



Planning Commission

Regular Meeting AGENDA

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

January 8, 2020 - 6:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4.a. Approval of November 19, 2019 Regular Meeting Minutes

Recommended Action: Review and approve November 19, 2019 Regular Meeting Minutes

Attachments:

1. 2019-11-19 PC Draft Minutes

5. APPEAL PROCESS

All determinations of the Planning Commission regarding major discretionary planning permits are final unless a written appeal, stating the reasons for the appeal, is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by January 20, 2020.

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

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

7. SITE VISIT VERIFICATION

8. VERIFICATION OF NOTICE

9. PLANNING COMMISSIONERS REPORT

10. DIRECTOR'S REPORT

11. CONSENT CALENDAR

- 11.a. Recommendation of Approval to the City Council of Final Major Subdivision Map for Gobbi Commons, and Authorize the Chair of the Planning Commission to sign the Certification; project located at 250 West Gobbi Street; APN 001-306-06. File No: 19-4625.

Recommended Action: Recommendation of Approval to the City Council

Attachments:

1. 250 W Gobbi_SR_Final
2. Gobbi Commons Final Map

12. NEW BUSINESS

- 12.a. Request for Review of a Major Use Permit and Parking Variance Request to Allow a Cannabis Manufacturing (non-volatile) and Dispensary/Retail Operation in an Existing Building at 441 North State Street; APN 002-186-19; File No. 19-4434

Recommended Action: Conditional Approval

Attachments:

1. 441 N State_Element 7_Staff Report
2. ATT 1_441 N State_Element 7_MaUP DRAFT Findings
3. ATT 2_441 N State_Element 7_MaUP DRAFT COA
4. ATT 3a Application
5. ATT 3b Site Plans
6. ATT 3c Odor Management and Control Plan
7. ATT 3d Signage Renderings
8. ATT 3e Operating Plans
9. ATT 4 Agency Comments

- 12.b. Request for Review of a Major Use Permit with Major Exception to Allow Operation of a Cannabis Microbusiness to Include Cultivation, Distribution, and Dispensary/Retail in an Existing Building at 270, 272 & 274 East Smith Street; APN 002-191-23; File No. 19-4635.

Recommended Action: Conditional Approval

Attachments:

1. 270 E Smith St_WCCannasseurs_SR_Final
2. ATT 1 Draft Findings
3. ATT 2 Draft Conditions
4. ATT 3a Application
5. ATT 3b Site Plans
6. ATT 3c Lighting Plans
7. ATT 3d Odor Control
8. ATT 3e Standard Operating Procedures
9. ATT 4 CC Minutes 20191002
10. ATT 5 Agency Comments

13. UNFINISHED BUSINESS

14. ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection at the front counter at the Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA 95482, during normal business hours, Monday through Friday, 8:00 am to 5:00 pm.

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
PLANNING COMMISSION MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
November 19, 2019
6:00 p.m.

1. CALL TO ORDER

The City of Ukiah Planning Commission met at a Regular Meeting on November 19, 2019, having been legally noticed on November 14, 2019. Chair Wetzel called the meeting to order at 6:00 p.m.

CHAIR WHETZEL PRESIDING.

Clerk note: meeting was adjourned to Conference Room 3.

2. ROLL CALL

Roll was taken with the following **Commissioners Present:** Ruth Van Antwerp, Linda Sanders, Mark Hilliker, Laura Christensen, and Mike Whetzel; **Staff Present:** Craig Schlatter, Community Development Director; and Pamela Mathias, Deputy Clerk.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Whetzel.

4. APPROVAL OF MINUTES

a. Approval of the October 22, 2019, Regular Meeting Minutes.

Motion/Second: None Motion **carried** by the following roll call vote: AYES: Van Antwerp, Christensen, Sanders, Hilliker, and Chair Whetzel. NOES: None. ABSENT: None. ABSTAIN: None.

5. APPEAL PROCESS

No matters eligible for appeal were heard.

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No public comment was received.

7. SITE VISIT VERIFICATION

Confirmed by Commissioners.

8. VERIFICATION OF NOTICE

Confirmed by Staff.

9. PLANNING COMMISSIONERS' REPORT

Presenter: Chair Whetzel.

10. PLANNING COMMISSION DIRECTOR'S REPORT

Presenter: Craig Schlatter, Community Development Director.

11. CONSENT CALENDAR

No items on consent calendar.

12. NEW BUSINESS

No new business.

13. UNFINISHED BUSINESS

a. Discussion and Possible Action Regarding Planning Commission Orientation Packet.

Presenter: Craig Schlatter, Community Development Director.

Motion/Second: General Consensus to approve recommended use of a new orientation packet with added glossary for the Planning Commission.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 7:34 p.m.

Pamela Mathias, Deputy Clerk



DATE: January 8, 2020
TO: Planning Commission
FROM: Mireya G. Turner, Associate Planner

SUBJECT: Make Recommendation of Approval to the City Council of Final Major Subdivision Map for Gobbi Commons, and Authorize the Chair of the Planning Commission to sign the Certification; project located at 250 West Gobbi Street; APN 001-306-06. File No: 19-4625.

SUMMARY

OWNERS:	Guillon, Inc.
APPLICANT:	Guillon, Inc.
LOCATION:	937 ft west of South State Street, and 280 ft east of South Dora Street. Address: 250 West Gobbi Street; APN: 001-306-06
TOTAL ACREAGE:	±0.943 acre gross (41,077 sf); ±0.863 acre net (37,592 sf)
GENERAL PLAN:	Medium Density Residential
ZONING DISTRICT:	Medium Density Residential-Planned Development (R2-PD)
AIRPORT COMPATIBILITY ZONE	D (Other Airport Environs)
ENVIRONMENTAL DETERMINATION:	Project is exempt, pursuant to CEQA Guidelines §15268(b)(3), ministerial projects are exempt from CEQA
RECOMMENDATION:	Approval



PROJECT DESCRIPTION AND BACKGROUND

Location. The proposed Gobbi Commons Project site is located at 250 West Gobbi Street, between South Dora Street and South State Street. The parcel is currently vacant, generally flat, and has been lightly graded in compliance with an issued grading permit, in preparation of development of eight detached, single-family dwellings.

Project Description. An application was received from Guillon, Inc. for approval of a Tentative Major Subdivision Map, Planned Development Rezone with Precise Development Plan and Major Site Development Permit that would allow 1) subdivision of one ±0.943 acre (gross) parcel into nine parcels, and 2) the development of eight single-family dwellings at 250 West Gobbi Street.

UCC §8003 delegates the authority to the Planning Commission to review the design and improvement of proposed subdivisions, and make a recommendation to the City Council. The project, including the Tentative Subdivision Map, was approved, as conditioned, by the Planning Commission on October 22, 2019, and the City Council on November 6, 2019. Certain approved conditions were required to be completed prior to the approval and recordation of the Final Map. The City Engineer has reviewed the submitted Final Map and has determined that the map is correct, and the map is in compliance with §8272, of the UCC Subdivision Ordinance, and that all applicable Conditions of Approval have been met. UCC §8273 and §8274 requires the Final Subdivision Map to be approved by the Planning Commission, as well as City Council. Additionally, §8267 requires the signature of the Planning Commission Chair on the Certification page of the Final Map. The proposed Final Map is included as **Attachment 1**.

No amendments to the project, including the approved Major Site Development Permit, Planned Development Rezone and Precise Development Plan are proposed as a part of this item.

ENVIRONMENTAL DOCUMENTATION

According to California Environmental Quality Act (CEQA) Guidelines §15268(b)(3), approval of the Final Subdivision Map is considered a ministerial project, and therefore, exempt from CEQA.

§15268(b):

In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the following actions shall be presumed to be ministerial:

- (1) Issuance of building permits.*
- (2) Issuance of business license.*
- (3) **Approval of final subdivision maps.***
- (4) Approval of individual utility service connections and disconnections.*

Staff Report
Gobbi Commons Final Subdivision Map
250 West Gobbi Street
File No.: 19-4625

NOTICE

Approval of a Final Subdivision Map does not require a public hearing, so public noticing of this item is limited to the posted agenda.

RECOMMENDATION

Staff recommends the Planning Commission provide City Council a recommendation of approval of the Final Major Subdivision Map, and authorize the Planning Commission Chair to sign the Certification page of the Final Map.

ATTACHMENTS

1. Proposed Final Map

OWNER'S STATEMENT

THE UNDERSIGNED BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION TO THE CITY OF UKIAH THE FOLLOWING:

- PARCEL B, AS SHOWN ON SHEET 2 HEREOF

OWNER: GUILLON, INC., A CALIFORNIA CORPORATION

DOUGLAS GUILLON, MANAGING GENERAL PARTNER

ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF MENDOCINO

ON _____ BEFORE ME, _____ ,

PERSONALLY APPEARED _____ , WHO

PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT, THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

NAME _____ SIGNATURE _____

MY COMMISSION EXPIRES

NOTARY PUBLIC IN AND FOR THE
COUNTY OF MENDOCINO _____
STATE OF CALIFORNIA

MAYOR'S STATEMENT

I, _____, MAYOR OF THE CITY OF UKIAH, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF UKIAH, AT A

MEETING HELD ON _____, 20____, AT WHICH A

QUORUM WAS PRESENT, APPROVED THIS MAP AND ACCEPTED ON BEHALF OF THE PUBLIC THE OFFER OF DEDICATION OF PARCEL B FOR THE PURPOSES SET FORTH HEREON.

MAYOR _____ DATE _____
CITY OF UKIAH, STATE OF CALIFORNIA

CITY CLERK _____ DATE _____
CITY OF UKIAH, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF STEVE HONEYCUTT ON OCTOBER 18, 2019.

I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED, OR CONDITIONALLY APPROVED, TENTATIVE MAP, IF ANY. I FURTHER STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON OR BEFORE DECEMBER 15, 2019, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BRADLEY A. THOMAS, PLS 5520
MY LICENSE EXPIRES 30-SEPT-2020

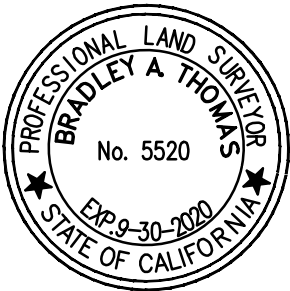
DATE



ACCURACY STATEMENT

I, BRADLEY A. THOMAS, HEREBY STATE THAT ALL SURVEY WORK REQUIRED IN THE PREPARATION OF THIS MAP AND RELATED MONUMENTATION WAS PERFORMED TO A MINIMUM ACCURACY OF 1:5,000.

BRADLEY A. THOMAS, PLS 5520
MY LICENSE EXPIRES 30-SEPT-2020



CITY ENGINEER'S STATEMENT

I, TIMOTHY E. ERIKSEN, HEREBY STATE THAT I HAVE EXAMINED AND CHECKED THIS PARCEL MAP AND THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARS ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AND I FURTHER STATE THAT SAID MAP IS IN CONFORMANCE WITH TITLE 7, DIVISION 2, CHAPTER 2, OF THE GOVERNMENT CODE, STATE OF CALIFORNIA, AND THE UKIAH CITY CODE.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL, AT UKIAH, CALIFORNIA,

THIS _____ DAY OF _____, 20____.

TIMOTHY E. ERIKSEN, CITY ENGINEER
R.C.E. 62230
MY LICENSE EXPIRES 30-SEPT-2021

CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT THE MAP OF THIS SUBDIVISION WAS EXAMINED BY ME OR UNDER MY DIRECTION; THAT IT IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AMENDED AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

HOWARD N. DASHIELL, CITY SURVEYOR
L.S. 7148
LICENSE EXPIRES 30-JUNE-2021

COUNTY AUDITOR'S STATEMENT

THIS IS TO STATE THAT, ACCORDING TO THE RECORDS OF THIS OFFICE, THERE ARE NO LIENS AGAINST THE SUBDIVISION OR ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL, OR LOCAL TAXES, OR SPECIAL ASSESSMENTS, NOT YET PAYABLE,

DATE

BOND STATEMENT

I, CARMEL J. ANGELO, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, HEREBY STATE THAT THE BOND OR DEPOSIT AS REQUIRED BY THE SUBDIVISION MAP ACT, SECTION 66464 OF TITLE 7 OF THE GOVERNMENT CODE, DIVISION 2, HAS BEEN FILED.

DATED THIS _____ DAY OF _____, 2019.

CARMEL J. ANGELO, CLERK, BOARD OF SUPERVISORS

BY _____
DEPUTY

PLANNING COMMISSION CERTIFICATE

THIS IS TO STATE THAT THE PLANNING COMMISSION OF THE CITY

OF UKIAH, STATE OF CALIFORNIA, ON THIS ____ DAY OF _____,

20____, EXAMINED THIS MAP AND FINDS THAT SAID MAP CONFORMS WITH THE ACTION TAKEN ON THE TENTATIVE MAP THEREOF AND HEREBY APPROVES THE SAME.

CHAIR OF THE PLANNING COMMISSION
CITY OF UKIAH, STATE OF CALIFORNIA

PROOF OF OWNERSHIP STATEMENT

I HEREBY STATE THAT THE PROOF OF OWNERSHIP STATEMENT MADE

BY _____ THIS ____ DAY OF _____, 20____,

CONFORMS TO THE PROVISIONS OF THE SUBDIVISION MAP ACT.

KATRINA BARTOLOMIE, ASSESSOR, COUNTY CLERK-RECORDER

BY _____
DEPUTY

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT ____ M.,

IN MAPS, DRAWER _____, PAGES _____, M.C.R., AT THE

REQUEST OF BRADLEY A. THOMAS.

KATRINA BARTOLOMIE, ASSESSOR, COUNTY CLERK-RECORDER

BY _____
DEPUTY

FEE: _____

TRACT NO. _____
GOBBI COMMONS SUBDIVISION

BEING A MAJOR SUBDIVISION OF THE
LANDS OF GUILLON, INC., I.N. 2019-13372

EIGHT LOTS TOTALING 0.64 ACRES,
ONE SHARED COMMON AREA OF 0.22 ACRES
AND A DEDICATION OF 172 SQUARE FEET

PORTION OF LOT 26 OF THE YOKAYO RANCHO
LYING WITHIN THE CITY OF UKIAH

COUNTY OF MENDOCINO STATE OF CALIFORNIA
APN 001-306-06

NOVEMBER 2019

BY
LACO ASSOCIATES
1-800-515-5054 www.lacoassociates.com

DRAWN BY DJC
NOVEMBER 26, 2019 FILE No. 9100.03

SHEET 1-CERTIFICATES
SHEET 2-MAP
SHEET 3-SUPPLEMENTAL INFORMATION

SHEET 1 OF 3

MAPS

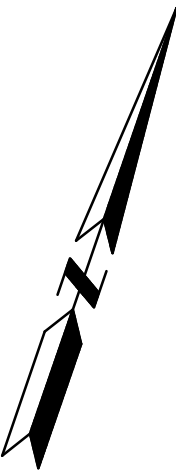
DRAWER _____

PAGE _____

TITLE REPORT

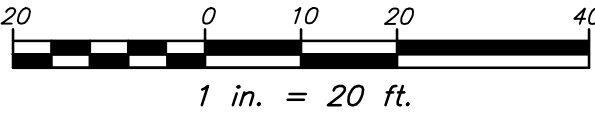
MID VALLEY TITLE & ESCROW COMPANY ORDER No. 0401-6078723

All distances in U.S. Survey Feet and decimals thereof.



BASIS OF BEARINGS

North 71°47'00" East between found monuments along Gobbi Street, as shown on a map filed in Map Case 2, Drawer 57, Page 1, M.C.R.



LEGEND

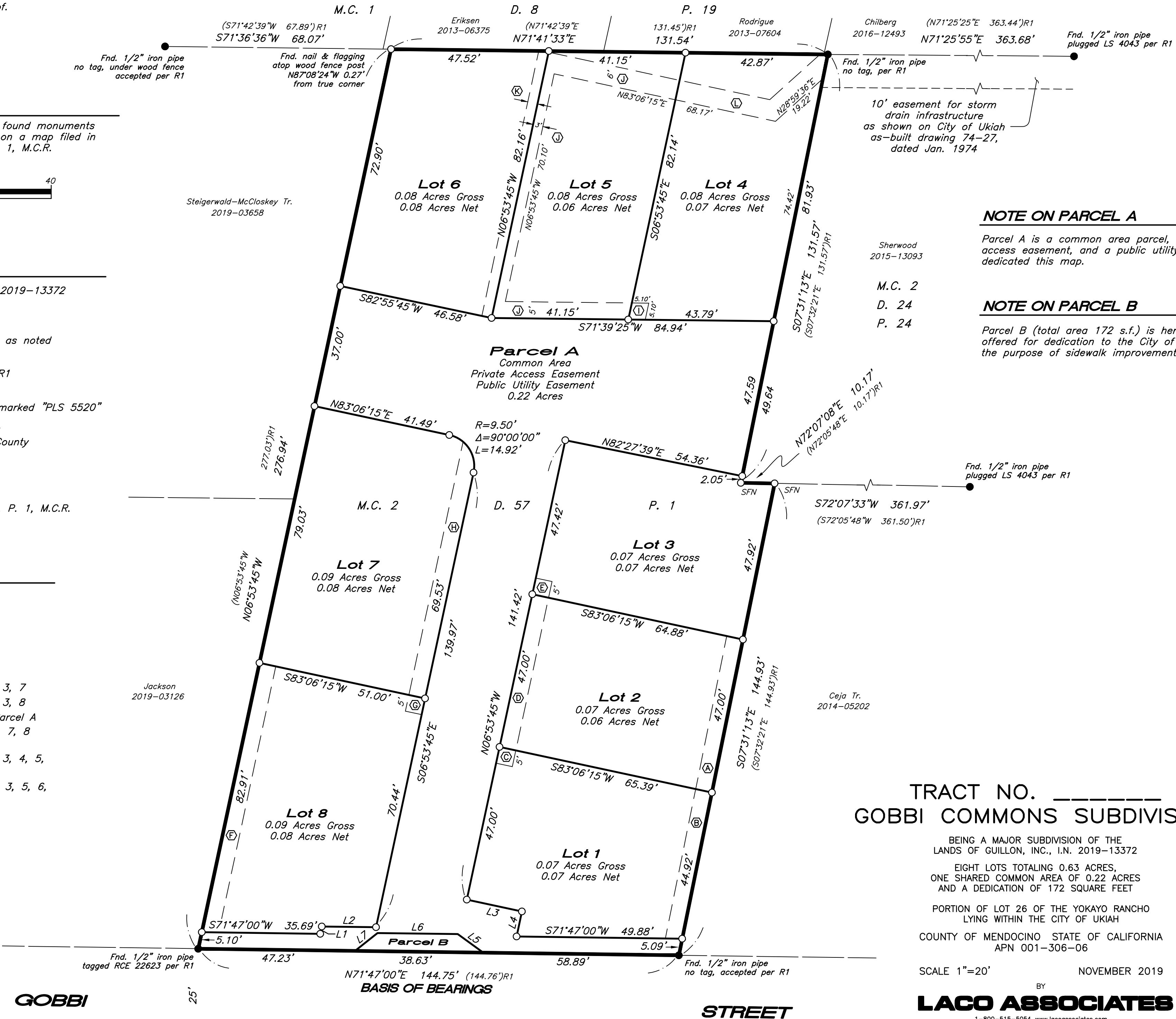
- Lands of Guillon, Inc., per I.N. 2019-13372
- New lot line, this subdivision
- Adjoiner lot line
- New easement, this subdivision, as noted
- - - Existing easement as noted
- - - Centerline of Gobbi Street per R1
- Found monument as noted
- Set 1/2" rebar & plastic cap marked "PLS 5520"
- M.C., D., P. Map Case, Drawer, Page, M.C.R.
- M.C.R. Official Records of Mendocino County
- SFN Searched found nothing
- P.D.E. Private drainage easement
- I.F.O. In favor of
- ()R1 Record data per M.C. 2, D. 57, P. 1, M.C.R. Filed Jan. 20, 1993

