulation considerations.

b. Landscaping plan and building elevations

NEIGHBORHOOD MAP

1. AFFORDABLE AUTOMOTIVE 150 PERRY ST.
2. 205 TALMAGE RD. GRATON TRACTOR
3. KENS AUTO CARE
4. 1009 CUNNINGHAM RD. MY CUSTOM DESIGN
5. REDWOOD PLAZA CAR WASH
6. 150 TALMAGE RD. BOTTLE SHOP/ MARINOS PIZZA
7. UKIAH RECYCLE
8. SMALL ENGINE REPAIR
9. 303 TALMAGE AG. UNLIMITED
10. 1051 CUNNINGHAM ROAD FISH PEDDELER
11. 940 WAUGH LANE PRICELESSRENT A CAR
12. 930 WAUGH GLASS WORKS
13. 920 WAUGH LANE BUSINESS
14. 910 WAUGH LANE CHRIS FURNITURE & UPHOLSTERY
15. UNLIMITED WHEAK & TIRES
16. 201 THOMAS CROP PRODUCTIONS
17. 233 THOMAS RESIDENCE
18. 235 THOMAS DUNN RIGHT PAINTING\
19. 265 THOMAS BUSINESS
20. WOOD BUSINESS
21. 950 WAUGH LANE EMPIRE MOTOR SERVICES
22 & 23 415/419 TALMAGE RD. TALMAGE OFFICE PARK
24. 290 THOMAS RESIDENCE
25. 260 THOMAS RESIDENCE
27. 240 THOMAS RESIDENCE
28. 332 THOMAS RESIDENCE
29. 188 THOMAS RESIDENCE
30. 184 THOMAS RESIDENCE
31. 182 THOMAS BUSINESS
32. VACANT PARCEL
33. STORE IT RENTAL
34. 290-1/2 CUNNINGHAM RD. RESIDENCE
35. 180 THOMAS RESIDENCE
36. 200 PERRY ST. BUSINESS
37. 203 TALMAGE COIN STOP/BERTZ INCOME TAX
MENDOCINO FARM BUREAU
38. 400 TALMAGE GUIDVILLE INDIAN RANCHERIA

1 NEIGHBORHOOD CONTEX MAP
1/4" = 1'-0"

N

#	REVISIONS	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
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CA License # C11736 - B597217

LICENSED ARCHITECT RICHARD RUFF NO. C11736 REN:11-30-12 STATE OF CALIFORNIA

TENNANT IMPROVEMENT FOR:
KYLE GREENHALGH
1076 CUNNINGHAM &
TALMAGE RD. UKIAH, CA, 95482

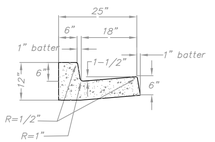
SHEET TITLE
NEIGHBORHOOD CONTEXT MAP

DRAWN BY	ROBFOX
CHECKED BY	RPR
DATE CREATED	3/10/18
DATE ISSUED	--
SCALE	AS NOTED
PAGE	A0.2
SHEET	OF

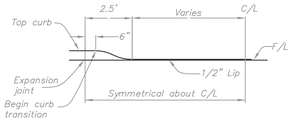
Z:\PROJECTS 2018\Kyle 10778 Cunningham\drawing\Heritage Mendocino New.rvt
8/8/2018 7:46:18 AM

SIDEWALK NOTES: (refer to City of Ukiah details 101 and 102)

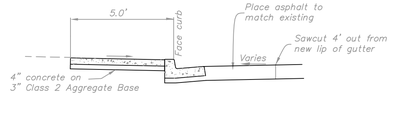
1. Weakened plane joints shall be at 10' o.c., 1/8" wide x 1" deep in sidewalk and 1/8" wide x 1-1/2" deep in curb & gutter. Install joint at center of driveway also.
2. Expansion joints shall be at each side of drwy. Material to be 1/2" thick premolded joint filler, full thickness of concrete. Approved mechanical joints may be used in lieu of expansion joints. Expansion joints shall be placed in the sidewalk at the same location as those in the curb and gutter. Expansion joints shall be installed in the curb & gutter at all curb returns and driveways.
3. Score marks shall be placed in sidewalk at 5' o.c..
4. Class "B" concrete (5 sack mix) shall be used.
5. Relative compaction for aggregate base material shall be 95% min.
6. Curb and gutter shall be poured monolithic with sidewalk.
7. Driveway approach and gutter section shall be poured monolithic.
8. New asphalt pavement shall be type B – 1/2 medium asphalt concrete. Thickness = match (E)



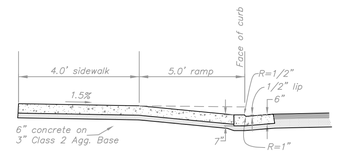
CURB & GUTTER SECTION



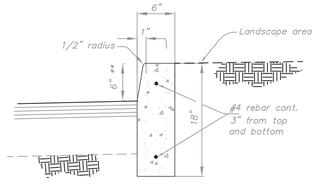
DRIVEWAY ELEVATION



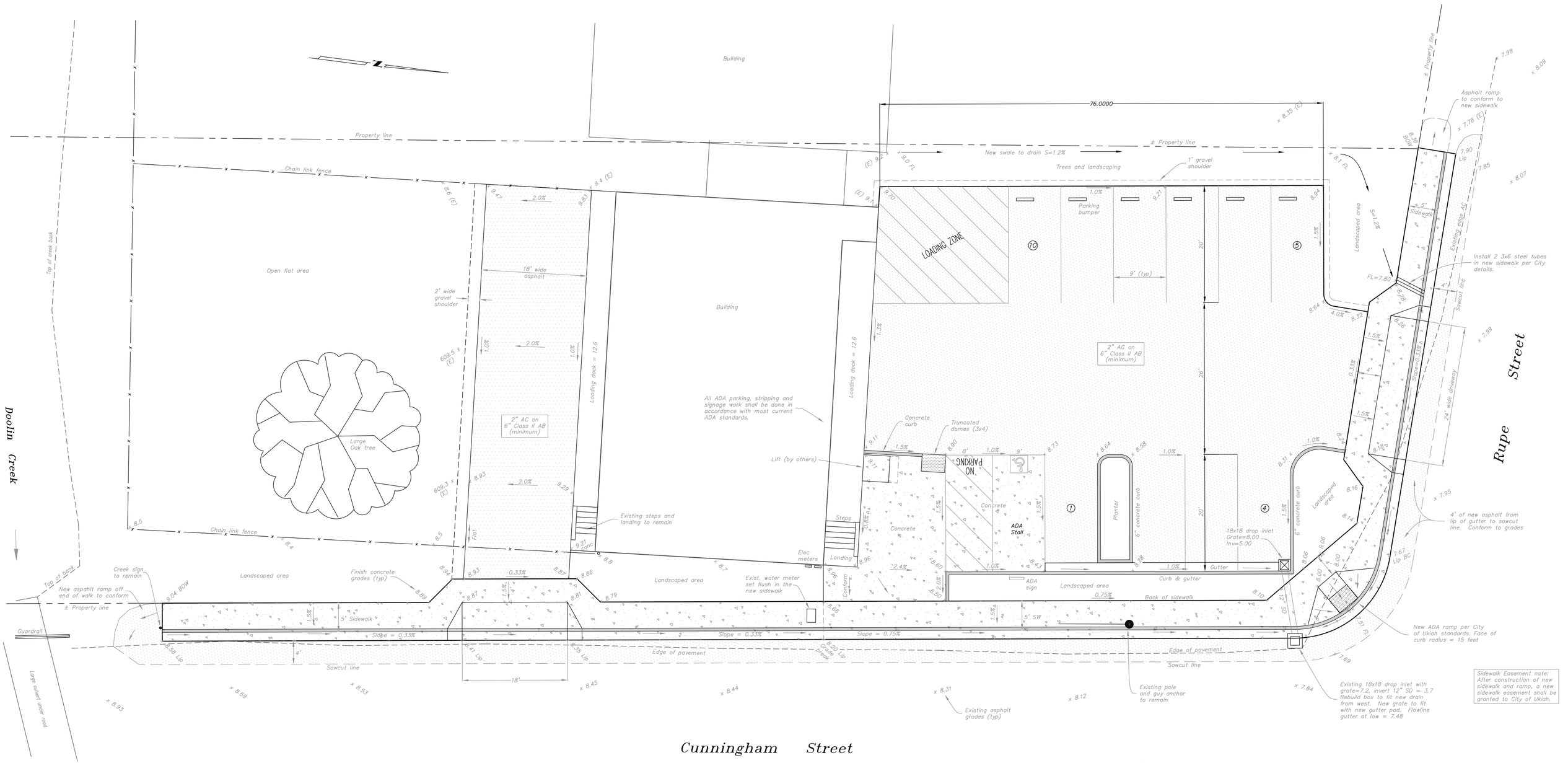
SIDEWALK, CURB AND GUTTER SECTION



DRIVEWAY SECTION



CONCRETE CURB



Prepared By:
Franz Engineering
Ron W. Franz RCE, PLS
2335 Appolinaris Drive
Ukiah, CA 95482
707-462-1087

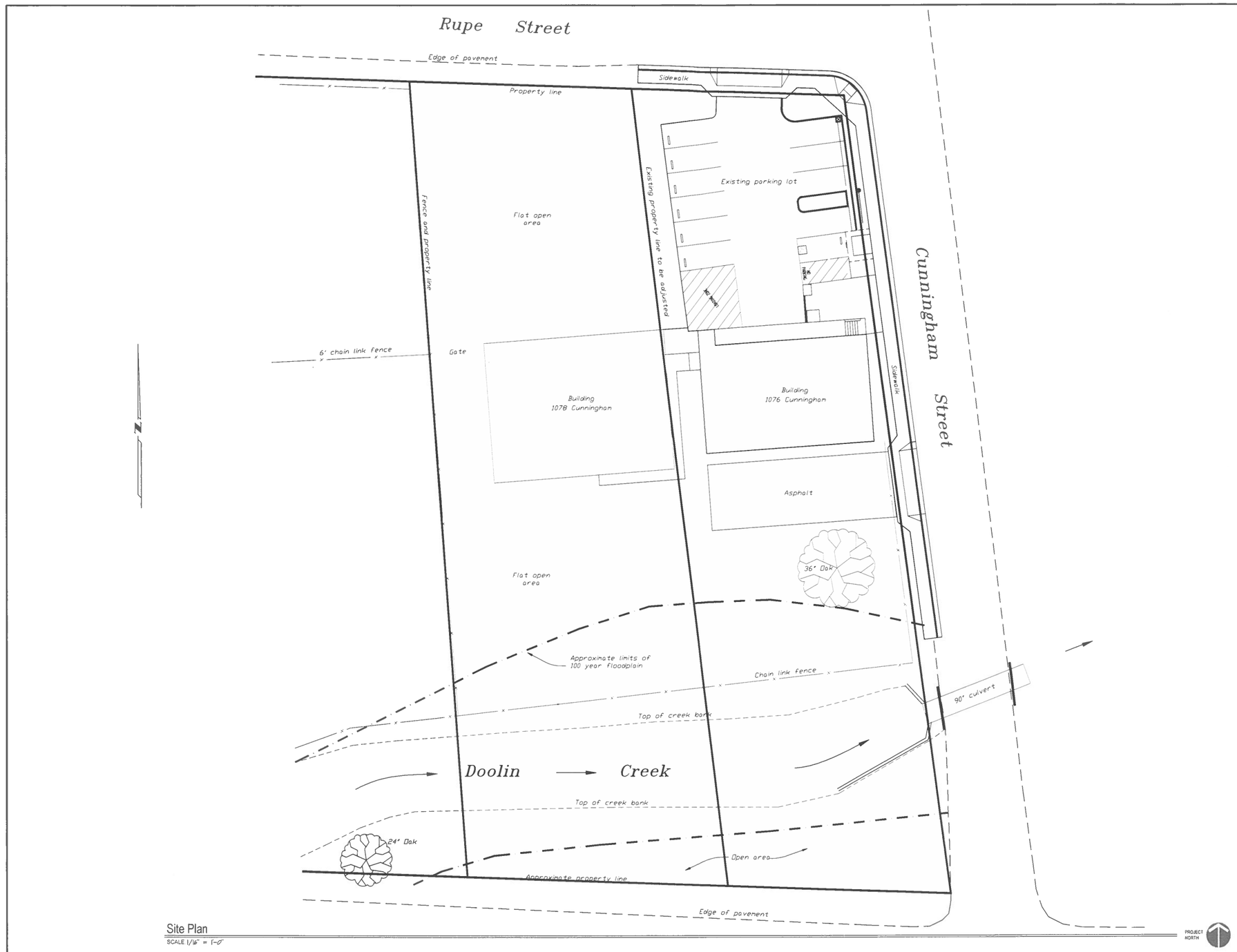
REGISTERED PROFESSIONAL ENGINEER RON W. FRANZ NO. 43938 EXP. 6-30-21 CIVIL STATE OF CALIFORNIA

Site Improvement Plan
1076 Cunningham Street

Jan 4, 2020 -- Scale: 1"=8'

0 8 16 24

A0.2



Verdier Architects

12861 Ornbaun Road Boonville, CA 95415
Tel:707-489-1491

LICENSED ARCHITECT
RONALD L VERDIER
No. C 22472
EXP APRIL, 2023
STATE OF CALIFORNIA

This document is the property of Verdier Architects. Copies of this document are not to be used on any other project without written permission.

Revisions	Date
Issued for Planning	15 July 2021

Heritage Mendocino Storage Facility

1076 Cunningham St, Ukiah, CA 95482

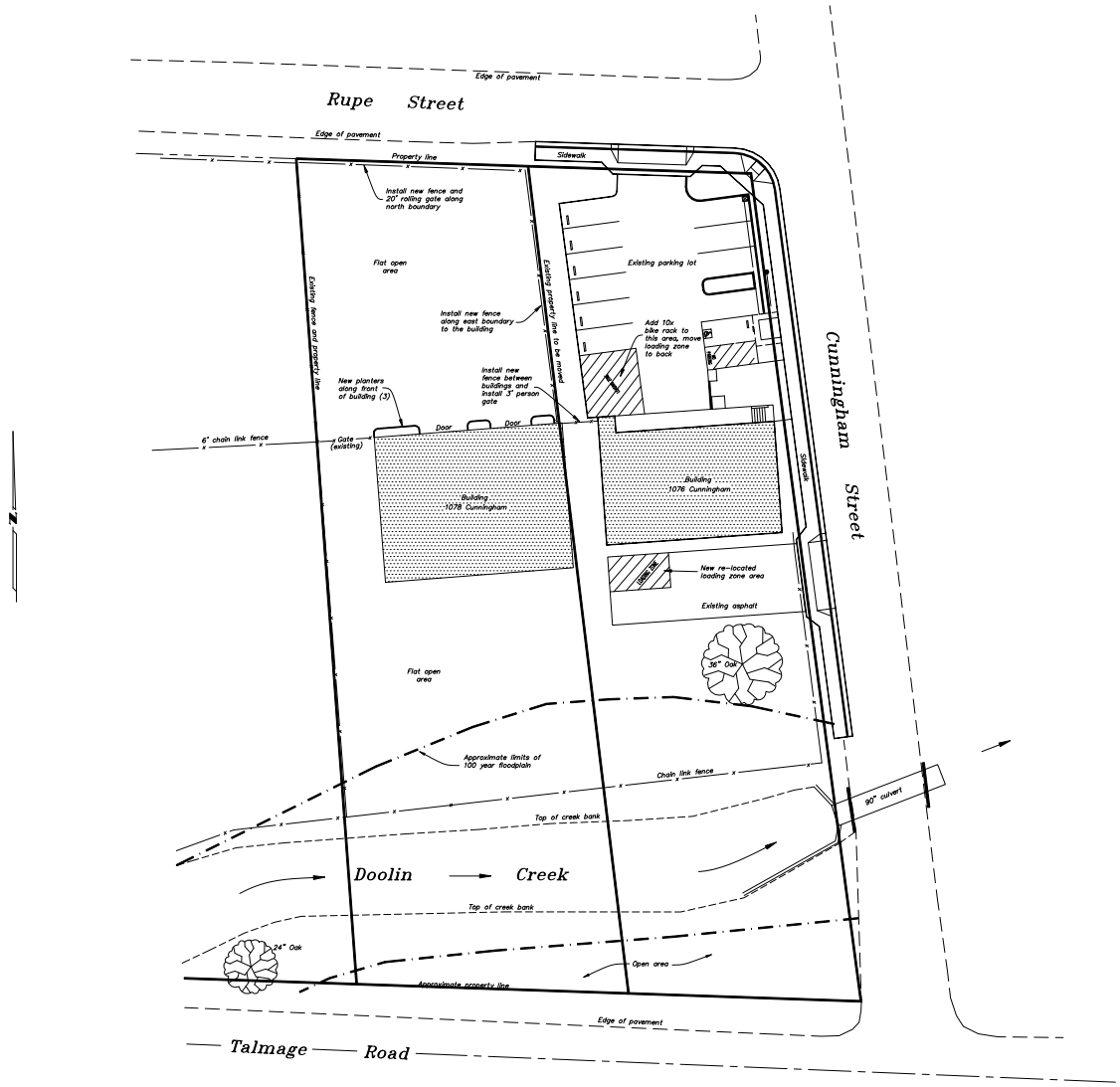
APN: 003-140-07

Drawing Title

SITE PLAN

Scale: As Noted
Date: July 2021
Drawn: RV
Job Number: 2112
Drawing Number

A1.1

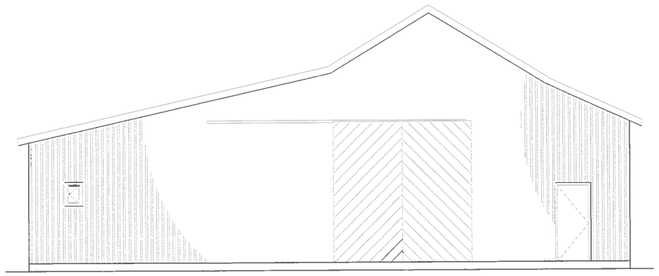


Prepared By:
Franz Engineering
Ron W. Franz RCE, PLS
2335 Appolinaris Drive
Ukiah, CA 95482
707-462-1087

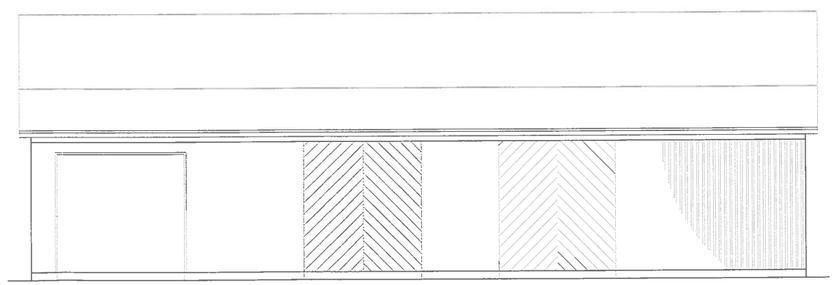
REGISTERED PROFESSIONAL ENGINEER
RON W. FRANZ
NO. 43938
EXP. 6-30-23
CIVIL
STATE OF CALIFORNIA

Site Map
1076 & 1078 Cunningham Rd
August 26, 2021 -- Scale: 1"=20'

0 20 40 60



East Elevation
SCALE 1/4" = 1'-0"



North Elevation
SCALE 1/4" = 1'-0"

Verdier Architects

12861 Ornbaun Road Boonville, CA 95415
Tel:707-489-1491

LICENSED ARCHITECT
RONALD L VERDIER
No. C-27872
EXP. APRIL, 2023
STATE OF CALIFORNIA

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Revisions	Date
Issued for Planning	15 July 2021