NEW EASEMENTS

- (A) 5' wide P.D.E. over Lot 2 I.F.O. Lot 3
- (B) 5' wide P.D.E. over Lot 1 I.F.O. Lots 2, 3
- (C) 5' wide P.D.E. over Lot 1 I.F.O. Lots 2, 3
- (D) 5' wide P.D.E. over Lot 2 I.F.O. Lots 1, 3
- (E) 5' wide P.D.E. over Lot 3 I.F.O. Lot 2
- (F) 5' wide P.D.E. over Lot 8 I.F.O. Lot 7
- (G) 5' wide P.D.E. over Lot 8 I.F.O. Lots 1, 2, 3, 7
- (H) 5' wide P.D.E. over Lot 7 I.F.O. Lots 1, 2, 3, 8
- (I) 5' wide P.D.E. over Lot 4 I.F.O. Lot 5 & Parcel A
- (J) P.D.E. over Lot 5 I.F.O. Lots 1, 2, 3, 4, 6, 7, 8 & Parcel A, width varies as shown
- (K) 3' wide P.D.E. over Lot 6 I.F.O. Lots 1, 2, 3, 4, 5, 7, 8 & Parcel A
- (L) 6' wide P.D.E. over Lot 4, I.F.O. Lots 1, 2, 3, 5, 6, 7, 8 & Parcel A

LINE TABLE

L1	S06°53'45"E	2.25'
L2	S71°47'00"W	16.32'
L3	S83°06'15"W	16.98'
L4	N06°53'45"W	7.71'
L5	S72°57'53"E	9.51'
L6	N71°44'13"E	24.17'
L7	N32°32'57"E	8.64'



NOTE ON PARCEL A

Parcel A is a common area parcel, a private access easement, and a public utility easement, dedicated this map.

NOTE ON PARCEL B

Parcel B (total area 172 s.f.) is hereby offered for dedication to the City of Ukiah for the purpose of sidewalk improvements.

**TRACT NO. _____
GOBBI COMMONS SUBDIVISION**

BEING A MAJOR SUBDIVISION OF THE
LANDS OF GUILLON, INC., I.N. 2019-13372

EIGHT LOTS TOTALING 0.63 ACRES,
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PORTION OF LOT 26 OF THE YOKAYO RANCHO
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APN 001-306-06

SCALE 1"=20' NOVEMBER 2019

BY
LACO ASSOCIATES

1-800-515-5054 www.lacoassociates.com

DRAWN BY DJC
NOVEMBER 26, 2019

FILE No. 9100.03

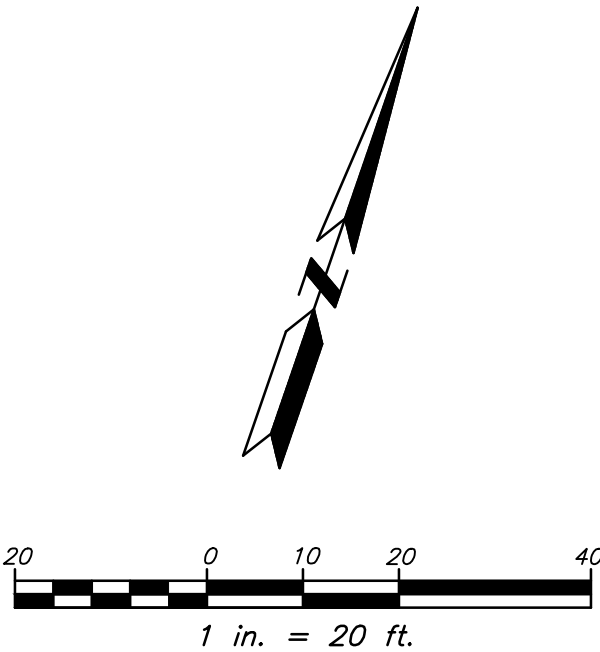
SHEET 2 OF 3

MAPS

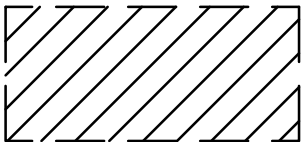
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PAGE

All distances in U.S. Survey Feet and decimals thereof.
Tie lines perpendicular unless noted otherwise.



LEGEND



BMP Facilities – see Standard Urban Stormwater Mitigation Plan, dated _____, prepared by LACO Associates, and Maintenance Agreement for Monitoring Stormwater BMP Facilities and Declaration of Covenants, per Inst. No. _____ M.C.R.



**SUPPLEMENTAL
INFORMATION
SHEET**

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1-800-515-5054 www.lacoassociates.com

DRAWN BY DJC
NOVEMBER 26, 2019 FILE No. 9100.03

SHEET 3 OF 3
MAPS
DRAWER _____
PAGE _____



AGENDA SUMMARY REPORT

SUBJECT: Request for Review of a Major Use Permit and Parking Variance Request to Allow a Cannabis Manufacturing (non-volatile) and Dispensary/Retail Operation in an Existing Building at 441 North State Street; APN 002-186-19; File No. 19-4434

DEPARTMENT: Community Development

PREPARED BY: _____

ATTACHMENTS:

1. 441 N State_Element 7_Staff Report
2. ATT 1_441 N State_Element 7_MaUP DRAFT Findings
3. ATT 2_441 N State_Element 7_MaUP DRAFT COA
4. ATT 3a Application
5. ATT 3b Site Plans
6. ATT 3c Odor Management and Control Plan
7. ATT 3d Signage Renderings
8. ATT 3e Operating Plans
9. ATT 4 Agency Comments

Summary:

Background:

Discussion:

Recommended Action: Conditional Approval

BUDGET AMENDMENT REQUIRED: _____

CURRENT BUDGET AMOUNT: _____

PROPOSED BUDGET AMOUNT: _____

FINANCING SOURCE: _____

PREVIOUS CONTRACT/PURCHASE ORDER NO.: _____

COORDINATED WITH: _____

Approved: _____

Sage Sangiacomo, City Manager



DATE: January 8, 2020
TO: Planning Commission
FROM: Mireya G. Turner, Associate Planner
SUBJECT: Request for Review and Recommendation for Major Use Permit and Parking
Variance Request to Allow a Cannabis Manufacturing (non-volatile) and
Dispensary/Retail Operation in an Existing Building at 441 North State Street. APN
002-186-19; File No. 19-4434.

SUMMARY

OWNER: Allen Ling, TTE
APPLICANT: Robert Divito, Jr.
Element 7 Ukiah, LLC
LOCATION: 441 North State Street (APN 002-186-19)
TOTAL ACREAGE: ±0.18-acre (7,840.8 sf)
GENERAL PLAN: Commercial (C)
ZONING DISTRICT: Community Commercial (C-1)
AIRPORT COMPATIBILITY: Common Traffic Pattern (C)
**ENVIRONMENTAL
DETERMINATION:** Categorical Exemption, pursuant to CEQA Guidelines Article
19 Section 15301, Existing Facilities, Class 1(a)
RECOMMENDATION: Conditional Approval (see Draft Findings in **Attachment 1**
and Draft Conditions of Approval in **Attachment 2**)

Staff Report
Major Use Permit & Variance
Element 7 Ukiah, 441 North State Street
File No.: 19-4434



PROJECT DESCRIPTION AND BACKGROUND

An application was received from Robert Divito of Element 7 Ukiah, LLC for approval of a Major Use Permit to allow the operation of a cannabis manufacturing (non-volatile), and retail/dispensary facility. The project also includes a request for a variance from the parking regulations. The application and project description are included as **Attachment 3a** and development plans are included as **Attachment 3b**. The project would include the following components.

- Non-volatile manufacturing, consisting of packaging of adult use and medicinal cannabis pre-rolls, 96 sf retail/dispensary space, and 90 sf complementary self-administered spa treatments with non-cannabis infused products, within an existing 1,926 sf, two-story, 26 ft high building;
- Three (3) on-site parking spaces (one standard, one ADA, and one delivery loading zone) within a 1,800 sf parking lot; additional off-site parking along North State Street and North Main Street is available;
- Exterior building and parking lot lighting (down-shielded and dark sky compliant-see lighting details on **Attachment 3c**);
- Odor control features including polarized carbon filters, ozone generators, air curtains and air quality enhancing plants (see **Attachment 3b**; Site Plans);
- Signage including a 6' x 4' "Element 7" sign on the wall of the facility, and a small hanging sign above the entry way, (See **Attachment 3e**, Site Plan and Elevations included in **Attachment 3B**);
- Existing landscaping to remain; new landscaping is not proposed with this project;
- Security features such as surveillance cameras, alarms, card reader entry, etc.; a six-foot wrought iron security fence around the site's North Main Street perimeter, and along the side lot lines to the top of bank of Gibson Creek closest to the building, with a locked delivery gate on North Main Street, and pedestrian gate along North State Street frontage, and on-site security guard.
- 20-30 retail deliveries per day and one weekly delivery of cannabis for manufacturing are anticipated with use of one delivery vehicle;
- Operations will be staffed with up to 12 employees; with no more than four per shift.
- Operating hours for Element 7 Ukiah would be as follows:
Dispensary:
7:00 a.m. to 8:00 a.m. - Opening Procedures (no public access)
9:00 a.m. to 9:00 p.m. – Dispensary Operations
9:00 p.m. to 10:00 p.m. – Closing Procedures (no public access)

Manufacturing:
8:00 a.m. to 8:00 p.m. – Manufacturing Operations



The property is located at 441 North State Street and is bounded by North Main Street to the east. Gibson Creek intersects the parcel at the Northwest corner, and traverses the parcel in a southeasterly direction. A floodway line parallels the creek on either side, across the entire parcel. An existing accessible path to the project site begins at North State Street, proceeding west and crossing Gibson Creek via an existing bridge. The landscaping contains trees, grasses, and ivy. The existing parking lot located on the back portion of the parcel along North Main Street contains one standard parking space and one ADA parking space. The existing 1,872 sf building is located on the eastern half of the parcel, 39 feet away from the creek at its closest point, and outside the corresponding floodway. The majority of the structure was relocated to the parcel in 2003, with new construction taking place on the first floor. It was most recently used as professional office space.

SURROUNDING LAND USE AND ZONING

The parcel carries a General Plan Land Use designation of Commercial (C) and is zoned Community Commercial (C1). The project site is surrounded by parcels zoned Commercial (C1), and Urban Commercial (UC). The site is located outside of the Downtown Zoning District, but is within the Downtown Parking Improvement District #1. The following uses are directly adjacent to the parcel.

	ZONING:	USE:
NORTH	Community Commercial	Professional offices
EAST	Community Commercial	Retail/commercial and Circle Trailer Park
SOUTH	Community Commercial and Urban Center	Retail/commercial and automotive repair
WEST	Community Commercial	Single-family and multi-family residential



AGENDA ITEM NO. 12A
 Department of Community Development
 Planning Division
 300 Seminary Ave.
 Ukiah, CA 95482

Figure 1. General Plan



Figure 2. Zoning Designation

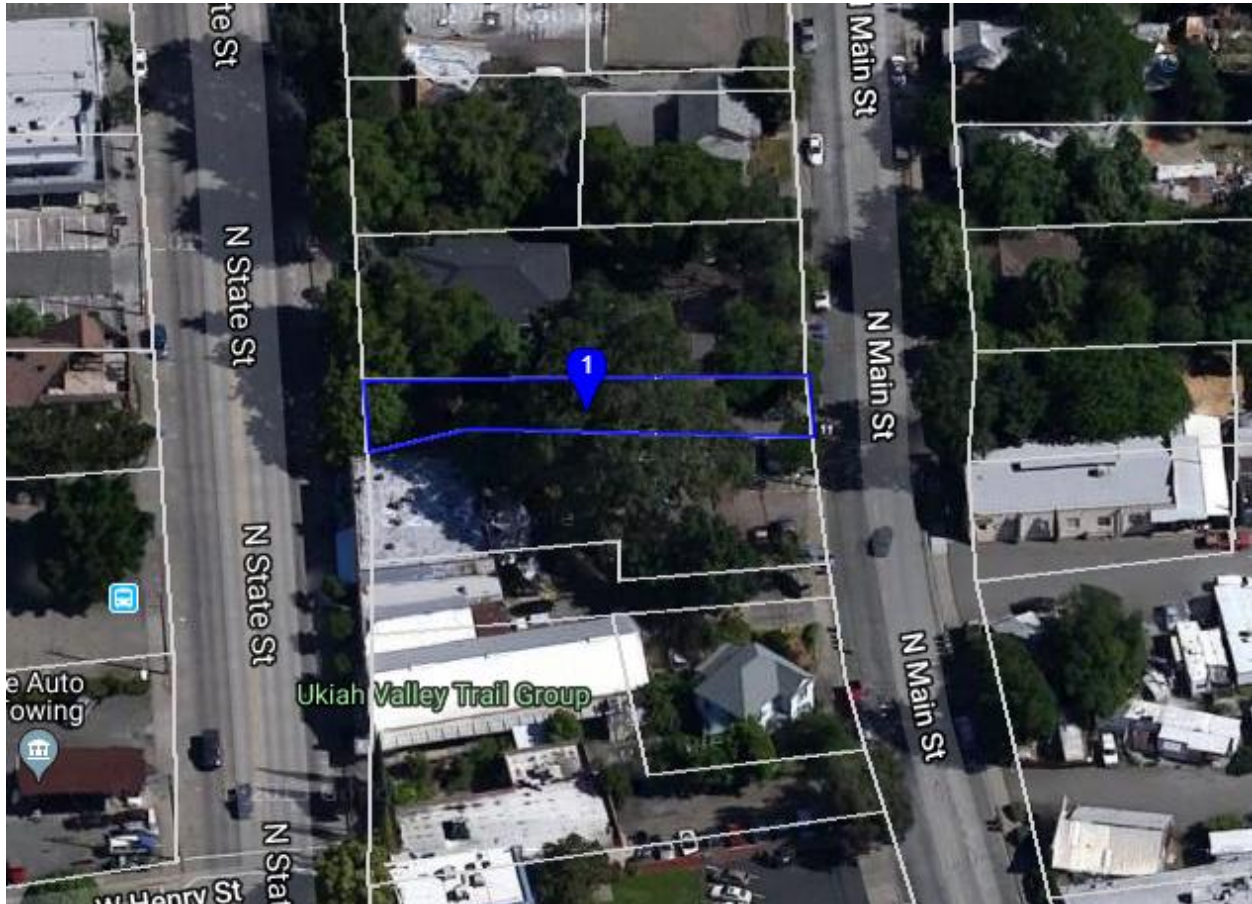


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Figure 3. Aerial Map



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Figure 4: View from North State Street



Figure 5: North State Street frontage



Figure 6: View from North Main Street



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AGENCY COMMENTS

Project referrals were sent to the following responsible or trustee agencies with interest or jurisdiction over the project: City of Ukiah Building Division, City of Ukiah Electric Utility Department, City of Ukiah Police Department, City of Ukiah Department of Public Works, Ukiah Valley Fire Authority, and State Department of Social Services. The agencies' comments are included in **Attachment 4** and recommended Conditions of Approval are contained in **Attachment 2**.

STAFF ANALYSIS

General Plan and Zoning Consistency

Use. The parcel carries a General Plan Land Use designation of Commercial (C) and is zoned Community Commercial (C1). Per UCC §9215, cannabis related businesses are allowed in the Community Commercial zoning district with approval of a Major Use Permit. New construction and exterior modifications are not proposed in the project. Findings required for approval of Use Permits per UCC §9262(e) are included in **Attachment 1** and subject to Conditions of Approval contained within **Attachment 2**. In addition to the findings required in §9262 of this Code, the Planning Commission shall consider additional criteria related to security and crime in determining whether to grant or deny a Dispensary Use Permit (UCC §5710) which are also included as **Attachment 1**.

In addition to required application submittal documents, permit procedures and operating requirements, the ordinances above list siting restrictions for cannabis related businesses. Specifically, cannabis related businesses cannot be located. The project is consistent with the siting requirements of §9174.2, as it is not within the restricted distances to residences, schools, youth-oriented facilities, or other cannabis related business (see Neighborhood Context Map included as Sheet A0.2 of **Attachment 3b**). North Main Street, an intervening, non-residential use, separates the Project Parcel from the residences across the street. The State Department of Social Services Licensing Division staff confirmed that there are no licensed daycares within 250 ft of the project.

The applicant has submitted all required documents including a complete application, a Security Plan (omitted from the attachments for security reasons), Standard Operating Procedures (**Attachment 3e**), etc. in compliance with the aforementioned ordinances. In addition, the Applicant has successfully completed the Live Scan background process through the Ukiah Police Department. The project is consistent with all other requirements contained within the above applicable ordinances for cannabis related businesses. In addition, the project is consistent with the Ukiah City Code for development in the Community Commercial zoning district, with the exception of number of on-site parking spaces, as summarized below.

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Setbacks. The project parcel has a two-story structure, placed at its current location in 2003, fronted by both North State Street and Main Street. Per UCC §9085, multiple story buildings shall have a five foot (5') setback along both street frontages. For rear and side yards, no setback is required. The existing building is set back approximately 100 ft from North State Street and 64 ft from North Main Street; meeting the requirements of the UCC. The project does not propose expansion of the existing building's footprint.

Parking Variance. UCC 5710(Q) requires parking be provided at a rate of one space for every 250 gross sf of retail space, office space, and similar floor areas. However, UCC §9198(B)(1) allows for one parking space for each 350 sf of leasable space for retail stores within the Parking District #1, such as the Element 7 project. In addition, UCC §9198(G)(1) for industrial (manufacturing) uses 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. Lastly, UCC §9198(F)(5) requires one parking space for each 250 sf of health facility and spa space. Computation of parking spaces, with fractional spaces, is rounded up to one space when the fraction is one half or greater. Bicycle parking is not required in the C1 zoning district.

Based on these regulations, the project is required to provide nine (9) parking spaces. The project proposes one (1) standard parking space, one (1) accessible space, and one (1) delivery parking space on-site, for a total of three (3) parking spaces. The Applicant has requested a variance from the parking requirements for a reduction of six (6) spaces.

UCC §7388 states,

- "1. It is desirable to allow full development of many parcels within Parking District #1 and to provide off-site parking; and*
- 2. It is desirable in certain cases to allow variance from on-site parking requirements in Parking District #1 or other parking districts established by City Council."*

UCC §7388 grants the Planning Commission the authority to reduce the required parking, based on one or more of the following grounds:

- 1. The refusal to allow a variance would make a proper use of the property unfeasible;*
- 2. Physical impossibility or unsuitability of the property to comply with on-site parking requirement;*
- 3. Proximity to an under utilized public parking lot which would reduce the need for on-site parking;*
- 4. Specific conditions exist which particularly affect the subject property as opposed to other properties in the District similarly situated;*
- 5. Specific conditions exist as to the type of business enterprise or use permitted by the Commission and which may affect the need for on-site parking.*



The current on-site parking is located on the eastern side of the parcel, within the 30 feet between the existing building and North Main Street. Two of the three on-site spaces are existing. The proposed additional space has been located in the last available space in the parking lot on the Main Street side of the parcel. These spaces will be secured by a locked gate, and will not be immediately accessible by the public. Due to the size, natural features (Gibson Creek), and existing development of the parcel (as described in the Background section above) there is not sufficient space for additional on-site parking. However, additional parking spaces are immediately available along both North State Street and North Main Street. Findings for this variance request have been included to the Draft Findings in **Attachment 1**.

Height. Per UCC §9113, the maximum building height is 50 feet. The existing building is 26 feet in height and the project does not propose a height increase.

Landscaping. UCC §9087(D)(1)(i) requires 20% of the gross area of the parcel to be landscaped. The project parcel is ±8,205 square feet, and currently has ±3,848 square feet, or 48% lot coverage of existing landscaping, consisting of trees, grasses, and ivy. The applicant proposes no change to the current landscaping.

Signage. Per UCC §3227, allowed signage is calculated by one and one-half (1 1/2) square feet of sign area for every ground level linear foot of parcel frontage. §5708(I)(4) allows a single sign for Cannabis Retail establishments. §9174.2(B)(6)(b) allows for a single sign for other cannabis related businesses. The project building has two frontages, along North State and North Main Streets. Based on these methods of calculation, the applicant is allowed approximately 78 sf of signage. The applicant has submitted preliminary sign information, contained within **Attachment 3e**, including plans for one 36 sf wall mounted sign, and one small hanging sign above the entry way, approximately 10 sf. This total of 46 sf is well below the 78 sf maximum. City of Ukiah standard Conditions of Approval requires the applicant to obtain a Sign Permit, in compliance with all applicable sign regulations.

Based on the analysis above and Findings in **Attachment 1**, subject to the Conditions of Approval in **Attachment 2**, Staff find that the Major Use Permit and parking variance may be granted.

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 §15301, Existing Facilities, Class 1(a) which consists of the operations, repair, maintenance, or minor alteration of existing public or private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The project involves renovations to an existing 1,586 sf building historically used for office space and residential. The project would require minor disturbance of the rear parking lot to install a fence. The project is within an urban area surrounded by similar uses and adequately served by public utilities. Work would not occur near the creek and the project would not remove any healthy, mature, scenic trees.



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 December 28, 2019
- Posted on the Project site on December 27, 2019
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing
- Mailed to property owners within 300 feet of the project parcels on December 27, 2019

RECOMMENDATION

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

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Project Application Materials
 - a. Application
 - b. Site Plans
 - c. Odor Management and Control Plan
 - d. Signage Renderings
 - e. Standard Operating Procedures
4. Agency Comments

DRAFT FINDINGS TO ADOPT A MAJOR USE PERMIT AND PARKING VARIANCE TO ALLOW THE DEVELOPMENT OF A CANNABIS MANUFACTURING (NON-VOLATILE) AND DISPENSARY/RETAIL OPERATION IN AN EXISTING BUILDING AT 441 NORTH STATE STREET. APN 002-186-19; FILE NO. 19-4434.

Recommendation for the Approval of the Major Use Permit, Variance and Findings: The Community Development Department's recommendation for conditional approval of a Major Use Permit and parking variance to allow a cannabis business to include: manufacturing, and dispensary/retail in an existing building at 441 North State Street is based in part on the following findings, in accordance with UCC Sections 9262, 5710 and 7388.

Major Use Permit Findings

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

The parcel carries a General Plan Land Use designation of Commercial (C) and is zoned Community Commercial (C1). The proposed project is consistent with the General Plan goals and policies related to commercial and light manufacturing development. With approval of the Use Permit and variance the project also complies with all requirements of the C1 zoning district. In addition, the project is consistent with all UCC regulations for cannabis related businesses.

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

The proposed project would be similar in use, and intensity, as the surrounding area which is developed with commercial/retail uses. The proposed project includes a comprehensive Security Plan, Standard Operating Procedures and odor control measures to ensure that the project will not be detrimental to the public's health and safety. In addition, the project has been reviewed by the following agencies to ensure compliance with the Ukiah City Code and other codes and regulations relating to health and safety: Ukiah Valley Fire Authority, City of Ukiah Public Works Department, City of Ukiah Police Department, City of Ukiah Electric Utility Department, and City of Ukiah Building Division. Comments have been included as Conditions of Approval, as appropriate.

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

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

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

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

Draft Findings
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The Ukiah Police Department reported receiving 346 total calls in the 400 block of North State Street and 300 block of North Main Street, within the period of 9/30/2018 through 9/30/2019. These calls account for 1% of the total number of calls for the City limits, and is not considered to be significantly higher than other areas within the City.

Crime information related to operation of this specific project will be reviewed and analyzed during the annual renewal process for the Use Permit.

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

See Finding No. 4 above.

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

The applicant has demonstrated that they are over 21 years of age by provided a copy of their driver's license.

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

The project as proposed, would be in compliance with operating requirements contained within the City Code and adopted related cannabis ordinances.

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

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

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

The proposed project location meets all siting requirements contained within local and State regulations. A Security Plan, Standard Operating Procedures and odor control measures are included as a part of the project to ensure no significant issues will arise from the project. The project has also been reviewed by the Ukiah Police Department, Ukiah Valley Fire Authority, and other agencies to ensure public safety.

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

The project includes a Security Plan with the features listed above such as lighting, alarms, surveillance, perimeter fencing, etc.that has been reviewed and approved by the Police Department. In addition, crime prevention-related Conditions of Approval have been included from the Police Department.

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

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

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

See Finding Number 10.

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

The project site is surrounded by other commercial/retail uses. In addition, the project meets all siting restrictions contained within local and State regulations to ensure compatibility with surrounding uses. Proposed operating hours for the manufacturing and retail/dispensary business would be Mon-Sun 9:00 a.m.- 9:00 p.m. for the retail/dispensary; Mon-Sun 8:00 a.m. – 8:00 p.m. for the manufacturing operation.

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

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

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

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

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

The applicant certifies that he has not knowingly made a false statement or omitted information from his application.

17. That the applicant, his or her agent or employees, or any person who is exercising managerial authority on behalf of the applicant has not been convicted of a felony, or of a

misdemeanor involving moral turpitude, or has engaged in misconduct related to the qualifications, functions or duties of a permittee.

See Finding Number 15. In addition, Live Scans will be required for all employees as a Condition of Approval.

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

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

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

The project proposes three parking spaces, including one ADA space and also a loading zone for deliveries. The Applicant has requested a variance from the parking regulations, based on findings listed below.

Variance Findings

The applicant requests a variance from UCC §5710(Q) and §9198(G)(1), requiring nine (9) on-site parking spaces. The Applicant proposes three (3) on-site parking spaces, with additional parking to be located along North State and North Main Streets. UCC §7388 authorizes the Planning Commission to grant a parking variance for parcels within City-established parking districts, based on the following findings:

20. The refusal to allow a variance would make a proper use of the property unfeasible.

The current on-site parking is located on the eastern side of the parcel, within the 30 feet between the existing building and North Main Street. Two of the three on-site spaces are existing. The proposed additional space has been located in the last available space in the parking lot on the Main Street side of the parcel. These spaces will be secured by a locked gate, and will not be immediately accessible by the public. Gibson Creek intersects the parcel at the Northwest corner, and traverses the parcel in a southeasterly direction. A floodway line parallels the creek on either side, across the entire parcel. An existing accessible path to the project site begins at North State Street, proceeding west and crossing Gibson Creek via an existing bridge. Due to the size, natural features, and existing development of the parcel there is not sufficient space for additional on-site parking. However, additional parking spaces are immediately available along both North State Street and North Main Street. Without granting of a variance from the parking required by

§9198(G)(1), the Applicant will be unable to accommodate the retail clientele, and its employees.

21. Physical impossibility or unsuitability of the property to comply with on-site parking requirement.

See Finding No. 20. The project parcel is unable to comply with the on-site parking requirement due to the size, natural features (Gibson Creek and flood plain areas), and existing development on-site.

22. Proximity to an underutilized public parking lot which would reduce the need for on-site parking.

Parallel parking is available along the entire lengths of both North State and North Main Streets, in the vicinity of the project parcel. With a maximum of four employees present per shift, and the short time length of an average retail client, the available parking spaces within the immediate vicinity of the project parcel is sufficient for the needs of the project.

23. Specific conditions exist which particularly affect the subject property as opposed to other properties in the District similarly situated.

Other neighboring parcels are limited by existing structures, however, the project parcel is the only parcel in the area which is traversed by Gibson Creek, limiting the amount of useable space.

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

Notice of Public Hearing

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

- Published in the Ukiah Daily Journal on December 28, 2019;
- Posted on the Project site on December 27, 2019;
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing; and
- Mailed to property owners within 300 feet of the project parcels on December 27, 2019.

DRAFT CONDITIONS OF APPROVAL OF A MAJOR USE PERMIT AND PARKING VARIANCE TO ALLOW THE DEVELOPMENT OF A CANNABIS MANUFACTURING (NON-VOLATILE) AND DISPENSARY/RETAIL OPERATION IN AN EXISTING BUILDING AT 441 NORTH STATE STREET.

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

Approved Project Description. An application was received from Robert Divito of Element 7 Ukiah, LLC for approval of a Major Use Permit to allow the operation of a cannabis manufacturing (non-volatile), and retail/dispensary facility. The project also includes a request for a variance from the parking regulations.

- Non-volatile manufacturing, consisting of packaging of adult use and medicinal cannabis pre-rolls, 96 sf retail/dispensary space, and 90 sf complementary self-administered spa treatments with non-cannabis infused products, within an existing 1,926 sf, two-story, 26 ft high building;
- Three (3) on-site parking spaces (one standard, one ADA, and one delivery loading zone) within a 1,800 sf parking lot; additional off-site parking along North State Street and North Main Street is available;
- Exterior building and parking lot lighting (down-shielded and dark sky compliant-see lighting details on **Attachment 3c**);
- Odor control features including polarized carbon filters, ozone generators, air curtains and air quality enhancing plants (see **Attachment 3b**; Site Plans);
- Signage including a 6' x 4' "Element 7" sign on the wall of the facility, and a small hanging sign above the entry way, (See **Attachment 3e**, Site Plan and Elevations included in **Attachment 3B**);
- Existing landscaping to remain; new landscaping is not proposed with this project;
- Security features such as surveillance cameras, alarms, card reader entry, etc.; a six-foot wrought iron security fence around the site's North Main Street perimeter, and along the side lot lines to the top of bank of Gibson Creek closest to the building, with a locked delivery gate on North Main Street, and pedestrian gate along North State Street frontage, and on-site security guard.
- 20-30 retail deliveries per day and one weekly delivery of cannabis for manufacturing are anticipated with use of one delivery vehicle;
- Operations will be staffed with up to 12 employees; with no more than four per shift.
- Operating hours for Element 7 Ukiah would be as follows:

Dispensary:

7:00 a.m. to 8:00 a.m. - Opening Procedures (no public access)

9:00 a.m. to 9:00 p.m. – Dispensary Operations

9:00 p.m. to 10:00 p.m. – Closing Procedures (no public access)

Manufacturing:

8:00 a.m. to 8:00 p.m. – Manufacturing Operations

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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. No special events are permitted on-site. If the applicant wishes to hold events, they must contact the Community Development Department; additional permits or approvals may be required.
4. Per Section 5704 of the UCC this Use Permit is valid for one-year. Dispensary Use Permits may be renewed on an annual basis by the Zoning Administrator following the procedure described in Section 5704 of the UCC. It is the Applicant's responsibility to apply for annual renewal 45 days prior to this permit expiring.
5. As outlined in Article 20, Administrative and Procedures, of the Zoning Code this planning permit may be revoked through the City's revocation process if the approved project related to this permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.
6. Prior to issuance of building permits and commencing operations, the applicant shall submit proof of State licensure to operate the cannabis related business to the Community Development Department.
7. Prior to issuance of building permits or commencing operations, the applicant and all employees shall successfully complete a Live Scan background and provide proof of such completion.
8. No persons will live on-site. If the applicant wishes to have a live-in manager in the future, they shall consult with the Planning and Community Development Department and obtain any necessary permits.
9. The business is required to obtain a City of Ukiah business license prior to occupancy.
10. Address signage for 320 North Main Street shall be removed from the building.

City of Ukiah Standard Conditions

11. 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.
12. 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.

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13. 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.
14. Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Engineering Department of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Planning Commission such standards shall be met.
15. 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.
16. Building permits shall be issued within two years after the effective date of the Site Development Permit or same shall be null and void.
17. The Applicant shall obtain all required Sign Permits, in compliance with Division 3, Chapter 7, Signs, of the UCC.
18. The Applicant shall submit verification of all applicable permits or approvals in compliance with all local, state and federal laws to the Community Development Department prior to issuance of building permits.
19. All fees associated with the project planning permits and approvals shall be paid in full prior to occupancy.
20. As outlined in Article 20, Administration and Procedures, of the Zoning Code this planning permit may be revoked through the City's revocation process if the approved project related to this Permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.

Department of Public Works Conditions

21. 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
22. All sidewalks and driveway aprons that front the parcel shall be ADA compliant.

Electric Utility Department Conditions

23. This property will be served from existing underground facilities and a 75kva 3-phase Transformer that currently serves the building at 441 N. State Street. Should the project need to upgrade to a larger panel or increase the electric load in the future, please contact the Electric Utility Office.

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24. In the event that the existing Electric Main Service Panel's need to be upgraded to a larger size, applicant shall provide projected load calculations for their project to the Electric Utility Department.
25. Developer is to provide EUSERC approved electrical equipment compatible with the City of Ukiah's EUSERC Acceptability Chart.
26. 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.
27. Developer/customer shall incur all costs of this future project to include (labor, materials, equipment, and future services).

Building Division Conditions

28. Tenant Improvements (TI) will require a building permit. Please submit building permit application, four complete plans sets, two wet stamped and signed.
29. 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:

30. 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.
31. 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.
32. The business permittee shall immediately report to the City Police Department all criminal activity occurring on the business site.
33. 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 building on the site, or the site's main entrance and lobby.
34. 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.

Draft Conditions of Approval
Major Use Permit and Variance
Element 7 Manufacturing and Retail
441 North State Street
File No.: 19-4434

35. 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.
36. 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.
37. All perimeter fencing and gates shall be constructed of decorative tubular steel, no climb type. The six foot wrought iron fencing shall be constructed along the eastern top of bank of Gibson Creek, and continuing along the side lot lines to and including the frontage along North Main Street.
38. All solid core exterior doors shall be equipped with a 180 degree viewing device to screen persons before allowing entry.
39. Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.
40. Report any graffiti to UPD @ 463-6262. After reporting, clean-up/paint over as soon as possible. Spray on graffiti remover can be purchased at hardware supply stores.
41. Property shall be kept free of debris/garbage.
42. Applicant shall install a “Knox Box” to allow Police Department emergency access to the interior and exterior areas of the property after hours.
43. Height markers shall be installed on the interior doorways and front door entrance.
44. 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.
45. Any proposed revisions to the approved Security Plan shall be made in writing and subject to approval.
46. 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

47. All exit doors shall be equipped with lighted exit signage and emergency lighting with a battery backup.
48. Main entry door must swing in direction of egress travel “out”.
49. Prior to issuance of building permits, the permit holder shall submit the Fire and Safety Technical Report to the Fire Official for review and approval.
50. 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.
51. Fire extinguishers shall be required. Fire Marshal can assist with location and number of required extinguishers.

Draft Conditions of Approval
Major Use Permit and Variance
Element 7 Manufacturing and Retail
441 North State Street
File No.: 19-4434

52. Fire sprinkler system shall be maintained and modified as necessary.
53. 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.
54. It is highly recommended that all exits be clearly marked. Means of egress shall be illuminated when the building space is occupied, CFC 1008.2
55. 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.
56. In the event of power supply failure, an emergency electrical system shall automatically illuminate the means of egress. CFC 1008.3.
57. A "Knox Box" key security safe shall be required, and mounted on the exterior at a location specified by the Fire Marshal.
58. Emergency contact information shall also be provided to the Fire Department.