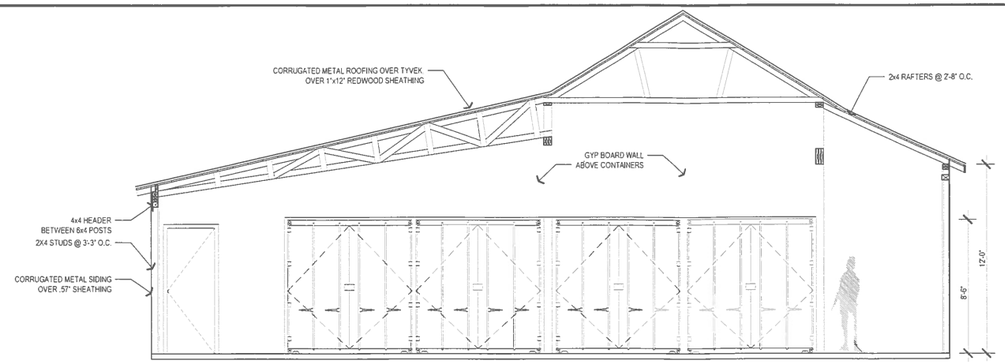
Heritage Mendocino
Storage Facility

1076 Cunningham St,
Ukiah, CA 95482

APN: 003-140-07

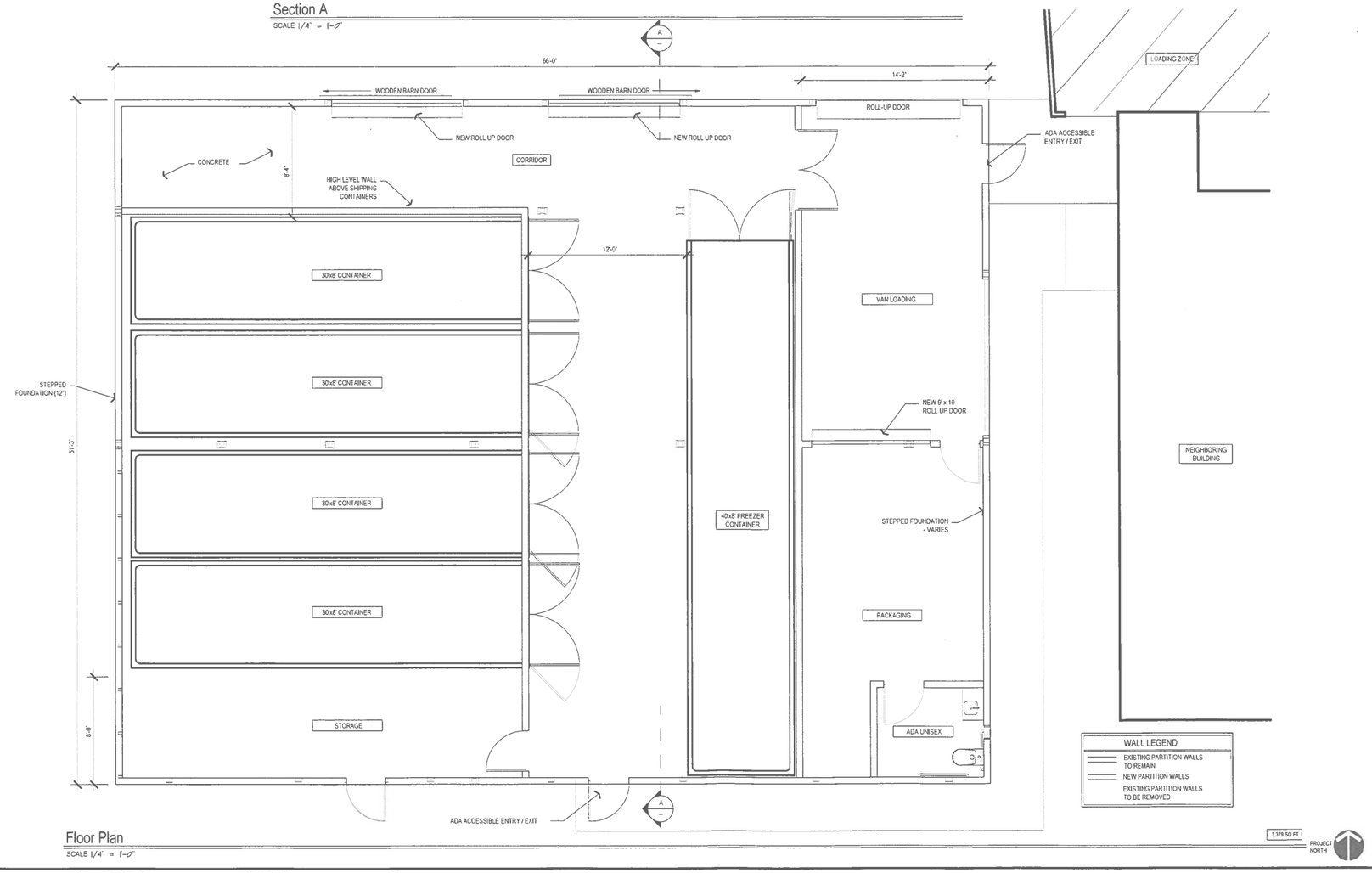
Drawing Title
ELEVATIONS

Scale As Noted
Date July 2021
Drawn RV
Job Number 2112
Drawing Number
A3.1



Section A

SCALE 1/4" = 1'-0"



Floor Plan

SCALE 1/4" = 1'-0"

Verdier Architects

12861 Ornbaun Road Boonville, CA 95415
Tel:707-489-1491

LICENSED ARCHITECT
RONALD L. VERDIER
No. C-27472
EXP. APRIL, 2023
STATE OF CALIFORNIA

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Revisions	Date
Issued for Planning	15 July 2021

Heritage Mendocino Storage Facility

1076 Cunningham St, Ukiah, CA 95482

APN: 003-140-07

Drawing Title

FLOOR PLAN AND SECTION A

Scale: As Noted
Date: July 2021
Drawn: RV
Job Number: 2112
Drawing Number:

A2.1

1-866-710-GROW Online Customer Service Hours M-F 9:00-5:00 pm

MY ACCOUNT (1) - $185.95 CHECKOUT

HTGSUPPLY GROW LIGHTS · HYDROPONICS · NUTRIENTS

STORE LOCATIONS ABOUT US CONTACT CATALOG REQUEST

keywords or SKU GO

Home > Products > Ventilation & Odor Control > Fans > High-Velocity Fans / Blowers > GrowBright 6 Inch High Velocity Fan

6 inch high-velocity inline fan from AgroMax

Control odor and temperature in your grow area with this Grow Bright 6" fan. Inline fans are perfect for carbon filters, air cooling, lighting reflectors or attaching to ducting to ventilate your grow room! Growers

Read More

SHARE:

In Stock! **$100.95**

Click to Zoom Image +

1 ADD TO CART

DETAILS REVIEWS

Control odor and temperature in your grow area with this Grow Bright 6" fan. Inline fans are perfect for carbon filters, air cooling, lighting reflectors or attaching to ducting to ventilate your grow room!

Customers can control odors and keep equipment cool with this compact metal fan. Extremely quiet and easy to install, this 110-watt, 6-inch fan pushes 424 cubic feet per minute.

6" INLINE FAN by GrowBright

- HIGH VELOCITY
- 424 CFM (cubic feet per minute)
- Solid STEEL Construction (not cheap plastic)
- ELT Listed for Safety
- Mounting Bracket included
- Grounded Power Cord (plugs into a standard household outlet)
- Uses 110 watts of electricity 120V/60Hz

1-866-710-GROW Online Customer Service Hours M-F 9:00-5:00 pm

MY ACCOUNT (0) - $0.00 CHECKOUT

HTGSUPPLY GROW LIGHTS · HYDROPONICS · NUTRIENTS

STORE LOCATIONS ABOUT US CONTACT CATALOG REQUEST

keywords or SKU GO

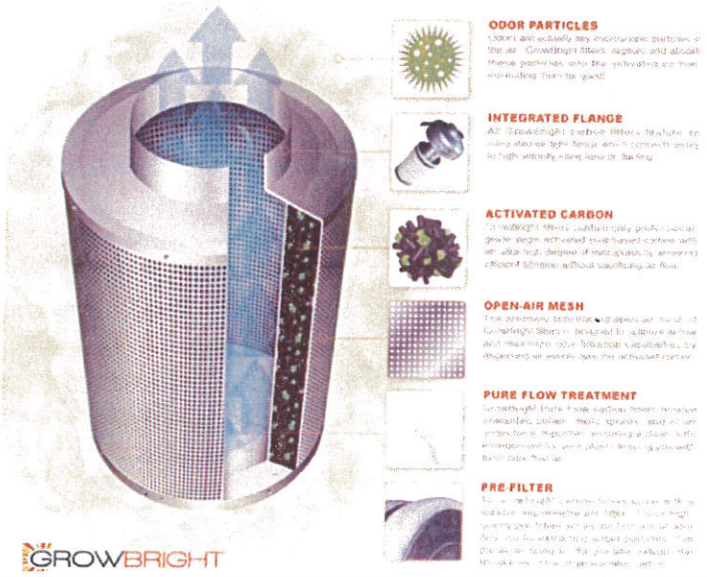
Home · Products · Ventilation & Odor Control · Filters - Carbon & HEPA Air Filters · GrowBright 6 Inch Carbon Filter

GrowBright 6 Inch Carbon Filter

The GrowBright Pure Flow 6 Carbon Filter easily adapts to all squirrel cage and centrifugal blowers (some blowers may require an adapter). This makes the GrowBright Pure Flow 6 Carbon Filter a perfect

Read More

SHARE:



Click to Zoom Image

In Stock!

$89.95

1 ADD TO CART

DETAILS REVIEWS

The GrowBright Pure Flow 6 Carbon Filter easily adapts to all squirrel cage and centrifugal blowers (some blowers may require an adapter). This makes the GrowBright Pure Flow 6 Carbon Filter a perfect companion to almost every exhaust situation. Great for small spaces where the filter must be in the air, attached directly to the exhaust fan, (due to its light weight). Packed with highly porous charcoal, the GrowBright Pure Flow 6 Carbon Filter eliminates all odors as the air is forced by the millions of open fissures in the packed charcoal.

This GrowBright Pure Flow 6 Carbon Filter is perfect for use with the GrowBright 6"" High Velocity Inline Fan.