City of Ukiah

Planning & Community Development Department

300 Seminary Avenue

Ukiah, CA 95482

Email: planning@cityofukiah.com

Web: www.cityofukiah.com

Phone: (707) 463 -6203

Fax: (707) 463-6204

Planning Permit Application

PROJECT NAME: ELEMENT 7 UKIAH					
PROJECT ADDRESS/CROSS STREETS: 441 NORTH STATE STREET, UKIAH, CA 95482				AP NUMBER(S): 002-186-19-00	
APPLICANT/AUTHORIZED AGENT: ELEMENT 7 UKIAH, LLC		PHONE NO: (424) 285-0088		FAX NO: ROBERT@ELEMENT7.CO	
APPLICANT/AUTHORIZED AGENT ADDRESS: 8033 SUNSET BLVD #987			CITY: HOLLYWOOD		STATE/ZIP: CALIFORNIA 90046
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT:		PHONE NO:		FAX NO:	
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT		CITY:		STATE/ZIP:	
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? ☐ YES ☒ NO					
☐ AIRPORT LAND USE COMM. DETERMINATION 100.0800.611.003	\$	☐ REZONING 100.0800.611.001	\$	☐ USE PERMIT – AMENDMENT 100.0400.449.001	\$
☐ ANNEXATION 100.0800.611.001	\$	☐ REZONING – PLANNED DISTRICT 100.0800.611.001	\$	☒ USE PERMIT – MAJOR 100.0400.449.001	\$
☐ APPEAL 100.0400.449.001	\$	☐ SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	\$	☐ USE PERMIT – MINOR 100.0400.449.001	\$
☐ BOUNDARY LINE ADJUSTMENT 100.0800.610.001	\$	☐ SITE DEVELOPMENT PERMIT – MAJOR 100.0400.449.001	\$	☐ VARIANCE – MAJOR 100.0400.449.001	\$
☐ GENERAL PLAN AMENDMENT 100.0800.611.001	\$	☐ SITE DEVELOPMENT PERMIT – MINOR 100.0400.449.001	\$	☐ VARIANCE – MINOR 100.0400.449.001	\$
☐ MURAL PERMIT 100.0400.449.001	\$	☐ SPECIFIC/MASTER PLAN 100.0800.611.003	\$	☐ ZONING AMENDMENT – MAP 100.0800.611.001	\$
☐ PRELIMINARY REVIEW (PC) 100.0800.611.003	\$	☐ SUBDIVISION EXCEPTION 100.0800.610.001	\$	☐ ZONING AMENDMENT– TEXT 100.0800.611.001	\$
☐ PRELIMINARY REVIEW (PRC) 100.0800.611.003	\$	☐ TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	\$	☐ OTHER	\$
☐ PRELIMINARY REVIEW (STAFF) 100.0800.611.003	\$	☐ TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	\$	☐ OTHER	\$
COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO. \$					
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO. \$		MAJOR PERMIT DEPOSIT: \$		FILING DATE:	
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO. \$		MINOR PERMIT FEE: \$		TOTAL AMOUNT PAID: \$	
TOTAL FEE: \$		RECEIPT NUMBER:			
APPLICATION NUMBER(S):					

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

Project Description

The purpose of the project description is to assist Staff in understanding the project. 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: 8,276 Sq. Ft.	Building Size: 1,872 Sq. Ft.	Number of Floors: 2	
Use of Building (check all that apply)	Description	Square Footage	Number of Units/Suites
☐ Office (business/professional)			
☐ Office (medical/dental)			
☒ Retail	Retail	1,872	2
☒ Light Industrial	Nonvolatile Manufacturing	1,872	2
☐ Residential			
☐ Other:			
Operating Characteristics			
Days and Hours of Operation: RETAIL (Sunday - Saturday; 9am - 9pm); MANUFACTURING (Sunday - Saturday; 8am - 8pm)			
Number of Shifts: 3	Days and Hours of Shifts: Sunday - Saturday (8am-1pm; 12pm-4pm; 3pm-5pm)		
Number of Employees/Shift: RETAIL - 5 EMPLOYEES PER SHIFT; MANUFACTURING - 5 EMPLOYEES PER SHIFT			
Loading Facilities: ☐ Yes ☒ No	Type/Vehicle Size:		
Deliveries: ☒ Yes ☐ No	Type: Goods & Supplies	Number (day/week/month): 20-30 per day	Time(s) of Day: 8am - 1pm
Outdoor areas associated with use? (check all that apply) ☐ Yes ☒ No	Sales area: ☒ Yes ☐ No Square Footage: 1,872	Unloading of deliveries: ☒ Yes ☐ No Square Footage: 288	Storage: ☒ Yes ☐ No Square Footage: 800
Noise Generating Use? ☒ Yes ☐ No	Description: Manufacturing/Pre-roll equipment		

To Be Completed by Staff

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

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



PROPERTY OWNER SIGNATURE **DATE**
3/26/2019

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

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

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



☒ **OWNER** / ☐ **AUTHORIZED AGENT** **DATE**
3/26/2019

INDEMNIFICATION AGREEMENT

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

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

I have read and agree to all of the above.

ROBERT MARTIN DIVITO JR, CEO OF ELEMENT 7 UKIAH, LLC

☒ **PROPERTY OWNER** / ☐ **AUTHORIZED AGENT**

(PLEASE PRINT NAME)



☒ **PROPERTY OWNER** / ☐ **AUTHORIZED AGENT** **DATE**
(SIGNATURE) 3/26/2019

ELEMENT 7 UKIAH LLC

PROPOSED PROPERTY DEVELOPMENT

441 N. Street, Ukiah, CA 95482

Attachment 3b



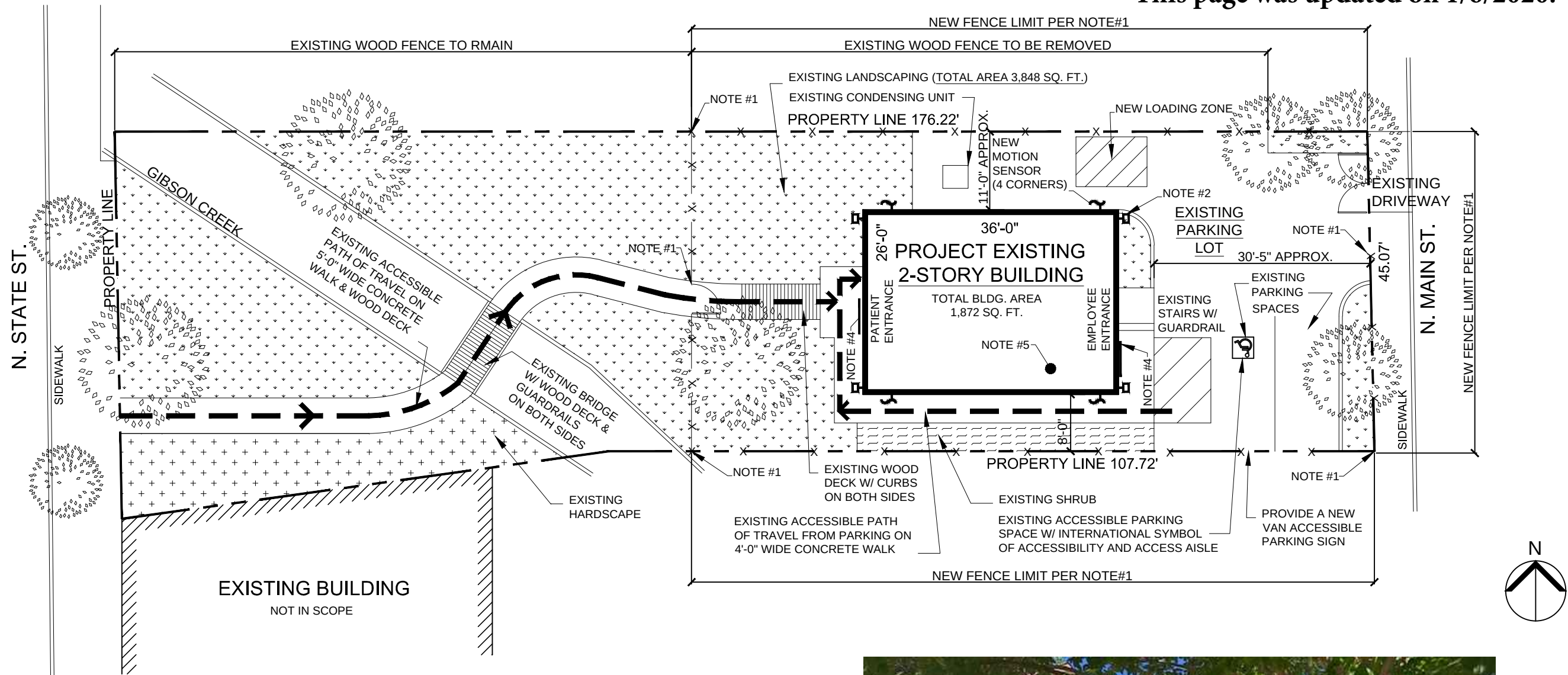
GOVERNING CODE	VICINITY MAP	SATELLITE VIEW
This project shall comply with the followings including local amendments: 2016 California Building Code (CBC) 2016 California Existing Building Code 2016 California Fire Code (CFC) 2016 California Mechanical Code (CMC) 2016 California Plumbing Code (CPC) 2016 California Electrical Code (CEC) 2016 California Green Building Standards Code (CGBS) 2016 California Energy Code The City Code w/ Local Amendments (Latest Edition)		
CODE ANALYSIS	PROPERTY INFORMATION	SCOPE OF WORK
PROPOSED MIXED OCCUPANCY W/ NO FIRE SEPARATION: USE GROUP-M, MERCANTILE RETAIL (MEDICAL MARIJUANA DISPENSARY) 2ND FLOOR PACKAGING USE GROUP F-1 MODERATE HAZARD OCCUPANT LOAD FACTOR REQUIRED & PROPOSED GRADE FLOOR: 60 SQ. FT. GROSS PER PERSON 300 SQ. FT. GROSS PER PERSON FOR STORAGE, STOCK, SHIPPING	APN / PARCEL ID: 002-186-19-0 ZONE: C1 EXISTING PROPERTY TYPE: B - OCCUPANCY PROFESSIONAL OFFICE EXISTING PROPERTY CONDITION: CLASS - C TYPE CONSTRUCTION TYPE: V-B (WOOD) NO FIRE SPRINKLERS #STORIES: 2 UNITS: ONE FREESTANDING BUILDING YEAR BUILT: 2003 EXISTING TOTAL BUILDING RENTAL AREA: 1,872 SQ. FT. EXISTING 1ST FLOOR W/ FRONT PORCH AREA: 996 SQ. FT. LOT SIZE: 8,276 SQ. FT. (0.19 ACRES) LOT COVERAGE: 996 / 8,276 = 12 %	CHANGING INTERIOR LAYOUT OF AN EXISTING 2-STORY BUILDING TO ACCOMMODATE A NEW RETAIL OCCUPANCY OF MEDICAL MARIJUANA DISPENSARY INCLUDING PACKING SHEET INDEX ARCHITECTURAL *A00 COVER SHEET *A01 EXISTING & PROPOSED SITE PLAN *A02 EXISTING & PROPOSED FLOOR PLANS *A03 EXISTING & PROPOSED CEILING & SECURITY PLANS

Proposed Property Development
441 N. State St., Ukiah, CA 95482

COVER SHEET

PROJECT		SHEET TITLE	
REVISION / ISSUE			
LICENSE APPLICATION RESUBMITTAL			
DATE	09/12/19		
NO.			
PROJECT NO.			
DATE			
		09/12/19	
SCALE			
SHEET NO.			

A00



PLAN NOTES:

THE FOLLOWING NOTES ARE PER APPROVED SECURITY PLAN DATED 7-31-19 BY THE CITY OF UKIAH. ALSO, MORE INFORMATION IS ADDED;

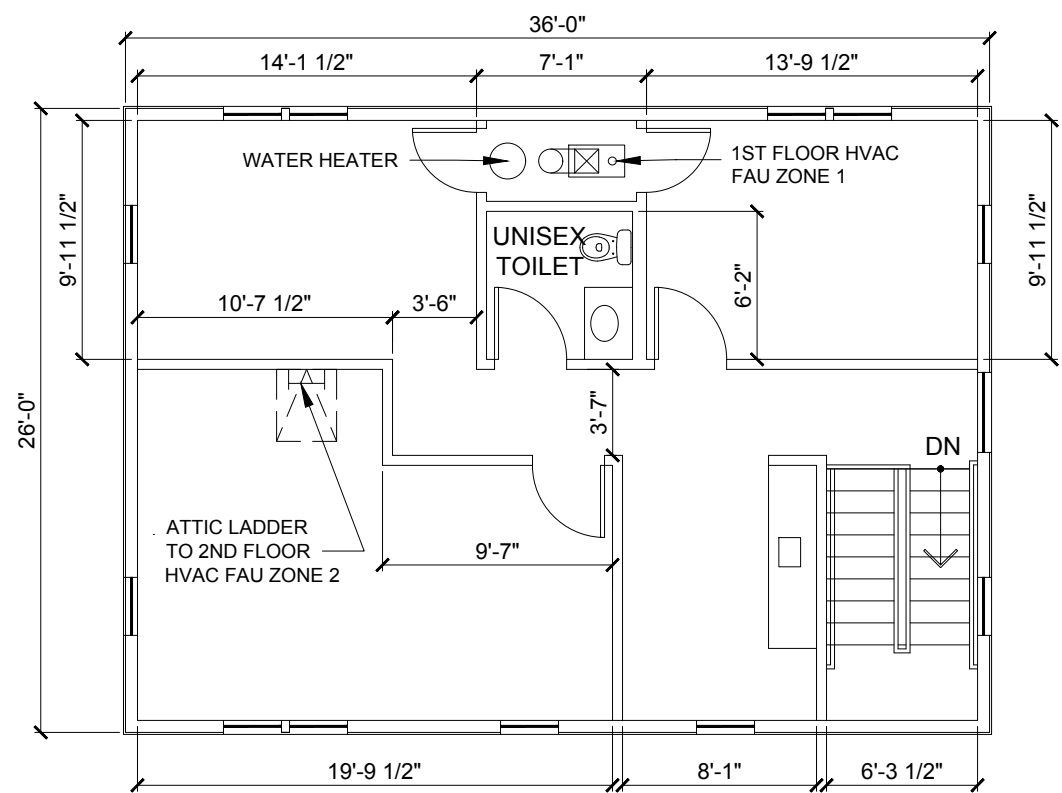
1. PROVIDE 6'-0" HIGH BLACK WROUGHT IRON FENCING AROUND THE PROPERTY LINES WITH ELECTRONIC CONTROLLED SECURITY GATES AT DRIVEWAY FACING MAIN STREET AND LOOP AROUND BEFORE CREEK W/ MAN DOOR FACING STATE STREET. SECURITY GATES TO REMAIN LOCKED DURING LOADING/UNLOADING OF CANNABIS AND CANNABIS GOODS.
2. NEW SECURITY FLOOD LIGHT AT 4 BUILDING CORNERS; EXTERIOR GRADE FLOOD LED LIGHT, LITHONIA MODEL, CONTOUR SERIES, OUTDOOR TFL APPROX. 10'-0" AFF @ 45-DEGREE ANGLE
3. SEE SHEET A03 FOR ADDITIONAL EXTERIOR BUILDING LIGHTING.
4. PROVIDE NEW WALL SIGNS FACING MAIN AND STATE STREETS. (DEFERRED SUBMITTAL).
5. CANNABIS TRASH IS LOCATED INSIDE THE BUILDING IN SECURED AREA.



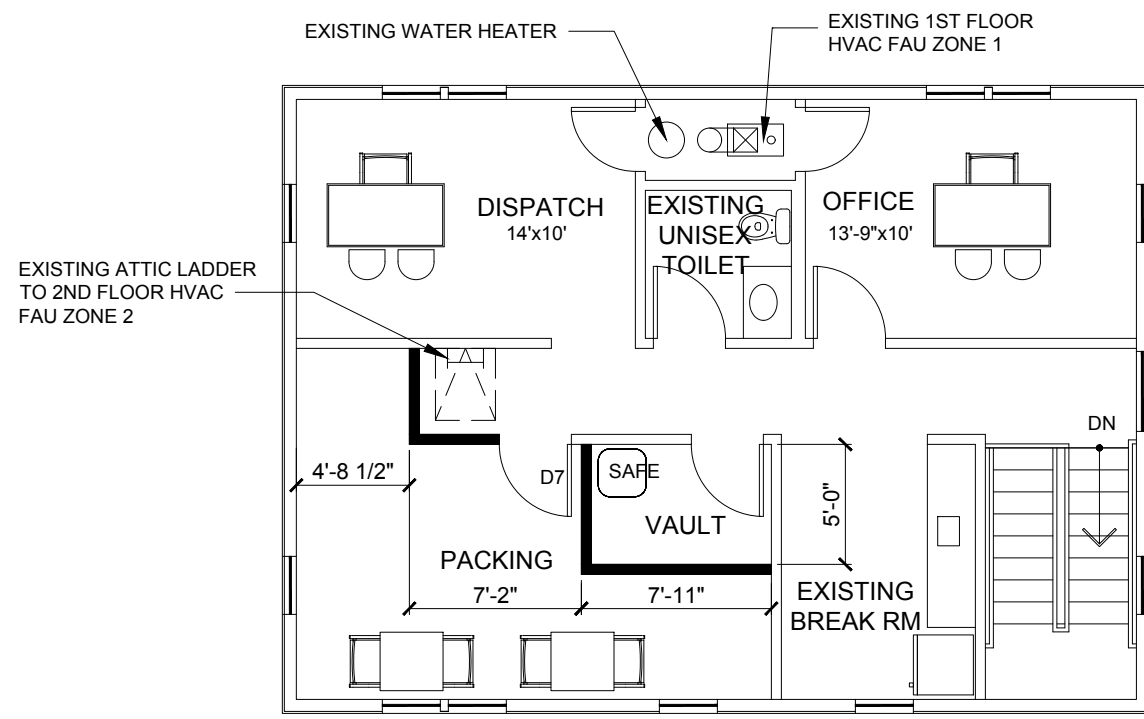
Proposed Property Development
441 N. State St., Ukiah, CA 95482
EXISTING & PROPOSED
SITE PLAN

PROJECT NO.		DATE		SCALE		SHEET SIZE		SHEET NO.	
		12/04/19		1/16"=1'-0"		11X17			

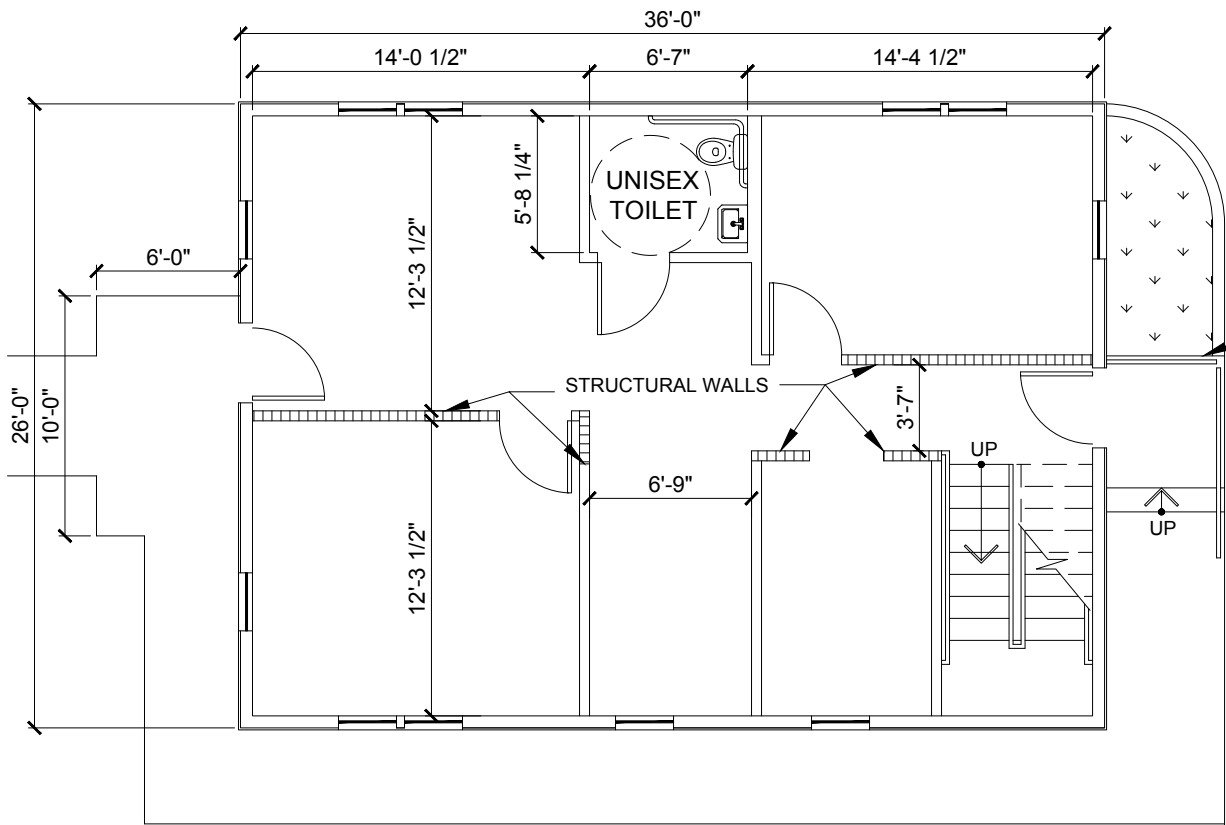
PROJECT		SHEET TITLE	
REVISION / ISSUE	DATE	NO.	PROJECT NO.
LICENSE APPLICATION RESUBMITTAL	09/12/19		
DATE		09/12/19	
SCALE		1/8"=1'-0"	
SHEET NO.			