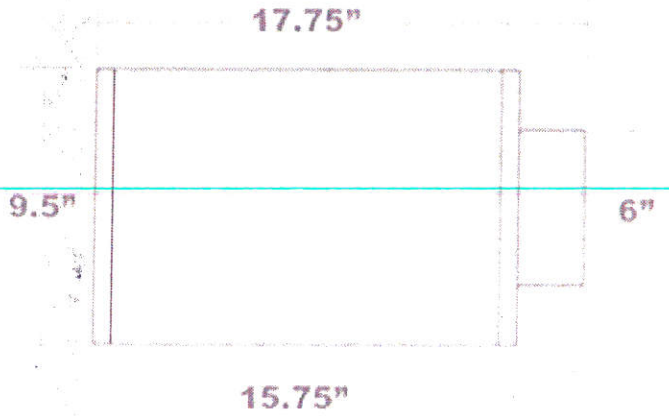
Weight: 12 lbs (7.6 lbs of Activated Carbon)
Flange: 6 inches

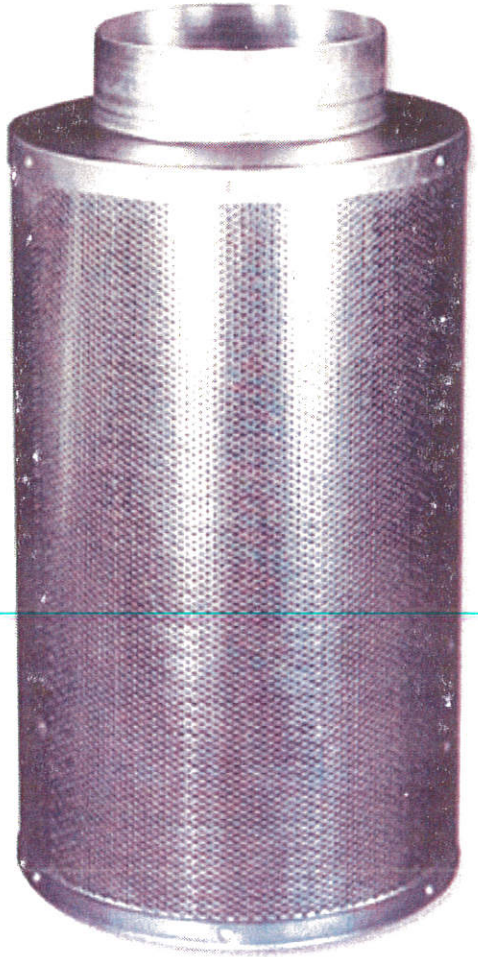
6" PURE FLOW SPECIFICATIONS

GROWBRIGHT 6" SPECS

MODEL	6" CARBON FILTER
CARBON WEIGHT	7.6 LBS / 3.45 KG
FLANGE	6" DIAMETER
CFM	265 min - 425 max
CARBON	Virgin Activated Coal Based
IAV VALUE	minimum of 1050

All GB Carbon Filters are Machine Packed





GROWBRIGHT

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT REVIEW REFERRAL

Please provide comments by: September 30, 2021

The City of Ukiah Community Development Department is soliciting input on the project described below for use in the staff analysis, CEQA document, and public hearing documents. Please identify any questions you have or missing information you need to complete your review, as well as suggested Conditions of Approval.

TO:			
X	City Electric Utility Dept. - Jimmy L. & Scott B.	Ukiah Airport Manager – Greg O.	X
X	City Building Official – Matthew K.	Mendocino County ALUC Staff – Keith G.	X
X	City Public Works Dept. – Tim E. & Jason B.	Air Quality Management District (MCAQMD)	X
X	Ukiah Valley Fire Authority – Ian B.	Ukiah Police Department – Nobel W.	X
FROM PROJECT PLANNER: Jesse Davis, AICP | jdavis@cityofukiah.com; (707) 463-6207			

PROJECT INFORMATION:	
Project Name & Permit #:	Heritage Microbusiness Renewal & Modification, #21-6140
Site Address & APN:	1076 Cunningham (APN: 003-140-54); 1078 Cunningham (APN: 003-140-54).
General Plan:	Industrial (I)
Zoning:	Manufacturing (M)
Airport Compatibility Zone:	Zone 1, Zone 1*, & Zone 2
Date Filed:	07/19/2021
Resubmittal:	N/A
Date Referred:	0/15/2021
Prev. Projects on Site (include file #)	LLA # 18-3221; LLA # 19-4787; Use Permits # 18-3631/#20-5112
Applicant/Agent Name:	Heritage Mendocino (Kyle Greenhalgh)/ Joe Thomas
Phone:	(707) 367-3296
Email:	Joethomas8@yahoo.com
Project Summary: As required, the Applicant (Heritage Mendocino) is seeking annual renewal of their Use/Site Development Permit for a 'Cannabis Microbusiness' at 1076 Cunningham Street that was originally approved on February 13, 2019 by the Planning Commission, and most recently renewed on August 11, 2020 by the Zoning Administrator. Additionally, the Applicant requests modification of this Use/Site Development Permit for the secure storage of 'Cannabis Products' within an adjacent structure (1078 Cunningham St.). With regard to parking considerations, the Applicant requests a Bicycle Facility Exemption, and proposes to relocate the existing 'Loading Area' for use of both structures. To ensure that all activities occur on the same legal parcel, the Applicant submitted a Lot Line Adjustment (#21-6503) on August 30, 2021. Fencing and landscaping improvements will be made throughout the proposed subject property in accordance with the previous recommendations of the Design Review Board and existing conditions of approval. No new uses are requested, nor will expansion of the subject structures be required.	

Please indicate whether you have comments and sign and date below. Return this Project Referral Form by the date noted above to the Project Planner listed.

Name and Affiliation/Department (please print) Keith Gronendyke Mendocino County Planning Dept.

☐ No Comment

☒ Comments / Conditions of Approval Attached

Signature _____ **Date** 9-27-21

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

Comments / Conditions of Approval:

The project site is located within Airport Zones 1, 1* and 2. As this project does not propose to add square footage to the existing structures, and only proposes to locate cargo containers within an existing structure for the storage of cannabis products, Mendocino County staff does not have any issues with the project.

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT REVIEW REFERRAL

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X	City Building Official – Matthew K.	Mendocino County ALUC Staff – Keith G.	X
X	City Public Works Dept. – Tim E. & Jason B.	Air Quality Management District (MCAQMD)	X
X	Ukiah Valley Fire Authority – Ian B.	Ukiah Police Department – Nobel W.	X
FROM PROJECT PLANNER: Jesse Davis, AICP | jdavis@cityofukiah.com; (707) 463-6207			

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Please indicate whether you have comments and sign and date below. Return this Project Referral Form by the date noted above to the Project Planner listed.

Name and Affiliation/Department (please print) Ian Broeske, Ukiah Valley Fire Authority

☐ No Comment

☒ Comments / Conditions of Approval Attached

9/28/21

Signature **Date**

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

Comments / Conditions of Approval:

1. 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.

2. A change of occupancy permit will be required.

3. If the building exceeds the 2000 gpm fire flow requirements in Appendix B of the CFC or meets any other sprinkler requirements in the CFC; fire sprinklers will be required. I am unable to determine this requirement with the documents provided in this submittal.

4. A means of egress submittal will be required.

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT REVIEW REFERRAL

Please provide comments by: September 30, 2021

The City of Ukiah Community Development Department is soliciting input on the project described below for use in the staff analysis, CEQA document, and public hearing documents. Please identify any questions you have or missing information you need to complete your review, as well as suggested Conditions of Approval.

TO:			
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X	City Public Works Dept. – Tim E. & Jason B.	Air Quality Management District (MCAQMD)	X
X	Ukiah Valley Fire Authority – Ian B.	Ukiah Police Department – Nobel W.	X
FROM PROJECT PLANNER: Jesse Davis, AICP | jdavis@cityofukiah.com; (707) 463-6207			

PROJECT INFORMATION:	
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General Plan:	Industrial (I)
Zoning:	Manufacturing (M)
Airport Compatibility Zone:	Zone 1, Zone 1*, & Zone 2
Date Filed:	07/19/2021
Resubmittal:	N/A
Date Referred:	0/15/2021
Prev. Projects on Site (include file #)	LLA # 18-3221; LLA # 19-4787; Use Permits # 18-3631/#20-5112
Applicant/Agent Name:	Heritage Mendocino (Kyle Greenhalgh)/ Joe Thomas
Phone:	(707) 367-3296
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Please indicate whether you have comments and sign and date below. Return this Project Referral Form by the date noted above to the Project Planner listed.

Name and Affiliation/Department (please print) Cconic Crook UKIAH PD

☐ No Comment

☑ Comments / Conditions of Approval Attached

LT. C. Crook 9/28/21

Signature **Date**

POLICE
CITY OF UKIAH
"Safety, Professionalism & Community Service"

Noble Waidelich
Chief of Police

To: Jesse Davis, Planning Manager
From: Cedric Crook
CC: Chief Waidelich
Subject: Heritage Mendocino Planning Permit Application #21-6410
Date: 9/28/21

On 9/28/21, I reviewed the attached Planning Permit Application (Renewal and Modification) #21-6410. I found the security plan submitted addresses the requirements listed in the City of Ukiah ordinance. Prior to final approval of the project, the business permittee provide the police department 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.

Lt. C. Crook

Lieutenant Cedric Crook
Administrative Commander

AGENDA ITEM NO. 7C

Department of Community Development
Planning Division
300 Seminary Ave.
Ukiah, CA 95482

DATE: November 10, 2021

TO: Zoning Administrator

FROM: Jesse Davis, Planning Manager

SUBJECT: Request to consider a Minor Use Permit for use of an existing structure as a 'Professional Office' within the Heavy Commercial (C-2) zoning district at 677 North State Street; APN (002-121-15); File No. 21-6558.

SUMMARY

OWNER/APPLICANT:	Mendocino Community Health Clinic, Inc. (MCHC)
AGENT:	Tiffany Williams
LOCATION:	677 North State Street; APN (002-121-15)
TOTAL ACREAGE:	± 0.78 acre
GENERAL PLAN:	Commercial (C)
ZONING DISTRICT:	Heavy Commercial (C-2)
AIRPORT COMPATIBILITY:	Other Airport Environ (OAE)
ENVIRONMENTAL DETERMINATION:	Categorical Exemption, pursuant to CEQA Guidelines Article 19, Class 1, Section 15301, Existing Facilities (a) – Minor interior alterations.
RECOMMENDATION:	Conditional Approval, based on Findings and subject to Conditions of Approval (**Attachments 1 and 2**)

PROJECT DESCRIPTION

A Minor Use Permit application was received on September 28, 2021 to utilize an existing commercial structure at 677 North State Street; APN (002-121-15) as a 'Professional Office' to support MCHC's administrative operations. The subject property is ±0.78 acres in size, and improved with an existing commercial structure that is to be utilized as the aforementioned 'Professional Office'. The existing subject structure is approximately 8,440 sq ft in size, and is multi-story. The property features mature landscaping, as well as a parking lot with 32 off-street spaces.

No construction or modification of the structure is presently requested or required to utilize it as a 'Professional Office'. Existing conference and storage rooms are to be maintained. The Applicant intends to use cubicles, as well as existing offices for approximately 20-30 MCHC staff members to conduct administrative tasks related to its healthcare operations. Application materials, including a company description, site plan, floor plan and project overview, can be found in **Attachment 3**.

SURROUNDING LAND USE & ZONING

The subject property is addressed at 677 North State Street, and located at the southeast corner of North State Street and Ford Street. The site contains an existing commercial building, landscaping and an associated parking lot that includes 32 off-street spaces. Until 2021, this site was utilized by Aaron's Inc., a lease-to-own retailer that focused on leases and retail sales of furniture, electronics, appliances, and computers. The property has historically featured a mixture of residential and commercial uses, including a gymnasium/fitness center. The property is zoned Heavy Commercial (C-2) and is surrounded by a mixture of commercial and residential uses. Encroachments from the subject property are provided onto both North State Street and Ford Street. The subject property has a General Plan land use designation of Commercial (C), and features no combining districts or other zoning restrictions. It is not subject to any mapped flood or seismic hazards.

The project site is adjoined to the south by C-2 and R-3 zoned properties. The southern C-2 zoned property features a professional office, which was approved by Use Permit #84-9 in 1983. The R-3 zoned property is separated by Orr Creek and features multi-unit apartment structures (Park Place Apartments). To the west is a Planned Development that features a mixture of single-family residences within the Wagenseller neighborhood. While on the opposite side of North State Street, there are multiple professional offices within a Community Commercial (C-1) Zoning District. Across Ford Street exist a number of commercial businesses, including truck rental facility.

A summary of zoning designations and uses is provided below in **Table 1**. In general, the area features an assortment of commercial and residential uses. A General Plan Land Use Map is depicted in **Figure 1**, a Zoning Map in **Figure 2**, an aerial map of the site and are is included in **Figure 3,** and a ground level photograph of the subject structure's street frontage along North State Street in **Figure 4.**

Table 1, Surrounding Zoning and Land Uses

	ZONING:	USE:
NORTH	Heavy Commercial (C-2)	Manufacturing
EAST	Planned Residential Development (PDR)	Residential
SOUTH	Heavy Commercial (C2); Multifamily Residential (R-3)	Professional Office; Multi-Family Residential
WEST	Community Commercial (C-1)	Professional Office

Figure 1: General Plan Land Use

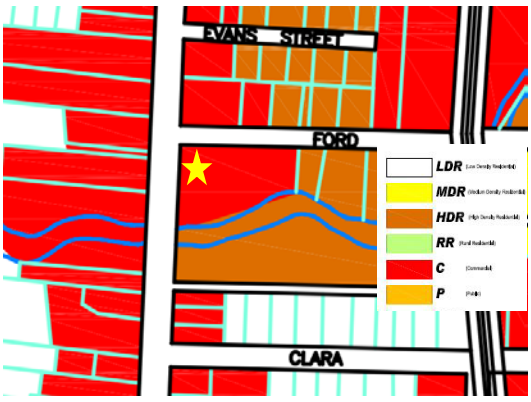


Figure 2: Zoning Designation

Figure 3. Aerial View

Figure 4. Street Frontage (Ground Level)

AGENCY COMMENTS

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 Department, City of Ukiah Electrical Utility, City of Ukiah Building Division, and Air Quality Management District. The agencies comments, responses and recommended Conditions of Approval are contained in **Attachment 4**.

STAFF ANALYSIS

General Plan and Zoning Consistency

The parcel is provided with a General Plan Land Use designation of Commercial (C) and is zoned Heavy Commercial (C-2). The existing site and buildings are consistent with the required setbacks, building height, and lot coverage for the Heavy Commercial (C-2) zoning district as described in Ukiah City Code (UCC) §9095-9102. The proposed project will not change the footprint of the building and therefore the proposed project will not restrict or cut out light and air on the property, or in the neighborhood to the east of the structure; nor will it hinder the development or use of buildings along the State Street corridor, or impair the value thereof.

The project will utilize an existing commercial building that is now vacated. Use will allow the building to be occupied and maintained, not becoming a burden on the surrounding properties. The project site is zoned commercial and has been used for such purposes for over two decades. The proposed project would not generate novel noise, odor, dust or other nuisances, and would be considered less intense than many of the allowed or permitted uses otherwise allowed within this zoning district. Unlike the previous use, there are no deliveries or similar operations that would present substantial nuisance to nearby residences. While C-2 is designed to provide opportunities for wholesale activities, auto repair shops, agricultural supply stores, and other activities, the use of properties within this district for a professional office is permitted upon obtaining a Use Permit. As previously mentioned, the adjacent property to the south is also within the C-2 zoning district, and features a professional office.

The existing parking lot located towards the rear of the site has perimeter landscaping that includes mature trees and shrubs. The parking lot was approved in its current configuration as part of the use permit for the World Gym (# 95-11). No changes to the existing parking lot are proposed as part of this project. Based on reuse of the existing site and building improvements, the existing landscaping plan is consistent with the requirements of the C-2 zone so long as it is maintained. The existing perimeter landscaping includes large mature trees and shrubs that help screen the parking lot from the right of way and the adjacent properties. Parking was determined to be appropriate for the requested use.

The most recent improvements to the property facilitated commercial use of the structure by Aaron's Inc. Rental. Relatedly, there is no indication of unpermitted work or outstanding code violations associated with the property.

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 alterations.

The project involves use of an existing commercial structure that was most recently used for wholesale commercial rental 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 October 30, 2021
- Posted on the Project Site on October 30, 2021
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing
- Provided to property owners within 300 ft of the project parcels, as well as Public Agencies on November 1, 2021

RECOMMENDATION

Staff recommends Zoning Administrator 1) conduct a public hearing; and 2) adopt the findings and conditionally approve the Minor Use Permit for the project.

ATTACHMENTS

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

ATTACHMENT 1

DRAFT FINDINGS FOR A MINOR USE PERMIT TO UTILIZE AN EXISTING STRUCTURE AS A 'PROFESSIONAL OFFICE' AT 677 NORTH STATE STREET; APN 002-121-15. FILE NO. 21-6558.

Approved Project Description: To facilitate use of an existing structure as a 'Professional Office' within the Heavy Commercial (C-2) zoning district at 677 North State Street; APN (002-121-15) per Ukiah City Code § 9097.

The following findings are supported by and based on information contained in this staff report, the application materials, and the public record. The Zoning Administrator on the basis of the evidence submitted at the hearing, may grant use permits required by the provisions of this Article whenever findings of fact support the following determinations:

Minor 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 no component prevents or restricts use of this zoning designation for professional office uses. The proposed use of this structure has been determined compliant with the standards of Ukiah City Code, and a review of the surrounding area yields a mixture of residential and commercial uses. With the inclusion of operational and standard conditions that address related construction 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 not alter the existing structure's footprint, and while it would convert the commercial use of the structure, a review of adjacent and nearby properties indicate that the proposed use would be less-intensive than the previous occupant. The project is site is adjoined on both sides by commercial and residential uses, which presently include professional offices that maintain frontage along State Street. The onsite-parking has been determined adequete for the requested office use. A review of the submitted application materials indicates that the request complies with all assigned zoning setbacks, height restrictions, and lot coverage ratios for the associated zoning district. The project is not expected to engender activities detrimental to the public health, safety and general welfare. 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, and the City of Ukiah Building Division. As requested, comments have been included as Conditions of Approval, as appropriate, thereby allowing this finding to be made.

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

- Published in the Ukiah Daily Journal on October 30, 2021
- Posted on the Project Site on October 30, 2021
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing
- Provided to property owners within 300 ft of the project parcels, as well as Public Agencies on November 1, 2021

Based on the above analysis, the findings required for the Minor Use Permit can be made. The purpose of this Chapter is to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, peace, comfort and general welfare. (Ord. 793, §2, adopted 1982). The authority for the

regulations contained in this chapter is based upon section 7, article XI of the California constitution in addition to California planning and zoning law and state law providing municipalities with police power. This zoning ordinance is not in conflict with state statutes. (Ord. 793, §2, adopted 1982).

DRAFT

ATTACHMENT 2

DRAFT CONDITIONS OF APPROVAL FOR A MINOR USE PERMIT TO UTILIZE AN EXISTING STRUCTURE AS A 'PROFESSIONAL OFFICE' AT 677 NORTH STATE STREET; APN 002-121-15. FILE NO. 21-6558.

Approved Project Description: To facilitate use of an existing structure as a 'Professional Office' within the Heavy Commercial (C-2) zoning district at 677 North State Street; APN (002-121-15) per Ukiah City Code § 9097.

CITY OF UKIAH STANDARD CONDITIONS

1. 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.

2. All use, construction and the location thereof, or occupancy, shall conform to the application and to any supporting documents submitted therewith, including any maps, sketches, or plot plans accompanying the application or submitted by applicant in support thereof.

3. 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.

4. Building permits shall be issued within two years after the effective date of the Use Permit or same shall be null and void.

5. 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.

6. The Applicant shall obtain all required Sign Permits, in compliance with Division 3, Chapter 7, Signs, of the UCC.

7. 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.