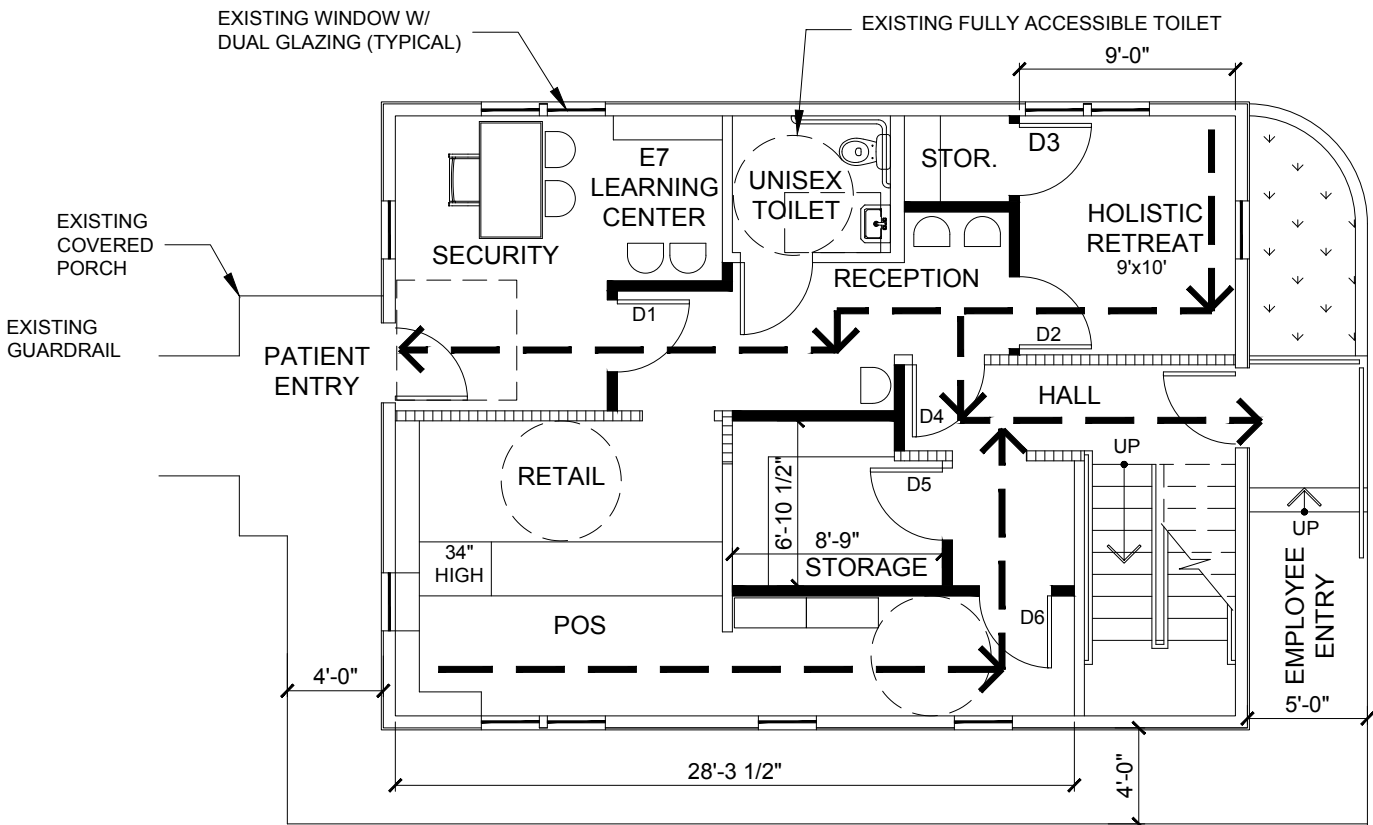
EXISTING 2ND FLOOR PLAN



PROPOSED 2ND FLOOR PLAN



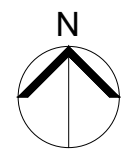
EXISTING 1ST FLOOR PLAN



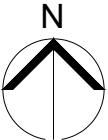
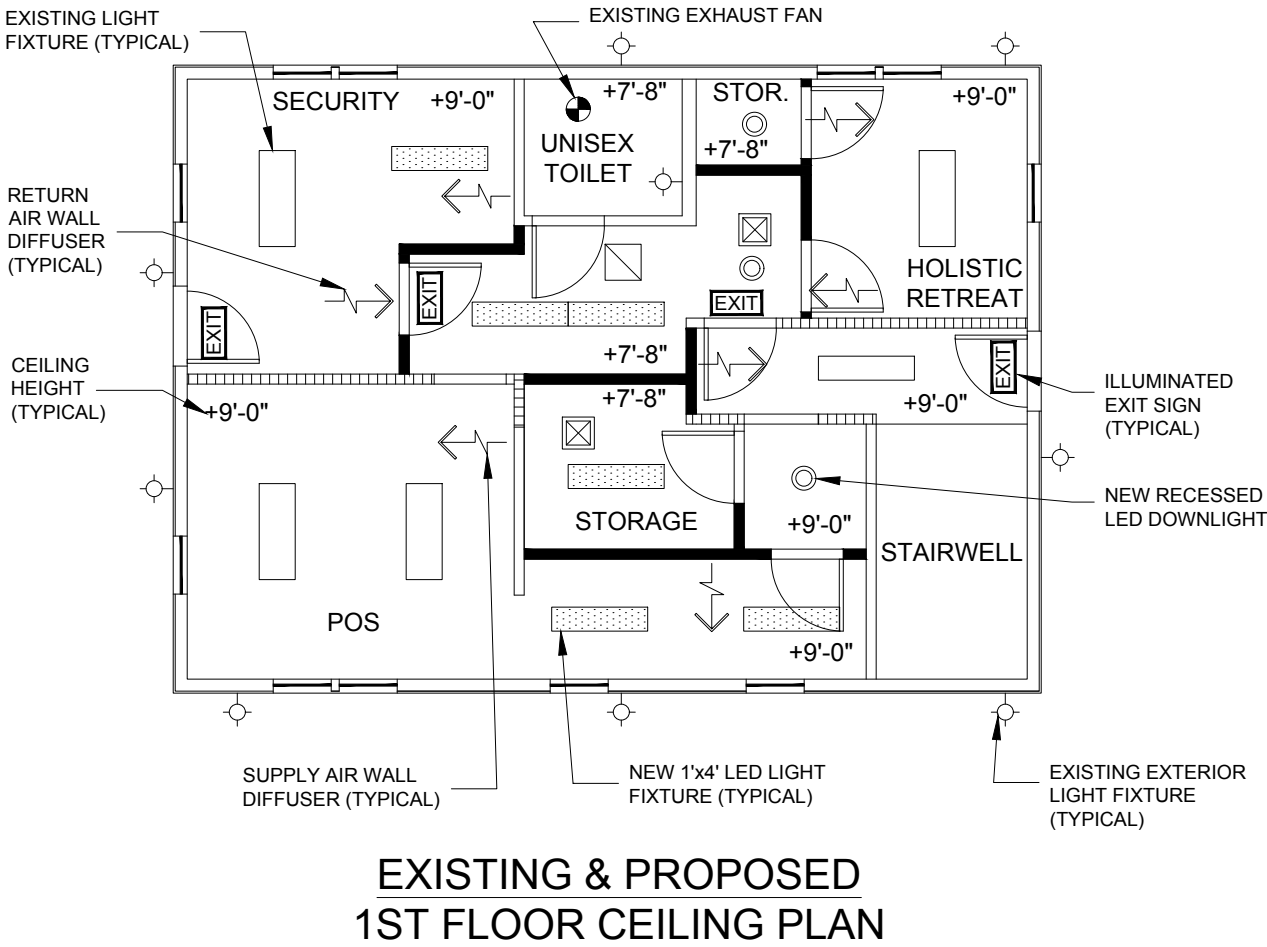
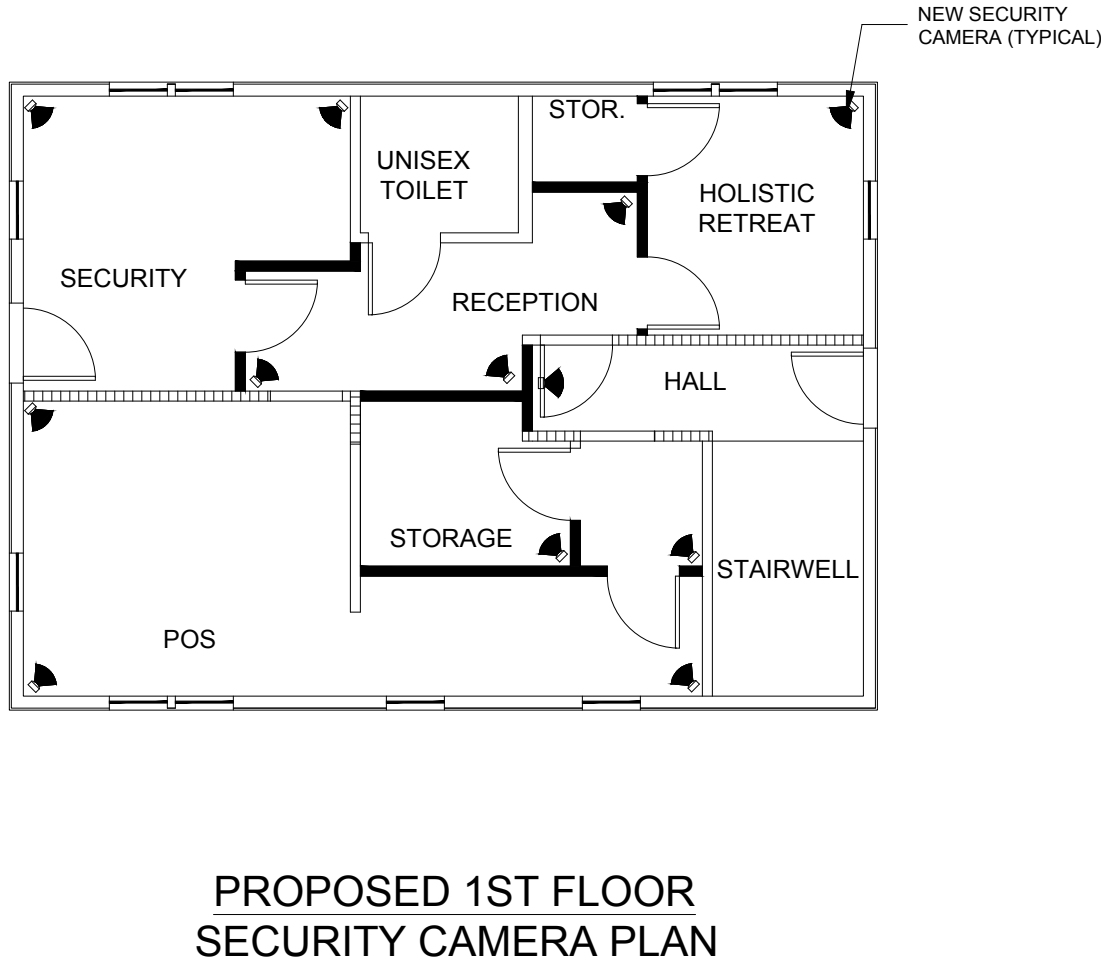
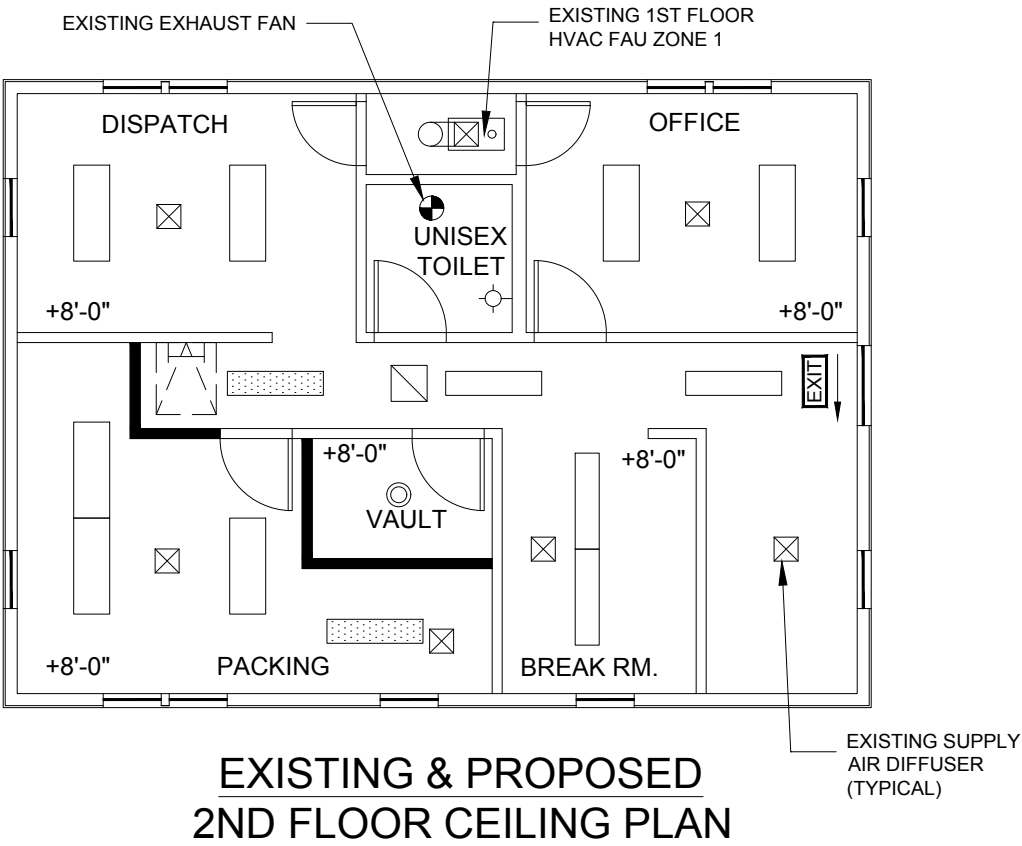
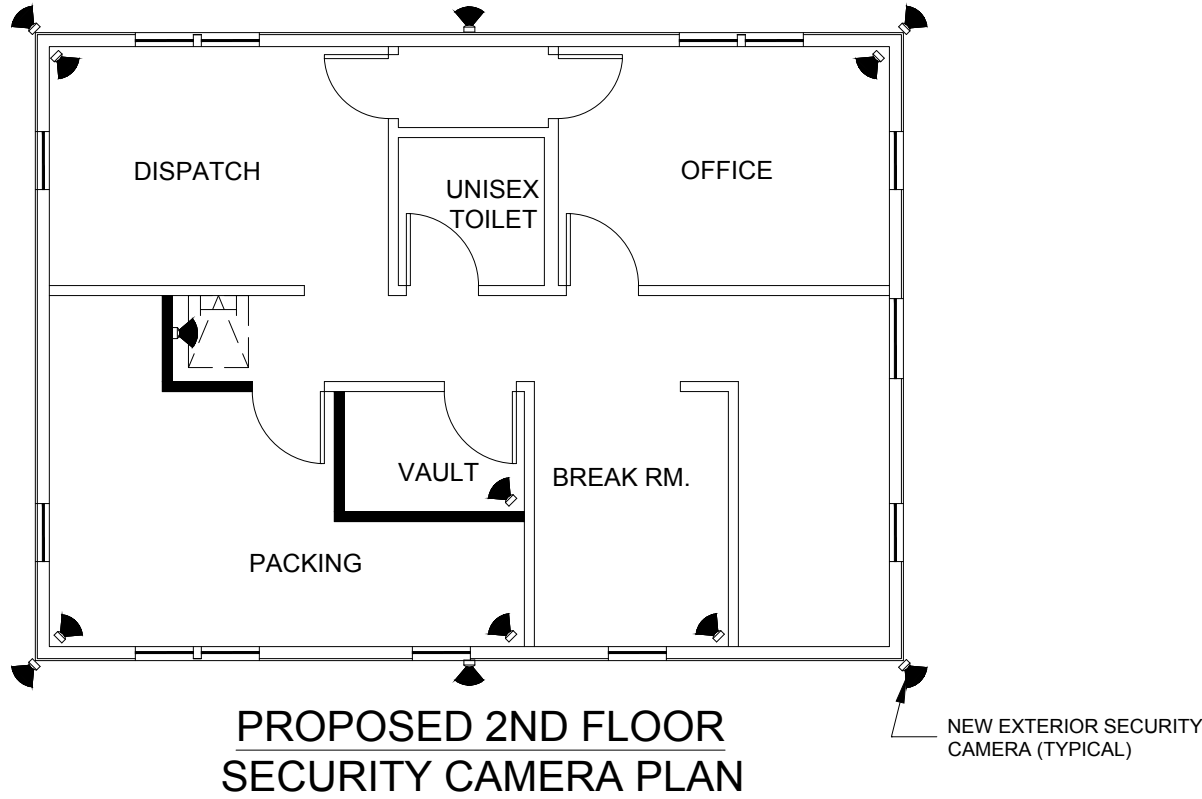
PROPOSED 1ST FLOOR PLAN

LEGEND:

- EXISTING 2X4 STUD STRUCTURAL WALL
- EXISTING WALL & DOOR
- ACCESSIBLE PATH OF TRAVEL TO EXIT FROM THE MOST REMOTE POINT
- NEW 2X4 STUD WALL 16" O.C. W/ 5/8" GYPSUM & ACCESSIBLE SOLID WOOD DOOR / FRAME / LEVER HARDWARE / CLOSER



PROJECT		SHEET TITLE	
REVISION / ISSUE	LICENSE APPLICATION RESUBMITTAL		
DATE	09/12/19		
NO.			
PROJECT NO.			
DATE			
09/12/19			
SCALE			
1/8"=1'-0"			
SHEET NO.			