8. All fees associated with the project planning permits and approvals shall be paid in full prior to occupancy.

9. 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.

DRAFT

PLANNING DIVISION

10. All required landscaping shall be properly maintained to insure the long-term health and vitality of the plants, shrubs and trees. Proper maintenance means, but is not limited to the following

    a. Regular slow, deep watering when feasible. The amount of water used shall 47 fluctuate according to the season, i. e., more water in summer, less in the winter.
    b. Additional watering shall occur during long periods of severe heat and drying winds, and reduced watering shall be used during extended periods of cool rainy weather.
    c. Fertilizer shall only being used on trees during planting. Shrubs may receive periodic fertilizer according to the recommendations of a landscaping professional. Weed killers shall not be used on or near trees.
    d. The tree ties and stakes shall be checked every six months to ensure they do not constrict the trunks and damage the trees.
    e. Tree ties and stakes shall be removed after 1 to 3 years to ensure they do not 9 damage the trunk of the tree and its overall growth.
    f. Any tree that dies or is unhealthy due to pests, disease or other factors, including vandalism, shall be replaced with the same or similar tree species, or an alternative species approved by the department of Planning and Community Development.
    g. All trees shall be properly pruned as appropriate. No topping cuts shall be made. All pruning shall follow standard industry methods and techniques to ensure the health and vitality of the tree.
    h. Failure to comply with the requirements listed above could result in revocation of the associated Use Permit.

DEPARTMENT OF PUBLIC WORKS

11. Prior to occupancy a sewer lateral test be conducted to the satisfaction of the City Engineer

DRAFT

#21-6558

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

City of Ukiah

Planning Permit Application

PROJECT NAME: MCHC Health Centers - Professional Offices			
PROJECT ADDRESS/CROSS STREETS: 677 N. State Street			AP NUMBER(S): 002-121-15
APPLICANT/AUTHORIZED AGENT: Tiffany Williams	PHONE NO: 472-4620 489-3577	FAX NO:	E-MAIL ADDRESS: twilliams@mchcinc.or
APPLICANT/AUTHORIZED AGENT ADDRESS: 333 Laws Ave	CITY: Ukiah		STATE/ZIP: Ca
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: Scott McFarland, CEO	PHONE NO: 530-870-6360	FAX NO:	E-MAIL ADDRESS: smcfarland@mchcinc.org
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT 333 Laws Ave	CITY: Ukiah		STATE/ZIP: CA

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	$ 900
☐ 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.	$ 50	MAJOR PERMIT DEPOSIT:	$ N/A	FILING DATE:	09-28-21
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	$ N/A	MINOR PERMIT FEE:	$ 900	TOTAL AMOUNT PAID: $	
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	$ N/A	TOTAL FEE:	$ 900	RECEIPT NUMBER:	

APPLICATION NUMBER(S): #21-6558

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: 33,980	Building Size: 7,985		Number of Floors: 2
Use of Building (check all that apply)	**Description**	**Square Footage**	**Number of Units/Suites**
☒ Office (business/professional)	Administrative offices	7,985	
☐ Office (medical/dental)			
☐ Retail			
☐ Light Industrial			
☐ Residential			
☐ Other:			

Operating Characteristics

Days and Hours of Operation: Monday-Friday 8-5			
Number of Shifts: 1	**Days and Hours of Shifts:** M-F 8-5		
Number of Employees/Shift: 20-30			
Loading Facilities: ☐ Yes ☒ No	**Type/Vehicle Size:**		
Deliveries: ☐ Yes ☒ No	**Type:**	**Number** (day/week/month):	**Time(s) of Day:**
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: C-Commercial	**Zoning District:** C-2 Heavy Comm	**Airport Land Use Designation:** N/A
City's Architectural & Historic Inventory: ☐ YES ☑ NO	**Age of Building:** Pre-1983	**Demolition Policy:** N/A
Hillside: ☐ YES ☑ NO	**Flood Designation FIRM Map:** Zone AE	**Flood Designation Floodway Map:** AE & X

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:** - N/A

Notes

I, Scott McFarland, CFO, owner authorize Tiffany Williams 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).

9-23-21

PROPERTY OWNER SIGNATURE **DATE**

I, Tiffany Williams, 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.

9/28/21

☐**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 n 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.

Scott McFarland, CFO

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

9-23-21

☒**PROPERTY OWNER** / ☐**AUTHORIZED AGENT** **DATE**
(SIGNATURE)

Revised 08/19/2019

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 N/A	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 N/A	
Details – Sign					X	X		X N/A	
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 an d 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

MCHC HEALTH CENTERS
333 Laws Avenue, Ukiah, CA 95482 • (707) 468-1010 • www.mchcinc.org

Project Description

Mendocino Community Health Clinic, Inc. (MCHC) recently purchased 677 North State Street for the use of professional offices. Initially, we will not be performing any construction or remodeling. The building will be used for professional offices that are not open to the public.

We will use the current space for cubicles and offices as indicated on the attached plans.

We plan to do some interior remodeling to better accommodate private offices in the future but have yet to start this process with an architect. Once we have plans drawn, we will submit to the City of Ukiah for proper review for use and permitting.

Ukiah City
Blocks 2,3,4,5,12 Waggonsellers Addition

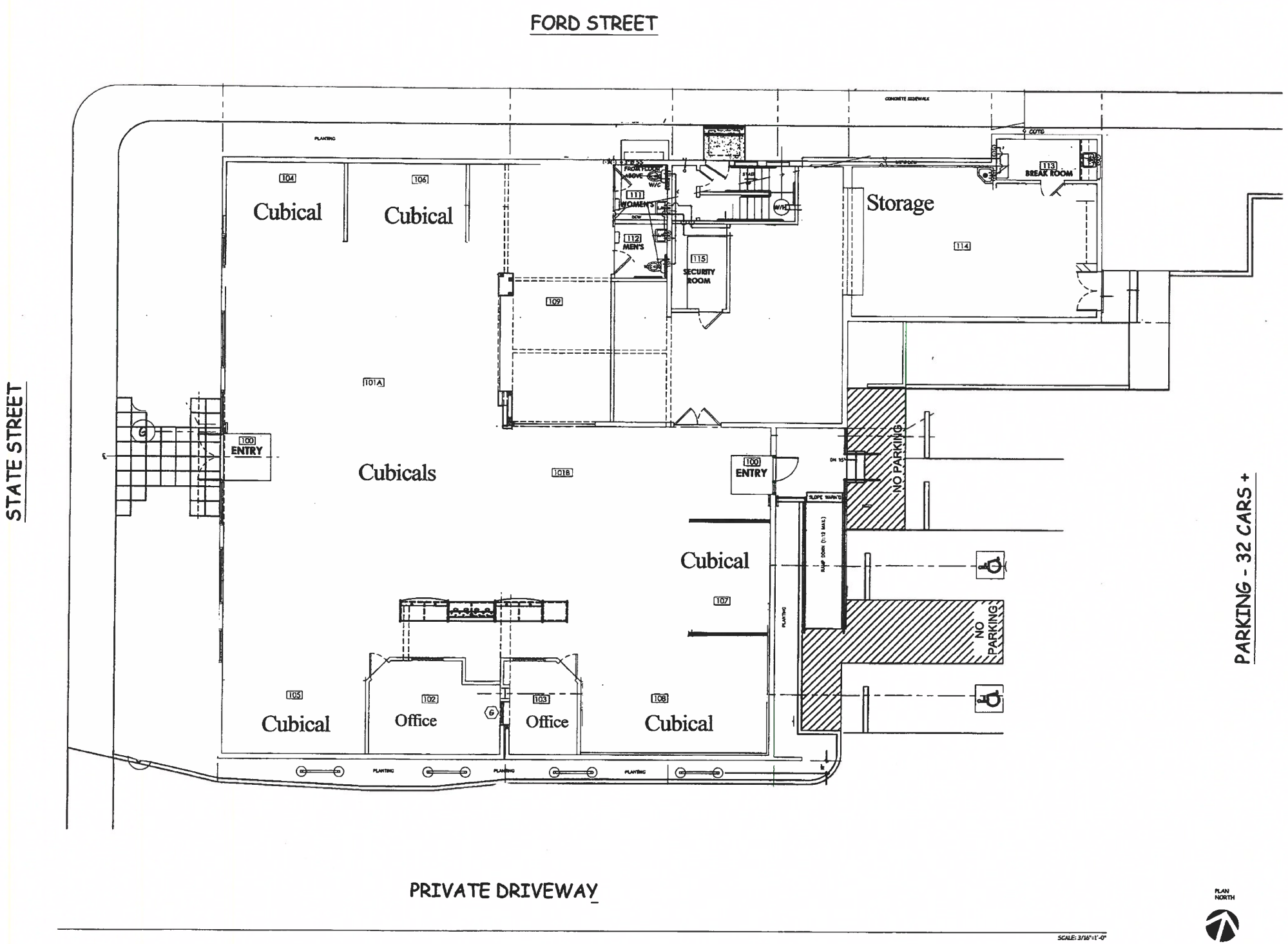
3-031

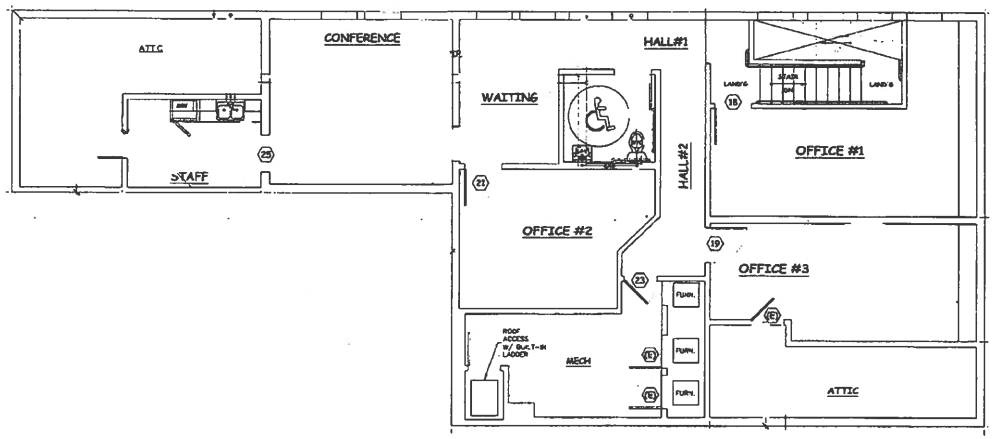
2 - 12

1" = 100'

NOTE: This map was prepared for assessment purposes only. No liability is assumed for the data delineated hereon.