COMMERCIAL CANNABIS
LICENSE APPLICATION
CITY OF UKIAH

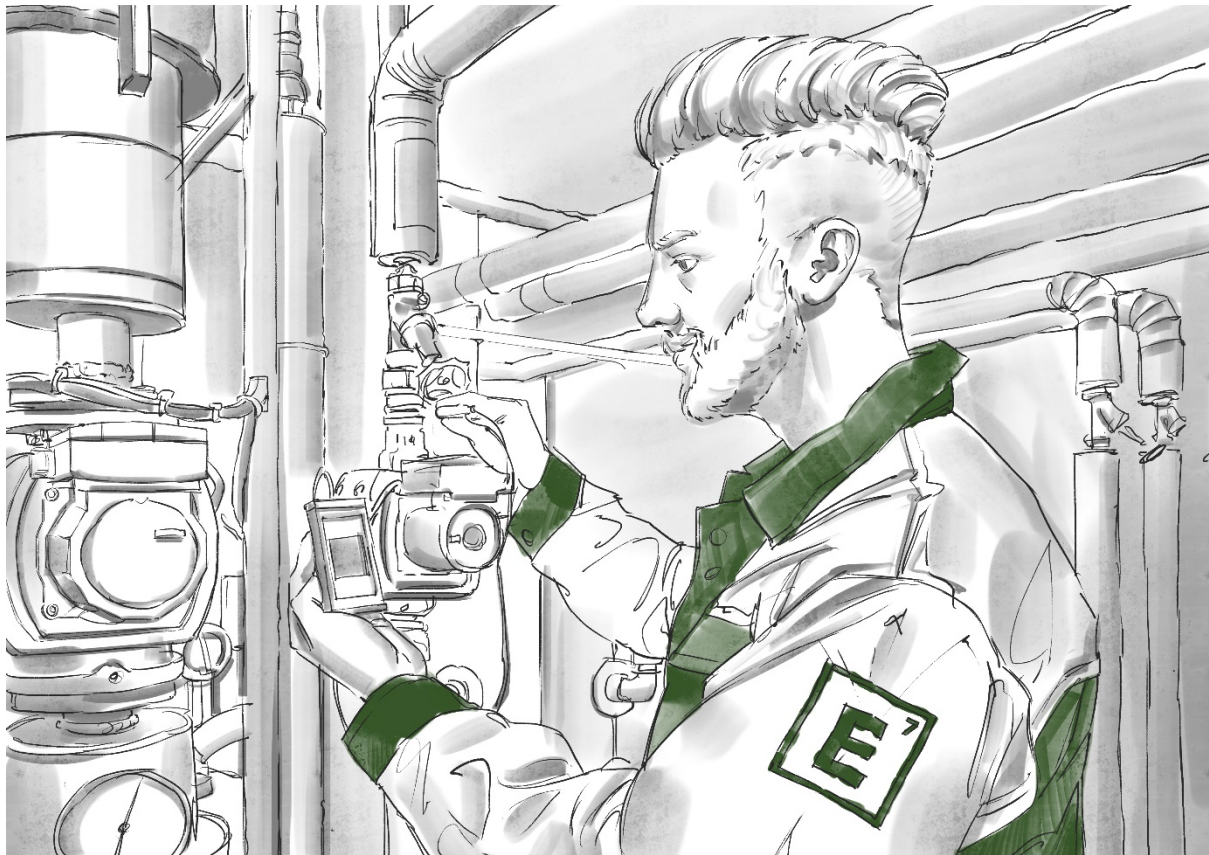
Attachment 3c

CANNABIS DISPENSARY &
MANUFACTURING M-TYPE (MEDICAL) AND
A-TYPE (ADULT-USE) LICENSES

ELEMENT 7 UKIAH LLC
www.element7.co



ODOR MANAGEMENT AND CONTROL PLAN



Introduction

We will take active measures to eliminate any cannabis odor that may potentially emanate from the Facility to mitigate disturbances to local businesses and residents.

There are several industry best-practices that we will install into our Facility to ensure that the air poses zero health risks to any employee or customer, or the surrounding businesses.

POLICY NAME	AIR MITIGATION / ODOR CONTROL POLICY
APPLICABLE LAW	Element 7 officers, management, and staff will adhere to both local and state laws and regulations as it relates to running a compliant facility in the City of Ukiah.
POLICY OBJECTIVE	To ensure that the Element 7 facility remains in compliance with the City of Ukiah rules and regulations, as it relates to preventing odors generated from cannabis or cannabis products being detected from outside of the facility.
ELEMENT 7 CORE VALUE	"Make Compliance an Advantage"
SOP PROCEDURES	Air Mitigation / Odor Control Policy - Polarized Filters with Activated Carbon Inserts - Carbon Scrubbers - Ozone Generators - Electrostatic Air Cleaners



SOP PROCEDURES (CONTINUED)	- MERV-13 Filters - Air Curtains - Circulation Fans - Air Quality Enhancing Plants - Ecosorb CNB100 - Odor Management Services - Summary
---------------------------------------	--

Polarized Filters with Activated Carbon Inserts

We will be using polarized media filters with activated carbon insert pads to provide a medical-grade air quality to the Facility. Polarized media filters utilize electromagnetic polarization to maximize the collection of dust and pollutants in the air, which increases the effectiveness of air filtration and odor control. The carbon pads provide an additional layer of odor removal, providing maximum efficiency and benefit. Upgrading filters are relatively inexpensive, and the costs are heavily offset by the reduced labor and cost of replacing those filters less frequently. These technologies are utilized by hospitals, laboratories and other clean facilities around the world and are an excellent option for cannabis facilities.

Carbon Scrubbers

We will use activated carbon scrubbers in the storage rooms where the highest concentration of products is located. These types of filters use pelletized granule carbon to remove odor, dust, and pollutants from the air and can be used as a standing unit in a space or as an exhaust filter. Just like the carbon in the air filters mentioned previously, these pellets remove dust, odor, and other pollutants through the air as it passes through the filter.

Ozone Generators

Ozone generators use ultraviolet bulbs or corona discharge (an electrical discharge) to produce ozone gas that works on a molecular level to eliminate virtually all odor, molds, mildews and bacteria – we will use these in the waste area and storage room. Ozone can be used safely and efficiently by utilizing generators that fit directly into your exhaust lines. This is one of the most effective methods for removing odors in the exhaust system.

Any air that is emitted from the dispensary is dual-filtered through HEPA and charcoal filters to ensure clean, odor-free air.

Strict cleaning and sanitizing procedures are part of the standard operating procedures for all operations in the Dispensary Facility. Product-contact surfaces will be cleaned before and after operations and between shift changes. Additionally, surfaces are cleaned after contact with potentially hazardous items. Employees must wash their hands with warm water and antibacterial soap after eating or using the restroom before returning to operational areas.

Operational areas will be easy to clean and maintain by using appropriate, durable finishes for each functional space; careful detailing of finishes to avoid hard-to-clean crevices; adequate and appropriately located maintenance spaces; and incorporation of antimicrobial surfaces.



Electrostatic Air Cleaners

Electrostatic air cleaners (sometimes known as electrostatic precipitators) are highly efficient filtration devices that use electrostatic attraction to remove fine particulate matter such as dust and cigarette smoke from the air.

Electrostatic air cleaners ionize (or electrically charge) particles as incoming air is drawn over an electronic cell. The charged particles are then attracted to and trapped by a series of flat collector plates that are oppositely charged, with the particles literally 'sticking' to the collection plates until they are manually removed.

MERV-13 Filters

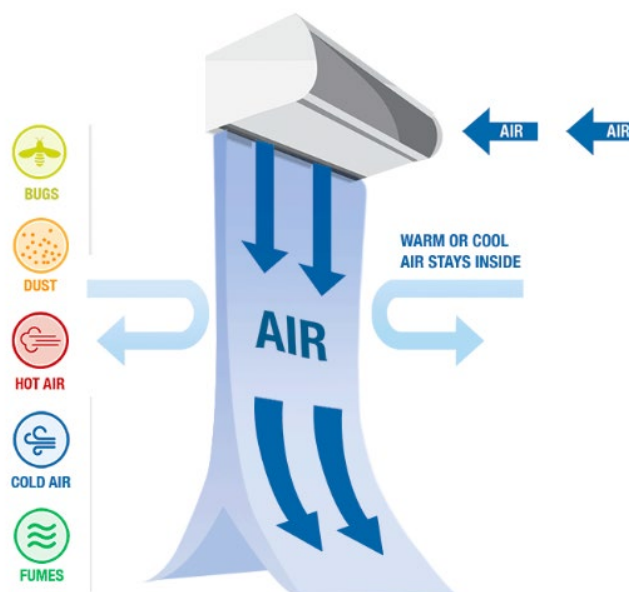
The true measure of any air purifier's efficiency is the MERV rating assigned to it. This is the Minimum Efficiency Reporting Value, and this value is indicative of the technology's ability to trap particles in a variety of sizes.

Element 7 will use MERV-13 Filters. Anything above a 13 MERV Rating is considered to be a High-Efficiency Particulate Arrestance (HEPA) Filter, often used for hospitals and scientific research lab applications.

A filter with a MERV rating of 13 captures particles greater than 0.3 micrometers. This includes bacteria, droplets from sneezing, smoke, and most other sources of pollution. This level of filtration is used in patient and surgery areas of hospitals.

Air Curtains

An air curtain, also known as an 'air door', employs a controlled stream of air aimed across an opening to create an air seal. This seal separates different environments while allowing a smooth, uninterrupted flow of traffic and unobstructed vision through the opening. Because air curtains help to contain heated or conditioned air, they provide sizable energy savings and increased personal comfort when applied in industrial or commercial settings. Air curtains also help to stop the infiltration of pollutants and flying insects.



Air Curtains are used for a number of functions by Element 7:



- Energy efficiencies through control of air transfer
- Energy efficiencies due to shorter run times of air handler or compressor
- Maintain employee/customer comfort
- Reduce flying insect infiltration
- Unhindered traffic flow
- Unobstructed visibility across the threshold
- Increase productivity due to stable temperatures
- Maintain usable space around the door
- Elimination of ice and fog in cold storage areas

Circulation Fans

Air circulators and air cannons move air indoor and outdoors for a variety of tasks, such as cooling workers, animals, and equipment, drying surfaces, and exchanging stale air with fresh air. They have a motor-operated fan blade that turns to move air. Air circulator fans and air cannons can be wall mounted, ceiling mounted, or floor standing.

Air Quality Enhancing Plants

NASA has been studying the effects of plants on air quality for about twenty-years and their research confirms: common houseplants are natural air purifiers.

While the original research was aimed at finding ways to purify the air for extended stays in orbiting space stations, the findings are important for us on Earth as well. The following plants are documented as being especially good at improving indoor air quality and will be used within the interior design of Element 7's facilities:

- Aloe Vera
- Bamboo Palm
- Peace Lily
- Spider Plant
- Parlor Palm
- Red Emerald Philodendron
- Gerbera Daisy

Ecosorb CNB100

Element 7 will use Ecosorb CNB100, a proprietary formulation of several essential oils and food grade surfactants used as an alternative in many applications to the traditional forms of odor control. It is most often applied via atomization where it attracts whatever is in the atmosphere, removing odors quickly. In the cannabis industry, Ecosorb CNB100 will remove all cannabinoids, terpenes and sesquiterpenes.

Ecosorb products do not contain harsh chemicals or synthetic fragrances. They are safe for use around people and animals. The distribution of Ecosorb requires no added water, thanks to advanced Vapor Phase technology.

Odor Management Services

Element 7 will retain the services of a 3rd party pest and odor management professional. This professional will perform inspections to identify sanitation, structural, and storage efficiency options and make recommendations to Element 7 for any adjustments or improvements.



Summary

Early planning is the key to effective odor control for cannabis operations. Element 7 will use a matrix approach to controlling odor - leveraging both mechanical means to control odors, as well as filters, scrubbers, plant-based solutions, air curtains, food grade surfactants and professional third-party consultants.



PROJECT DESCRIPTION

LIST OF USES – LICENSE APPLICATION TYPES

A detailed description, along with Standard Operating Procedures for each license type that Element 7 is applying for precedes this section. Element 7 is applying for the following Licenses from the City of Ukiah:

- **A-Type 10 – Retail (Storefront with Delivery)**
- **M-Type 10 – Retail (Storefront with Delivery)**
- **A-Type 6 – Manufacturer (Nonvolatile)**
- **M-Type 6 – Manufacturer (Nonvolatile)**

*At the time of our initial application submittal, the City only offered Medical Use Licenses which is why our materials focus on “patient” and “primary caregiver” language. We have now been informed that the City will now allow Adult-Use, as such we intend to pursue both Medical and Adult-Use license types in the City of Ukiah.



ADHERENCE TO STATE AND CITY POLICIES AND DIRECTIVES

This Document and all Standard Operating Procedures adopted by Element 7 Ukiah LLC will conform to the following pieces of legislation, policy and other directives:

- **MAUCRSA – Medical Cannabis Regulation and Safety Act (June 27, 2017):** This Act (also known as Senate Bill 94) creates the general framework for the regulation of commercial medicinal cannabis in California. Dr. An-Chi Tsou on our team is one of the principal policy makers on this document.
- **State of California Regulations (January 2019):** The Office of Administrative Law (OAL) officially approved state regulations for cannabis businesses across the supply chain. Drafted by the Bureau of Cannabis Control (BCC), these final regulations provide the formal law for the governance and management of cannabis operations in the State of California.
- **Ukiah City Code**
- **Any directives and issuances from California's three cannabis governing bodies - Bureau of Cannabis Control (BCC), Department of Food & Agriculture (CDFA) and California Department of Public Health, including:**

Bureau of Cannabis Control Guidance

- BCC Disciplinary Guidelines
- Transportation Procedures (Form BCC-LIC-015)
- Non-Laboratory Quality Control Procedures (Form BCC-LIC-017)
- Security Procedures (Form BCC-LIC-018)
- Delivery Procedures (Form BCC-LIC-020)
- Sampling Procedures (Form BCC-LIC-021)
- Sampling Preparation Procedures (Form BCC-LIC-022)
- Data Package Cover Page and Checklist (Form BCC-LIC-024)
- CEQA Exemption Petition (Form BCC-LIC-025)
- CEQA Project-Specific Information (Form BCC-LIC-026)
- Bureau Notification and Request (Form BCC-LIC-027)
- Poison Prevention Packaging Act of 1970 Regulations (Revised July, 1995)

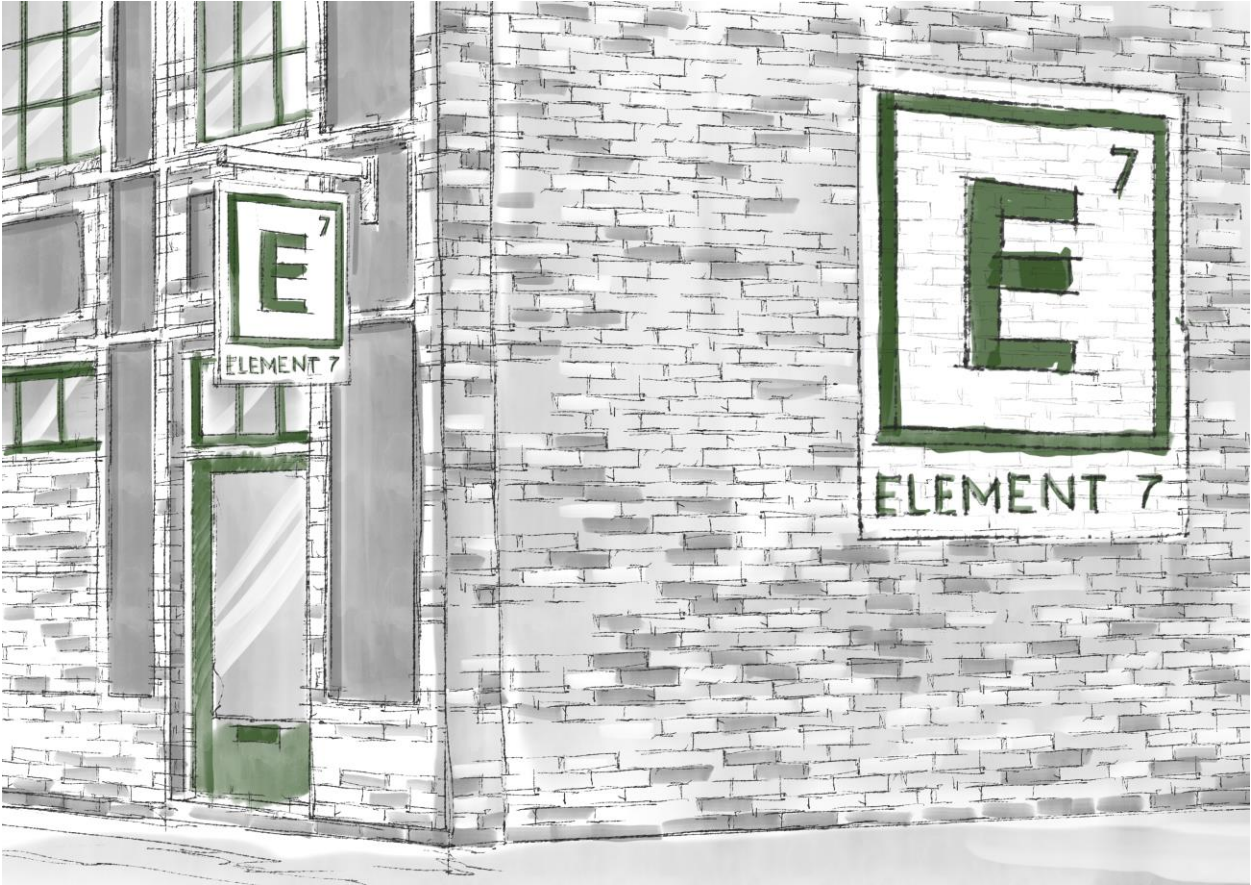
California Department of Food and Agriculture Approved Regulations

- Final Approved Regulation Text (January 16, 2019)

California Department of Health Approved Regulations

- Approved CDPH Regulations for Cannabis





COMMERCIAL CANNABIS LICENSE APPLICATION CITY OF UKIAH

CANNABIS DISPENSARY &
MANUFACTURING M-TYPE (MEDICAL) AND
A-TYPE (ADULT-USE) LICENSES

ELEMENT 7 UKIAH LLC
www.element7.co



DISPENSARY OPERATING PLAN



Introduction

Element 7 is seeking approval to operate a Medical and Adult-Use Cannabis Dispensary (with Delivery) in Ukiah that will service approximately 100 patients and customers a day.

We Deliver a Unique and Fresh Retail Concept

Element 7 is holistic wellness. Cannabis consumers are looking for a more holistic healing, health, and wellness brand that focuses on the body, mind, soul, and spirit.

When a patron enters the facility, they will be held in the **E7 Learning Center and Reception Area** which has a security door controlling entry into the Retail area. Once a patron has been checked-in, he/she will be allowed entrance into the Retail Area in which they will be met by an Element 7 Budtender who will assist the patron throughout their time in the Retail area. The facility will be constructed using state-of-the-art commercial-grade doors with interior access controls, surveillance cameras, and alarms exceeding the requirements imposed by the State Departments. All entrances into the facility will always be locked, with entry controlled by the facility's security team.

The Element 7 brand aims to provide quality at an affordable price, allowing customers an immersive retail experience in a secure, relaxed, enjoyable and aesthetically pleasing environment. The focus of our dispensary is our **E7 Learning Zone** which is a 200 sq. ft dedicated space focused on first-time patients/customers



(pictured below). This is where they can engage with dedicated Element 7 staff that will walk these customers through their first purchasing experience using touch-screen technology and interactive learning videos that describe and demonstrate cannabis.



Our **Holistic Retreat** offers micro-treatments designed for busy working professionals who are time poor and who could truly benefit from any of our 5 to 7-minute therapies and mini-treatments infused with plant-based ingredients (non-cannabis infused). These treatments will be delivered by qualified holistic wellness and therapeutic professionals and are quick and cost-effective.

Our **BudTenders** and **BudMasters** are among the highest trained and most skilled in the industry. Staff will undergo at least 80-hours of classroom-based training before working within our retail outlet - that's five times the industry average (BDS Analytics reports that most retail staff in the industry receive up to 16 hours of training). Our BudMasters have over 200 hours of classroom-based training behind them, and hundreds more working on our retail floor.

Element 7's **Flower Product Wall** is like none other than we have seen in dispensaries in North America. We have created an interactive wall of cannabis flower with products segmented into their types (sativa, indica, and hybrid) so that consumers can easily search for and purchase cannabis products based on the emotional need-state they are looking to satisfy - playfulness and euphoria with sativa strains; serenity, relaxation, and calming with indica strains; and, socialism and creativity with hybrid strains.



Dispensary Operations

All patients will require a State ID to enter the Facility and must be 18 years of age and have a valid physician's recommendation for medicinal cannabis, and individuals who are at least 21 years of age. Once inside, new customers will be required to register with the Facility and be offered the opportunity to join our Mailing List for further information and news. They will also be educated through the sign-up process on the potency and effects of cannabis.

Once inside the Dispensary, a range of shopping options from quick-serve grab-and-go, through to customized shopping guidance will be available. A range of products including flower, oils, edibles, topicals and lotions, and other products, all from State-Licensed Distributors will be available. We would look to price and push locally manufactured products over those from other Cities / Operators as this is good for business and good for the City from a tax perspective.

Customers will be able to order in-store or through our APP or Responsive Website (which adapts itself to the customer viewing environment – phone, tablet or desktop computer) – first time users will be ID verified and then required to run through a 3-screen educational component educating them on cannabis potency, absorption and effects. They will then have the option of selecting a range of cannabis products and being able to use our 'pick-and-go' service at the Retail Outlet which streamlines the purchase journey with the retail outlet.

Management Model

Element 7's operations plan is rooted in compliance and customer satisfaction. Led by the Dispensary Manager, using industry best practices, day to day operations will divide the dispensary's workforce according to different operational tasks, including reception and customer management, patient consultation, retail management, security, facility management, merchandising and inventory tracking.

Day to day operations will be overseen by Robert DiVito, as General Manager for the Facility, and a Head of Retail / Dispensary Manager that will be sourced from the local community and ideally has previous cannabis retail experience and other adjacent retail experience in the liquor, pharmaceutical, hospitality, or other regulated industries.

Dispensary Management

- A Dispensary Manager and Dispensary Assistant Manager will oversee sales, inventory tracking, ordering, and all other day-to-day operations within the dispensary. The Dispensary Assistant Manager will set up daily specials and create bundle packages. Dispensary Assistant Managers will act as a second level of expertise for customers beyond Dispensary Technicians. When a Dispensary Technician is unable to answer a specific health and wellness question, application of cannabis, or company procedure, they will alert the Dispensary Assistant Manager for help.
- Dispensary Assistant Managers will have access to inventory controls to enable them to reconcile inventory levels, fix user-errors in the point of sale system, and purchase order bulk product into business management platforms. Dispensary Assistant Managers will respond to inquiries sent to



Element 7's general information email address, oversee customer membership rewards / discounts, and reach out to vendors for purchasing wholesale flower and infused products.

- The Dispensary Assistant Manager will keep records for active inventory and back stock and report discrepancies to the Dispensary Manager. At the end of each business day, the Dispensary Assistant Manager will review the inventory reconciliation log prepared by the Dispensary Technician. The Dispensary Assistant Manager will then investigate discrepancies in physical and digital inventory levels. To ensure accuracy of records, the FlowHub platform will be reviewed on a daily basis by Element 7' Compliance department.
- The Dispensary Manager will be an expert in cannabis, its application for qualifying conditions, sales strategies, and customer service. The Dispensary Manager will oversee the daily operation of the dispensary. The Dispensary Manager will review all inventory reports and serve as the contact point for city officials, law enforcement officers, and state regulators. The Dispensary Manager will review daily inventory reports and any flagged items with irreconcilable discrepancies.
- As a best practice, the Dispensary Manager will report discrepancies in inventory to the City Chief of Police along with a description of the incident, probable causes, and with an explanation that the event did not occur because of unlawful diversion. Conversely, the Dispensary Manager will also handle reporting thefts and suspicious behavior to the City Chief of Police. The Dispensary Manager will schedule inspections, building maintenance, and work in coordination with the Facilities Manager, Heads of Security and Compliance, to ensure the dispensary is in good operational condition.
- The Dispensary Manager will hire employees to staff the dispensary and keep 90-day performance reviews for all employees. The Dispensary Manager will train employees on operations best practices and all company policies. As a resource for all dispensary employees, the Dispensary Manager will schedule employee work shifts and relay pertinent employment matters to the HR Director.
- The Dispensary Manager will manage daily finance operations within the dispensary, and they will have exclusive access to the depository safe. As part of opening duties, the Dispensary Manager will count cash and other applicable payment receipts compiled from the previous day's operation. The Dispensary Manager will coordinate cash management services, including scheduling deposit pick-ups from a cash services company.
- As part of that process, Dispensary Managers will keep a manual deposit log. When the cash service provider enters the facility, the Dispensary Manager will prompt the representative to sign the log to verify the total deposit amount. The Dispensary Manager will keep money to be deposited in tamper-evident envelopes, then place the envelopes in puncture-proof, lockable bank bags. As an added precaution, only Dispensary Managers will



transfer money to cash service providers. The Dispensary Manager will report deposits to Element 7's financial manager, who will integrate data into sales performance reports and budget forecasts.

- As a best practice, the Dispensary Manager, financial manager and head of operations will remain in constant contact to ensure the financial sustainability of dispensary operations.

BudTenders

- Element 7 will prepare dispensary staff to accommodate all cannabis customers. Element 7 is a full-service store, where customers could conveniently access professional, attentive BudTenders and superior-quality cannabis. BudTenders will have knowledge of strains, infused products, and services that may help customers treat qualifying conditions. In addition to providing face-to-face consultations, BudTenders will navigate electronic data systems and manual logs to ensure all inventory is traceable and accounted for at all times.
- BudTenders will greet each customer by their preferred name, in a kind, inviting voice and with a pleasant attitude. After a friendly greeting, BudTenders will invite customers to express what brought them in for their visit. Some customers will eagerly express their motivation: the symptoms they experience, what products work, the potency they require, and at a specified price. Others will be more hesitant to reveal their condition, their experience (or lack thereof) with cannabis, or what they can expect to pay for cannabis products. Some may appear in good health, while others may clearly be suffering. As a best practice, BudTenders will quickly identify the appropriate tone of conversation for each customer. They will accomplish this by first asking, "Is this your first time in?" If so, the technician will recite a brief introduction to the company.
- Element 7 will be education-driven, and BudTenders will have a wealth of medical research, handouts, blogs, and publications on hand to best inform customers of the benefits and risks of cannabis. Technicians will answer all inquiries to the best of their ability, and when questions are outside their scope of knowledge, they will approach a manager to best accommodate the customer's request.
- BudTenders will keep active inventory away from back stock and organize active inventory in a way that is accessible and easy to navigate. Each BudTender will have a personal workspace that will include: a cash register and computer. When a customer selects a product, the BudTenders will write the order down. Then, the technician will search the inventory database for the requested product. The inventory tracking system will show the location of the product (active inventory or back stock). The BudTender will excuse himself or herself from the conversation to find the product. Upon returning with the product, the BudTender will ask the customer if they have any questions relating to applying or consuming it. To prevent diversion, the BudTender will place products out of the reach of customers while retrieving more products.



- When the BudTender completely fulfills the order, they will prompt the customer for payment. After payment is processed, the BudTender will offer a receipt. Then, before saying goodbye to the customer, BudTenders will invite customers to write a review of their experience on various social media accounts and mapping websites.
- BudTender opening duties will include preparing dispensing workspaces, turning on all computers, lights, and digital scales, setting up display shelves, ensuring adequate supply of active inventory, creating digital menus, and familiarizing with daily specials. At the end of each business day, BudTenders closing duties will include: closing cash registers, dropping deposits into the depository safe, reporting total sales to the Dispensary Assistant Manager, placing product in the storage vault, cleaning the service room and other limited access areas, logging out of business management platforms, counting merchandise, and turning off applicable electronics.

Receptionist

- The Receptionist is the first point of contact that patients, primary caregivers and customers will have with Element 7. The Dispensary Receptionist will have a thorough knowledge of California state laws and the Ukiah City Code to best respond to all patient and customer inquiries. The Dispensary Receptionist will keep patient and customer identification data in a secure data management platform that will be stored in a secure off-site server.
- Element 7 will use industry best practices to best ensure Dispensary Receptionist job tasks are done in a compliant, timely, and effective manner.
- The Dispensary Receptionist will greet patients, caregivers, and visitors as they enter the dispensary, verify their identities, add patients, primary caregivers and customers in the queue, grant patients, primary caregivers and customers' access to the retail sales outlet and manage the waiting room.
- As a liaison for patients, primary caregivers and customers, the Dispensary Receptionist's foremost job duty is communicating information about the company and its products. Receptionists will have digital and physical menus around workspaces to quickly reference product availability and pricing information, and they will keep reception areas free of clutter.
- Receptionists will verify medical recommendations for patients are correct and up-to-date, and have a valid State ID. They will also share with each patient Element 7's policy about patient and customer privacy and how to communicate to patients, caregivers and primary caregivers what information is shared with regulatory officials.
- Receptionists will convey this information in the form of patient and customer agreement forms, which the Receptionist will require each patient to sign before serving them. Patient agreement forms will include provisions that explain the consequences for falsifying medical or personal information. Patients, primary caregivers and customers must agree to abide by all state and city regulations while on Element 7's premises.



- Patients, primary caregivers and customers will only complete one agreement form and the Receptionist will log credentials into a secure digital network. Receptionists will encourage all patients, primary caregivers and customers to include a phone number on their patient and customer agreement form to best reach them in case of emergency, or product recall.
- Receptionists will promptly enter contact information into business management platforms then file physical documents in a secure document storage area. Receptionists will access secure filing cabinets and use them to store completed patient and customer agreement forms. Before filing, the Receptionist will check the patient and customer agreement form for complete information, thus ensuring every patient and customer is aware of company policies before being served. To protect privacy, Receptionists will logout of all management networks before leaving the reception area.
- Receptionists will not let individuals under the age of 21 into the dispensary, nor will they dispense medical cannabis from reception areas. Patients must be 18 years of age and have a valid physician's recommendation for medicinal cannabis, and individuals who are at least 21 years of age.
- Receptionists will be proficient in data entry and word processing. When the dispensary has announcements on menu availability, changes in prices, or special events (e.g. holidays, road construction, or emergencies), Receptionists will prepare statements for release on social media and on printouts. Receptionists will use spreadsheet software to log non-sensitive customer information, including contact information, product preferences, customer "goes-by" names, membership status, birthdays (for deals), and text/email list preferences. To further protect privacy, Element 7 will position any Receptionist workspaces and computer screens to block passers-by from seeing information.
- Receptionists will assist with the daily cleaning of the dispensary. They will keep personal workspaces tidy and will maintain the waiting room and common areas (bathrooms and offices). Periodically throughout the day, Receptionists will prepare coffee and snacks for waiting customers, straighten furniture, disinfect surfaces, and remove waste/recycling from common areas. As part of end-of-day procedures, Receptionists will enter all outstanding customer data created throughout the business day into business management platforms. Before leaving the facility, Receptionists will file all paperwork, log out of all digital communication networks, clean work areas, and turn off applicable electronics.

Enhanced Retail Experience

The Facility will have full climate-control systems installed. Within the main retail area of the Facility, the front-entry doors will be motion-controlled, closing within 5-seconds of opening.

Ambient room temperature will be managed and maintained with ceiling-mounted air-conditioners that allow the temperature to remain at a steady temperature of 68 degrees Fahrenheit, a temperature that studies (Engbrocks, Stephanie. The Impact



of Temperature on a Consumer's Shopping Experience, 2008), have found that consumers prefer while shopping in a retail outlet.

Ceiling-mounted air conditioners will also ensure that air circulates through the store so that the store doesn't become stale or too humid on wet summer days.

Element 7 is cognizant of the fact that climate-control systems are important for the overall shopping experience of the customer.

Storage-areas will be fully climate controlled to ensure that product is stored at the optimal temperature for product safety and shelf-life management.

Customer Flow Management: Internal Space

In order for the Dispensary to be successful and build a loyal customer base, it is vital that we have a robust plan in place to acquire, retain, and reward customers, as well as managing customer flow and traffic within the store at peak times.

With a potential customer base of approximately 5,000 cannabis consumers living within 10-miles of the Dispensary, Element 7 knows it would see approximately 100 customers a day (10-20 customers per hour).

Two key aspects we keep in mind when managing this daily customer base are:

- Implementing the optimal dispensary layout for revenue management and maximization, and
- Understanding customer flow to deliver the best customer experience.

Both of these points are essential in allowing us to keep a flow of customers moving through the dispensary, and avoid customers lingering outside the facility.

With our dispensary occupying 1,500 square feet (70% of this is dedicated to retail floor space), we would have a maximum occupancy of 35 customers at any one time (based on the California Building Code for Retail Sales Stores on Basement or Ground Levels at 30 square feet per customer). With a 50% load factor applied to this (for customer comfort), we would have a **maximum desired occupancy of 17 customers at any one time.**

With an average customer visit time of 5 minutes, **the store could handle a maximum of 210 customers an hour.** With an estimate of 100 customers a day, and operations from 8am to 9pm (13 hours), we do not forecast any significant issues with customer flow within the store.

Store Layout to Assist Customer Flow

Based on our experience with our other dispensaries, we monitor the number and patterns of customers at our various locations via closed-circuit television and analyzing purchase data information via Flowhub.



Our goal is to keep our customers excited about visiting our dispensary, and we will keep this excitement going by constantly introducing new products, strains, educational classes and exclusive merchandise. As such, promotions will be located in the dispensary's high traffic areas, and high-profit products will be staggered in busy areas or the dispensary and high demand items will be in low traffic areas, such as at the back of our dispensary allowing us to draw customers all the way through the dispensary.

Element 7's free-flowing layout will allow us to strategically group products, merchandise and other items throughout the store in a free-flowing pattern, allowing the customer to enjoy the space, while at the same time constantly noticing our placement of products.

Parking Management

The current location allots for street parking in which our customers can use as spaces are available—the site has excellent proximity to public transport (buses and trains) and freeways. Customers will enter into the facility by walking down the concrete pedestrian walkway which leads to our facility. We have proposed to use the four (4) street parking spaces (as available) in which patrons would enter on North School Street.

Site Management Plan

The Standard Operating Procedures for the Management of the Premises include for the daily inspection of the outer area of the building for trash, graffiti and any other unsightly issues. Any dumped trash or litter will be collected and placed into Element 7's dumpster for collection by the City Council, and any graffiti will immediately be removed by re-painting.

The responsibility of daily inspections will be assigned to the General Manager who will open the premises each day.

A selection of paints and paint brushes will be stored on site to rectify any issues. The interior of the building will also be inspected by the Head of Retail each day at the start of the shift to ensure the walls and floors are free from scuff marks, all lights are working, all door locks are in good working condition, all cameras are operational as required, and that all trash and litter is removed from the premises. Any maintenance issues will immediately be logged and reported to the General Manager.

Streetscape and Minors

The exterior architecture of the premises will have the same aesthetics as it currently has. We are absolutely mindful that minors and children live in the neighborhood and will responsibly ensure that we don't have any visible cannabis branding or products that could be seen from the exterior of the building pursuant to the Ukiah City Code.