Assessor's Map
County of Mendocino, Calif.
Updated September 10, 2008

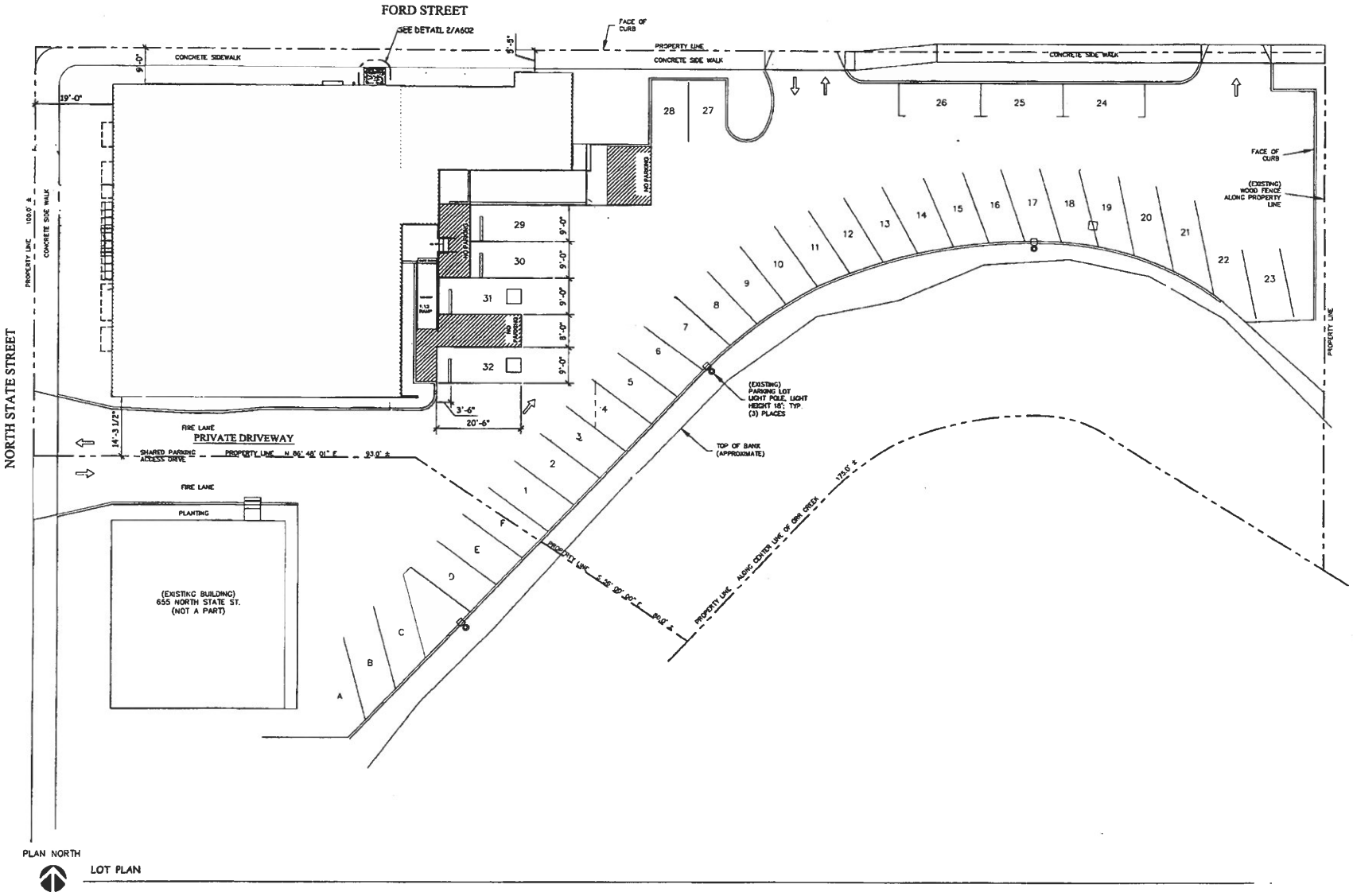

FORD STREET
STATE STREET
PARKING - 32 CARS +
PRIVATE DRIVEWAY
Cubical
Cubical
Storage
BREAK ROOM
WOMEN'S
MEN'S
SECURITY ROOM
ENTRY
Cubicals
ENTRY
NO PARKING
Cubical
NO PARKING
Cubical
Office
Office
Cubical
PLAN NORTH
SCALE: 3/16"=1'-0"



2ND FLOOR

PLAN NORTH

SCALE: 3/16"=1'-0"


FORD STREET
SEE DETAIL 2/A602
FACE OF CURB
PROPERTY LINE
CONCRETE SIDEWALK
CONCRETE SIDE WALK
9'-0"
19'-0"
NORTH STATE STREET
PROPERTY LINE 100.0' ±
CONCRETE SIDE WALK
28
27
26
25
24
29
30
31
32
9'-0"
8'-0"
3'-6"
20'-6"
FACE OF CURB
(EXISTING) WOOD FENCE ALONG PROPERTY LINE
1
2
3
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23
(EXISTING) PARKING LOT LIGHT POLE, LIGHT HEIGHT 15'; TYP. (3) PLACES
TOP OF BANK (APPROXIMATE)
FIRE LANE
PRIVATE DRIVEWAY
SHARED PARKING ACCESS DRIVE
PROPERTY LINE N 86° 48' 01" E 93.9' ±
14'-3 1/2"
FIRE LANE
PLANTING
(EXISTING BUILDING) 655 NORTH STATE ST. (NOT A PART)
A
B
C
D
E
F
PROPERTY LINE S 26° 07' 00" E 90.0' ±
PROPERTY LINE ALONG CENTER LINE OF CRK CREEK 175.0' ±
PROPERTY LINE
PLAN NORTH
LOT PLAN

CHAPTER 2
ZONING

ARTICLE 8. REGULATIONS IN HEAVY COMMERCIAL (C-2) DISTRICTS[1]

SECTION:

§9095 Purpose And Intent

§9096 Allowed Uses

§9097 Permitted Uses

§9098 Building Height Limits

§9099 Yards Required

§9100 Parking Required

§9101 Additional Requirements

§9102 Determination Of Appropriate Use

§9095 PURPOSE AND INTENT

The purpose of the heavy commercial zoning district is to provide opportunities for commercial service, wholesale activities, auto repair shops, agricultural supply stores, and other activities which are generally inappropriate in areas developed with professional offices and retail stores. The heavy commercial (C-2) zoning district is consistent with the commercial (C) general plan land use designation. (Ord. 1006, §1, adopted 1998)

§9096 ALLOWED USES

The following uses are allowed in the Heavy Commercial (C-2) Zoning District:

Accessory uses to any allowed or permitted uses.

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in section 9016 of this code.

Business service.

Cabinet shop, sign shop, and machine shop.

Construction sales and service.

Equipment repair shop.

Farm equipment sales and feed stores.

Kennel, pet shop, and pet services.

Laundry service and laundromat.

Mini/convenience storage.

New and used automobile sales.

Recycling facility.

Safety service.

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Service (gas) station, automobile repair, automobile body and painting shop, and car washing facility.

Transportation service.

Warehousing and distribution (limited).

Wholesale store. (Ord. 1006, §1, adopted 1998; Ord. 1047, §1, adopted 2003; Ord. 1205, §10, adopted 2020)

§9097 PERMITTED USES

The following uses require approval of a use permit pursuant to the provisions contained in section 9262 of this chapter:

Cannabis cultivation – Large indoor.

Cannabis cultivation – Large mixed light.

Cannabis cultivation – Medium indoor.

Cannabis cultivation – Medium mixed light.

Cannabis cultivation – Small indoor.

Cannabis cultivation – Small mixed light

Cannabis cultivation – Specialty cottage.

Cannabis cultivation – Specialty indoor.

Cannabis cultivation – Specialty mixed light.

Cannabis distribution.

Cannabis manufacturing – Level 1.

Cannabis microbusiness.

Cannabis nursery.

Cannabis retailer.

Cannabis testing laboratory.

Establishment, maintenance, operation and removal of circuses, carnivals, amusement parks, open air theaters, or other similar temporary establishments involving large assemblages of people.

Hotels, motels, and bed and breakfast establishments.

Light industrial and manufacturing uses.

Mixed residential and commercial land uses on one parcel provided they are found to be compatible.

Mobile home park.

Multiple-family dwellings in conformance with the development standards for the R-3 zoning district.

Outdoor sales establishments that occur for no more than thirty (30) days within a twelve (12) month period may be considered by the zoning administrator. All other applications shall be heard by the planning commission.

A. All outdoor sales establishments shall comply with the following criteria:

1. Parking: Parking shall be designated for a minimum of three (3) automobiles, located off the public right of way with no automobile maneuvering permitted in the public right of way. The use

permit may require additional parking, depending on the nature of sales proposed.

2. Signage: A maximum of twenty five percent (25%) of the largest side of the vehicle or structure used in the sales operation. In addition, one sandwich board or "A" frame sign pursuant to subsection 3227A5 of this code.

3. Utilities: The need for sanitary sewer, water, and electrical services shall be determined through the use permit process, and all hookups shall comply with this code.

4. Business License: Business license must be prominently displayed at all times, and the operator shall have proof of board of equalization sales permit.

Parks, playgrounds, community gardens, and other recreational uses.

Public and quasi-public buildings, structures and uses.

Resident manager/security personnel housing.

Retail stores, restaurants, and professional offices.

Temporary uses complying with the purpose and intent of this district. The temporary use shall be for a maximum period of six (6) months, and shall be subject to permit renewal/time extension at the discretion of the planning director.