Summary

Element 7 isn't just a retail cannabis outlet. Our vision is to create an interactive learning hub that allows first-time users, new cannabis consumers, and connoisseurs with a welcoming experience where they can learn, engage and shop within an



inviting and open environment. Analyzing the data and understanding that customers look to retail staff more than any other outlet or channel for product recommendations, we will ensure that our front-line BudTenders are the most trained staff in industry.

Our design, customer experience, staffing and overall holistic wellness positioning all work together to seamlessly ensure that Element 7 will deliver a retail experience like no other.



DELIVERY LICENSE OPERATIONS PLAN

**Introduction**

Element 7 delivers on-demand cannabis products to patient's and customers' homes in Cities and Towns across California. This aspect of our business is one of our fastest growing verticals driven by recent licensing wins we have secured in the Bay Area, Central Valley and San Diego regions in California.

Powered by our experience gained from our existing cannabis operations footprint, logistics management experience, and technology partnerships with Ready Cart, BURPY and Baker Technologies, Element 7 is strategically positioned to become one of the leading on-demand cannabis delivery companies in the State known for fast and on-time delivery, great pricing, product selection, and patient/customer service.

The non-storefront retail (delivery) aspect of the business will be managed by a dedicated Head of Delivery within Element 7 Ukiah, reporting to the General Manager of the local business. We project to conduct between 20 – 30 deliveries per day during our operating hours.

The business management will be governed by a series of Standard Operating Procedures developed and implemented by Element 7, including:

- Delivery Operations Policy
- Cannabis Track and Trace Policy
- Inventory Control Policy
- Records Management Policy



Standard Operating Procedures

POLICY NAME	NON-STOREFRONT RETAIL (DELIVERY) OPERATIONS POLICY
APPLICABLE LAW	Pursuant to the Business and Professions Code section 26001 (p), California Code of Regulations §5414-5421; §5048-5051 Element 7 officers, management, and staff will adhere to both local and state laws and regulations as it relates to running a compliant delivery in the City of Ukiah.
POLICY OBJECTIVE	To create a successful and fully compliant non-storefront delivery operation which focuses on team member safety and training, the consistent delivery of high quality locally sourced products, consumer education, and community engagement.
ELEMENT 7 CORE VALUE	<i>'Excellence in Everything We Do'</i>
SOP PROCEDURES	Management - Staffing and Management Ordering - Ordering Procedures - Online Ordering System - Technology Integration - Education Integration Fulfillment - Transportation Vehicle Requirements - Delivery Inventory Ledger - Order Fulfilment (Pre and Post Delivery) - Delivery Receipts - Communications - Route Planning Control and Compliance - Carriage of Business License - Delivery Employees - Online Age Verification

Management

Staffing and Management

Element 7 will employ a number of key individuals to operate the non-storefront retail (delivery) operations aspect of its cannabis business.

General Manager

The General Manager will be Element 7's day-to-day operations manager for the Facility. The General Manager will oversee all of the operations, hiring, training, evaluating, disciplining, and terminating, all employees. The General Manager shall be responsible for implementing and maintaining the seed-to-sale inventory tracking



system (Data Management System) and for ensuring that all City and State commitments are being met, that the site is secure and safe and that the quality of product is the highest in terms of industry and LLC standards possible.

The General Manager is responsible for:

1. All day-to-day operations;
2. All personnel matters including hiring, training, evaluating and disciplining all employees;
3. Implementing the Data Management System and maintaining the records generated by such;
4. Monitoring the security plan, and interfacing with the Head of Security;
5. Being the liaison between Element 7, local law enforcement and applicable local and State government entities and regulatory agencies;
6. Completing the weekly physical inventories of all inventory sales;
7. Random checks of all inventory levels, packaging and storage procedures, and report any deficiencies to the General Manager; and
8. All other management and supervisory responsibilities required by Element 7 and/or the City and State.

Shift Manager

At all times the delivery center is operational, there will be one Shift Manager on duty and physically at the Facility. Each shift will have a Shift Manager who will act as the supervisor of the facility for his/her given shift. They will report directly to the General Manager. When the General Manager is not on site, they will monitor all operations, inventory control and security, in their respective departments. The Shift Managers will record and report any activity they undertake to the General Manager. No administrative or regulatory action shall be taken by the Shift Manager without the prior approval of the General Manager.

The Shift Manager shall be a full-time officer or employee of the Facility and shall participate in all delivery operations management. They will be responsible for the following while on duty:

1. Supervise the employees and staff within their respective departments;
2. Monitor employee activities within their respective departments;
3. Monitor and input data into the inventory control system within their department;
4. Monitor and follow the security plan and interfacing with the Head of Security; and if the General Manager is off-site, they shall be the liaison between Element 7 local law enforcement, applicable State and local governmental and regulatory agencies, if necessary.



Head of Security

The Head of Security responsibilities include, but are not limited to:

1. Following the security plan;
2. Responding to any breaches in security;
3. Reporting any attempted breaches of security and or any security deficiencies to the General Manager;
4. Maintaining regulatory compliance with all security measures employed by Element 7; and
5. All other management and supervisory responsibilities required by Element 7 and/or the City and State.

Inventory Control Specialist

The Inventory Control Specialist main responsibility is to assure all the operations in the delivery Facility are fully compliant with California State law and regulations and that all inventory is fully accounted for at all points of the operations. These duties shall include, but are not limited to:

1. Providing all necessary information and reports to regulatory agencies;
2. Monitoring reports from the inventory control system;
3. Tracking any discrepancies between known or expected values, counts, weights or other information back to the source;
4. Providing input and implementing changes to protocols to correct errors, and/or other deficiencies in the Facility operations;
5. Monitoring shipping manifests, inventory levels, plant counts, inventory weight amounts, and other seed to sale tracking information;
6. Reporting to the General Manager;
7. Interfacing with the Head of Security;
8. Engaging local counsel when necessary; and
9. Any other responsibilities required by management.

Dispatch Manager

The Dispatch Manager will work directly with the dispatch team to assist in coordinating daily workflow, and work independently on safety requirements for the delivery team; in addition to being responsible for properly deploying and monitoring the status and locations of the delivery drivers. The Dispatch Manager will also be responsible for the following:

1. Answer incoming patient/customer phone calls and take appropriate action for each call;



2. Maintain customer satisfaction ratings based on explicit criteria set forth by Element 7;
3. Assign orders to drivers, and follow-up until all orders are completed;
4. Attend mandatory training sessions to stay updated on product or company policy changes;
5. Route and set schedules for the delivery team;
6. Maximize productivity and ensure prompt, courteous and efficient service to, primary caregivers; and
7. Build strong customer relationships.

Driver

Drivers will be responsible for transferring product from our delivery directly to patients, primary caregivers or customers throughout the city and collecting money in exchange for the cannabis goods. Drivers will work with the Dispatch Manager to ensure timely delivery and full compliance with both local and state laws.

Driver responsibilities include, but are not limited to:

1. Make a wide variety of deliveries as directed;
2. Keep accurate records of deliveries and patient authorizations;
3. Ensure all documentation is submitted to management on time;
4. Keep an accurate driver's log;
5. Follow a strict standard of operating procedure;
6. Load, unload, prepare, inspect and operate a delivery vehicle;
7. Collect payments and maintain petty cash.

ORDERING PROCEDURES AND POLICIES**Ordering Procedures**

Patients and customers will be able to order through our smartphone APP or responsive website (which adapts itself to the patient/customer viewing environment – phone, tablet or desktop computer) – first time users will have to upload a photo of their government identification card in order to verify age, and will then be required to run through a 3-screen educational component educating them on cannabis potency, absorption and effects. They will then have the option of selecting a range of cannabis products and being able to track Element 7 delivery business through the smartphone APP or Website in much the same way that UBER or LYFT operates.



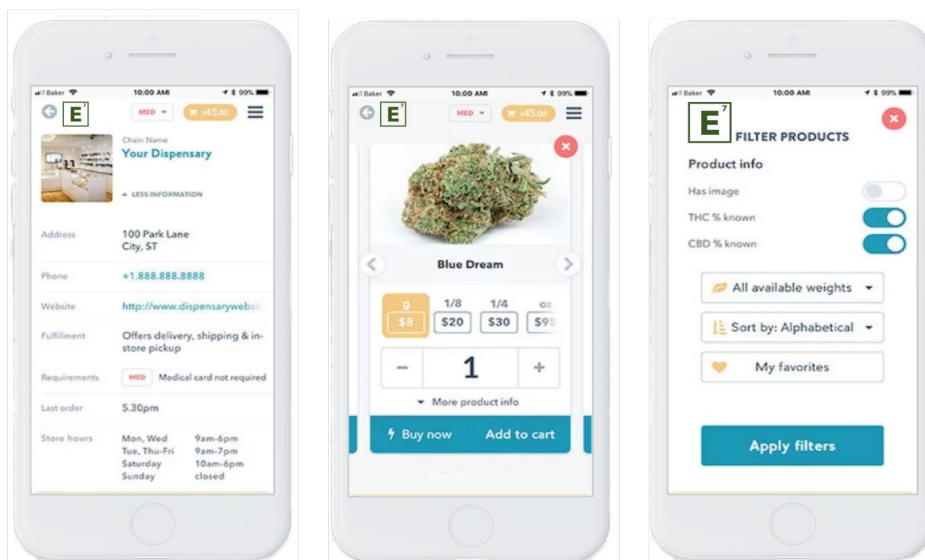
Our partner, Beyond Marketing Group has significant UX and UI experience within their company and will manage all development of such platform.

Online Ordering System

Element 7's online ordering system will allow its patients, primary caregivers or customers to place orders from our website, tablets or mobile app. Element 7 has partnered with a premier e-Commerce delivery company to create all online and web application features (Ready Cart). This will allow the website and application to have an online menu and shopping portal that directly and seamlessly connects to our inventory management system in real time.

In addition to Ready Cart, Element 7 will utilize Baker Technologies software platform which will allow Element 7 to communicate directly with patients and customers immediately after an online order is placed, inform them of new products, educate them via the smartphone app and create a Loyalty program that offers patients/customers "points" for being loyal to Element 7.

The online ordering system will display all the products for sale at the business, their prices, and product descriptions. (see *demo images below*)



Technology Integration

We understand that as a licensed non-storefront retailer, we will not sell or otherwise transfer any cannabis goods to a patient/customer through the use of an unlicensed third party, intermediary business, broker, or any other business or entity.

Element 7 will utilize Baker (which will integrate with our compliance platform 'Flowhub') as a means to facilitate the sale and delivery of cannabis goods, in accordance with the following:

1. Element 7 will not allow for delivery of cannabis goods by the technology platform service provider.
2. Element 7 will not share in the profits of the sale of cannabis goods with the technology platform service provider, or otherwise provide for a percentage



or portion of the cannabis goods sales to the technology platform service provider.

3. Element 7 will not advertise or market cannabis goods in conjunction with the technology platform service provider, outside of the technology platform, and will ensure that the technology platform service provider does not use Element 7' license number or legal business name on any advertisement or marketing that primarily promotes the services of the technology platform.
4. Element 7 will ensure the following information is provided to customers:
 - (i) Any cannabis goods advertised or offered for sale on or through the technology platform will disclose, Element 7' legal business name and license number.
 - (ii) Customers placing an order for cannabis goods through the technology platform will be able to easily identify Element 7 as the source of where the cannabis goods are being ordered or purchased from. This information will be available to the customer prior to them placing an order or purchasing the cannabis goods.
 - (iii) All required sales invoices and receipts, including any receipts provided to the customer, will disclose Element 7' legal business name and license number.
 - (iv) All other delivery, marketing, and advertising requirements will be complied with.

Ordering Procedures

1. Once a patient, primary caregiver or customers visits Element 7 online delivery portal, they will be asked if they are above the age of 21, or over 18 years of age with a valid physician's recommendation;
2. Patients, primary caregivers and customers can visit the Element 7 menu of products which will range from edibles to flower and other cannabis products;
3. After a selection has been made, selected items will be placed in a "Cart" and the patients, primary caregivers or customers can then proceed to checkout;
4. Once an order has been processed and filled at the delivery facility, the patients, primary caregivers or customers will receive an alert notification for an approximate delivery-time estimate; and
5. Element 7 Delivery employees will receive instant push notifications on all tablets and smartphones at the facility. Once a customer has placed an order, it will be immediately filled by an employee, packaged and ready for delivery within a 15-minute time frame.



Online Ordering System (Educational Component)

The Element 7 online ordering system educational component will allow its patients, primary caregivers or customers to learn about the potency, effects, THC and CBD content of cannabis or cannabis goods prior to purchasing, as well as providing patients, primary caregivers or customers with the tools to incorporate a "Holistic Wellness" approach to their everyday lives.

In furthering Element 7's "Holistic Wellness" initiative to educate customers on the benefits of cannabis, Element 7 seeks to work with Tokr to create a customized app experience for Element 7 customers. Tokr allows customers to learn which cannabis-based products can be used in their everyday life, and eases the anxiety or nervousness associated with not knowing how cannabis and cannabis related products may use daily.

Element 7's cannabis and cannabis products breakdown will equip customers, primary caregivers or customers with the knowledge and understanding of the benefits of a chosen cannabis strain or product. Having an educational component on Element 7 website informs patients, primary caregivers or customers how each strain of cannabis might affect them which can go a long way towards utilizing the plant's potential therapeutic benefits.

The website will provide thorough descriptions of each type of strain - Sativa, Indica, Hybrid and CBD.

In furthering Element 7's commitment to inform and empower the Ukiah community on cannabis education, it is also worth mentioning that accurately estimating cannabinoid effects must be treated with some subjectivity. Each patient/customer has an individual reaction to each type of cannabis strain and experimentation with different types of strains is essential for new patients, primary caregivers or customers to achieve desired results.

Element 7 suggests patients, primary caregivers or customers keep a journal and record both body and head reactions to each strain, which will remove much of the guesswork from selecting the strains that work best for them. Our content management system will automatically send an email 12 hours after a customer has made a purchase which requires that product feedback following a "first time" purchase of a given product, and prior to the customer next purchase to ensure we are receiving as much feedback as possible.

FULFILLMENT PROCEDURES AND POLICIES

Transportation Vehicle Requirements

Element 7 will strictly adhere to all rules, requirements and regulations regarding transportation of cannabis within the state of California, as they are created and modified by City and State legislators. No deviation from those rules will be tolerated or allowed. The Head of Security will implement additional measures beyond the minimum requirements (i.e. transfer of currency for remitting City tax payments).

Element 7's delivery process begins when the delivery employee leaves the facility with the cannabis goods for delivery. The delivery process ends when the delivery employee returns to the facility after delivering the cannabis goods or attempting to



deliver the cannabis goods to the patients and customers. At no time will an Element 7 delivery employee engage in any activities except for cannabis goods delivery and necessary rest, fuel, or vehicle repair stops. Element 7 will maintain an accurate list of all delivery employee's information.

Any vehicle used in the delivery of cannabis goods will be operated by a delivery employee of Element 7. Vehicles used for delivery will not have any indications on the exterior of the vehicle that may indicate that the delivery employee is carrying cannabis goods for delivery. Only Element 7 employees will be in the delivery vehicle. In the event that an employee leaves the vehicle unattended, he/she will ensure that the vehicle is locked and equipped with an active vehicle alarm system.

All Element 7 vehicles will be outfitted with a dedicated Global Positioning System (GPS) device for identifying the geographic location of the delivery vehicle and recording a history of all locations traveled to by the delivery employee while engaged in delivery. The GPS device will be owned by Element 7 and used for delivery only. The device will be either permanently or temporarily affixed to the delivery vehicle and will remain active and inside of the delivery vehicle at all times during delivery. At all times, Element 7 will be able to identify the geographic location of all delivery vehicles that are making deliveries and document the history of all locations traveled to and by a delivery employee while engaged in delivery.

Delivery Inventory Ledger

- A LIVE delivery inventory ledger will be created which tracks all cannabis goods provided by Element 7 to the delivery driver, orders, purchase and product deliveries;
- For each cannabis good, the delivery inventory ledger will include the following:
 - Type of good, the brand, the retail value;
 - The track and trace identifier, and the weight, volume or other accurate measure of the cannabis good.
- After each delivery, the delivery inventory ledger will be updated to reflect the current inventory in possession of Element 7' delivery driver.
- No product will leave the Facility without being accompanied by an authorized driver of the Facility, together with transportation manifests to show the vehicle information, driver and accompanying personnel information, date and time the delivery business vehicle leaves the facility, the amount of product that is being transported, a breakdown of the individual boxes that will be delivered to individual patients, primary caregivers and customers, the route that the vehicle will take, and expected delivery business times for delivery business to each delivery business.

Order Fulfillment (Pre-Delivery)

- Orders will be taken by Element 7 through an SSL Encrypted Responsive Website, Smart-Phone APP and by phone. All customers will be checked to ensure they have the appropriate ID Card by uploading a photo of their government-issued identification.



- Received Orders will then be approved by the Shift Manager and queued for Packing. A Packer Employee will fulfil the order from stock in either the Ambient Storage Room or Cold Storage Room, where it will be packed in the Packing Room. It will then be queued for Dispatch.
- Packed Orders will be assigned to a Driver by the Dispatch Manager and moved to the Dispatch Room from the Packing Room. Cannabis will only be sold to an individual in an amount consistent with personal possession and use limits allowed by the State of California and enforced by Ukiah and Element 7.
- The order fulfilment boxes (plastic) containing cannabis to be delivered to customer will be verified, recorded and sealed. Once sealed they will be loaded into the lock boxes in the delivery business vehicle from the Dispatch Room, employees will ensure that no cannabis goods are visible to the public. Cannabis goods will be locked in a fully enclosed box, container, or cage that is secured on the inside of the vehicle.
- Both the Inventory Control Specialist and the driver that will accompany the product will verify the number of boxes, the date and time of delivery business, the date and time that the delivery business vehicle leaves the Facility, and the addresses to which the product will be delivered.
- Element 7 will maintain a database and provide a list of the individuals and vehicles authorized to conduct vehicle dispensing, and a copy of the valid California driver's license issued to the driver of any such vehicle on behalf of Element 7 to the Ukiah Chief of Police.
- Only after the dispatch employee has completed the check with checklist for delivery business will the vehicle then be driven out of the lock area, and immediately began its delivery business route.
- Individuals making deliveries of cannabis or cannabis products on behalf of Element 7 will maintain a physical copy of the delivery request (and/or invoice) and will make it available upon the request of agents or employees of the City of Ukiah requesting documentation.
- The total amount of cannabis carried in the vehicle will comply with State Law.

Order Fulfillment (Post-Delivery)

- Once the delivery business vehicle is in the locked and secured area designated for that purpose, the lockbox inside of the delivery business vehicle will be opened by delivery business personnel.
- The