Warehousing and distribution (general). (Ord. 1006, §1, adopted 1998; Ord. 1186, §2, adopted 2018)

§9098 BUILDING HEIGHT LIMITS

The maximum height of any building in a C-2 district shall be as follows:

A. Forty feet (40') for primary buildings.

B. Twenty feet (20') for accessory buildings.

C. To exceed the height limits for primary and accessory buildings, a use permit must first be secured. (Ord. 1006, §1, adopted 1998)

§9099 YARDS REQUIRED

In C-2 districts yards shall be required in the following minimum widths:

A. Front yards for single-story buildings: On both interior and corner lots the front setback line shall be a minimum of five feet (5') measured from the street right of way line fronting such lot. On corner

lots, a ten foot (10') vision triangle may be required for traffic safety.

B. Front yards for multiple-story buildings: The front setback line shall be a minimum of five feet (5') measured from the street right of way line fronting each side of the lot. On corner lots, a ten foot (10') vision triangle may be required for traffic safety.

C. Rear and side yards: None required except where the rear or side of a lot abuts on an R-1, R-2, or R-3 district, in which case such rear or side yard shall be that of the adjoining zone. (Ord. 1006, §1, adopted 1998; Ord. 1110, §1, adopted 2008)

§9100 PARKING REQUIRED

The minimum parking area required in the heavy commercial (C-2) zoning district shall be as follows:

A. Wholesale Stores: One parking space for each four hundred (400) square feet of gross leasable space.

B. Automobile Sales: One space for each five hundred (500) square feet of floor area plus one space for each two thousand (2,000) square feet of outdoor display area.

C. Cabinet Shop, Machine Shop, And Sign Shop: One space for each employee on the maximum shift plus required space for office areas. Two (2) spaces are also required for customer parking, and one space for each vehicle operated from or on the site.

D. Warehouse, Mini/Convenience Storage: One parking space for each two thousand five hundred (2,500) square feet. Four (4) additional spaces are also required for customers, one parking space for each two (2) employees at maximum shift, and one space for each vehicle operated from or on the site.

E. Bicycle Parking: Safe bicycle parking facilities shall be provided in all new commercial developments where it is determined that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.

F. Retail Stores, Professional Offices, And Business Offices: One parking space for each three hundred (300) square feet of gross leasable floor area.

G. Other Uses: All other uses are subject to the provisions contained in article 17 of this chapter.

H. Exceptions: Relief from the parking requirements in the C-2 zoning district may be approved through the discretionary review process, provided a finding is made that there is a unique circumstance associated with the use or property that results in a demand for less parking than normally expected. (Ord. 1006, §1, adopted 1998)

§9101 ADDITIONAL REQUIREMENTS

The following additional requirements are applicable in the heavy commercial (C-2) zoning district:

A. A site development permit shall be required for development projects in the heavy commercial (C-2) zoning district, pursuant to the requirements of subsection 9261B of this chapter.

B. Second story development shall be designed to preserve the privacy of adjoining property owners.

C. Repealed.

D. All development projects in the C-2 zoning district requiring discretionary review shall include a proposed landscaping plan commensurate with the size and scale of the proposed development project. Landscaping plans shall be submitted as a required component of all site development and use permits at the time of application filing.

1. All proposed landscaping plans shall comply with the following standards:

a. Landscaping shall be proportional to the building elevations.

b. Landscape plantings shall be those which grow well in Ukiah’s climate without extensive irrigation. Native species are strongly encouraged.

c. All landscape plantings shall be of sufficient size, health and intensity so that a viable and mature appearance can be attained in a reasonably short amount of time.

d. Deciduous trees shall constitute the majority of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

e. Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over

all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

f. Parking lots shall have a perimeter planting strip with both trees and shrubs.

g. Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

h. Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the city engineer, based upon safety and maintenance factors.

i. All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel, it would be unreasonable and illogical. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

j. Landscaping plans shall include an automatic irrigation system and lighting plan.

k. All required landscaping for commercial development projects shall be adequately maintained in a viable condition.

l. The planning director, zoning administrator, planning commission, or city council shall have the authority to modify the required elements of a landscaping plan depending upon the size, scale, intensity, and location of the development project.

E. No fence shall be constructed over three feet (3') in height in any required front yard setback area.

F. Existing development as of the date of this article inconsistent with the provisions listed herein, shall be considered legal nonconforming, provided that they were legal at the time of their creation, and shall be subject to the nonconforming provisions contained in this chapter. (Ord. 1006, §1, adopted 1998; Ord. 1110, §1, adopted 2008; Ord. 1168, §3, adopted 2016)

§9102 DETERMINATION OF APPROPRIATE USE

Whenever a use is not listed in this article as a use permitted as of right or a use subject to a use permit in the C-2 zoning district, the planning director shall determine whether the use is appropriate

for the zoning district, either as of right or subject to a use permit. In making this determination, the planning director shall find as follows:

A. That the use would not be incompatible with other existing or allowed uses in the C-2 zoning district.

B. That the use would not be detrimental to the continuing development of the area in which the use would be located.

C. In the case of determining that a use not articulated as an allowed or permitted use could be established with the securing of a use permit, the planning director shall find that the proposed use is similar in nature and intensity to the uses listed as permitted uses. All determinations of the planning director regarding whether a use can be allowed or permitted in the heavy commercial (C-2) zoning district shall be final unless a written appeal to the city council, stating the reasons for the appeal, and the appeal fee, if any, established from time to time by city council resolution, is filed with the city clerk within ten (10) days of the date the decision was made. Appeals may be filed by an applicant or any interested party. The city council shall conduct a duly noticed public hearing on the appeal in accordance to the applicable procedures as set forth in this chapter. At the close of the public hearing, the city council may affirm, reverse, revise or modify the appealed decision of the planning director. All city council decisions on appeals of the planning director's actions are final for the city. (Ord. 1006, §1, adopted 1998)

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[1] Ord. 793, §2, adopted 1982; Ord. 828, §1, adopted 1984; rep. by Ord. 1006, §1, adopted 1998.

The Ukiah City Code is current through Ordinance 1215, passed July 7, 2021.

Disclaimer: The City Clerk's office has the official version of the Ukiah City Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: http://www.cityofukiah.com/
City Telephone: (707) 463-6217

Code Publishing Company

From:	Jason Benson
To:	Jesse Davis
Cc:	Tim Eriksen; Daniel Flores
Subject:	RE: City of Ukiah Project Referral - Minor Use Permit (#21-6558) - Professional Office at 677 No State Street
Date:	Thursday, October 14, 2021 10:20:50 AM
Attachments:	image002.png image004.png image003.png

Jesse –

Public Works has reviewed this project and comments are below:

1. Sewer lateral test.

Thank you,
Jason Benson

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

From: Jesse Davis <jdavis@cityofukiah.com>
Sent: Monday, October 4, 2021 3:48 PM
Subject: City of Ukiah Project Referral - Minor Use Permit (#21-6558) - Professional Office at 677 No State Street

Hello All,

Please see attached for a public agency referral for a proposed Minor Use Permit at 677 North State Street, Ukiah, CA, 95482 (APN: 002-121-15). A project description is included, below:

Mendocino Community Health Clinic, Inc. (MCHC) recently purchased the existing commercial structure located at 677 North State Street for use by its administrative staff as a 'Professional Office'. The proposed office will not be open to the general public, nor will it accommodate any medical or personal service. Based on the project description, the Applicant will utilize cubicles and existing offices to accommodate 20-30 staff members in the near-term. Per Ukiah City Code §9097, 'Professional Office' uses require approval of a use permit pursuant to the provisions contained in §9262. No alterations to parking, existing landscape, building footprint, or the exterior of the structure are requested.

The requested comments for this public referral are appreciated by **October28, 2021**. Thank you in advance.

Best Regards,
Jesse Davis

Jesse Davis, AICP
Planning Manager
Department of Community Development
300 Seminary Avenue, Ukiah, CA 95482
P: 707.463.6207
www.cityofukiah.com/community-development

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT REVIEW REFERRAL

Please provide comments by: October 28, 2021

The City of Ukiah Community Development Department is soliciting input on the project described below for use in the staff analysis, CEQA document, and public hearing documents. Please identify any questions you have or missing information you need to complete your review, as well as suggested Conditions of Approval.

TO:			
X	City Electric Utility Dept - Jimmy Lozano & Scott Bozzoli	X	Ukiah Police Department – Nobel Waidelich
X	City Building Official – Matthew Keiser	X	Ukiah Valley Fire Authority – Ian Broeske
X	City Public Works Dept. – Tim E & Jason B.	X	Air Quality Management District (MCAQMD)
X	Community Development - Craig Schlatter		
FROM PROJECT PLANNER: Jesse Davis, (707) 463-6207			

PROJECT INFORMATION:	
Project Name & Permit #:	MCHC Health Centers – Professional Offices
Site Address & APN:	677 North State Street; APN 002-121-15
General Plan:	'C' – Commercial
Zoning:	'C-2' – Heavy Commercial
Airport Compatibility Zone:	N/A
Date Filed:	09-28-21
Resubmittal:	N/A
Date Referred:	10-04-21
Prev. Projects on Site (include file #)	#12-01 (Aaron's Rental); #95-11 (Fitness Center); 84-9 (Commercial Laundry)
Applicant/Agent Name:	Tiffany Williams, Director of Ancillary Operations, Safety Officer
Agent Phone:	707-472-4620
Agent Email:	Tiffany Williams: TWilliams@mchcinc.org

Project Summary: Mendocino Community Health Clinic, Inc. (MCHC) recently purchased the existing commercial structure located at 677 North State Street for use by its administrative staff as a 'Professional Office'. The proposed office will not be open to the general public, nor will it accommodate any medical or personal service. Based on the project description, the Applicant will utilize cubicles and existing offices to accommodate 20-30 staff members in the near-term. Per Ukiah City Code §9097, 'Professional Office' uses require approval of a use permit pursuant to the provisions contained in §9262. No alterations to parking, existing landscape, building footprint, or the exterior of the structure are requested.

Please indicate whether you have comments and sign and date below. Return this Project Referral Form by the date noted above to the Project Planner listed.

Name and Affiliation/Department (please print) Jimmy Lozano - COU Electric Utility

☑ No Comment

☐ Comments / Conditions of Approval Attached

10/05/2021

Signature **Date**

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

Comments / Conditions of Approval: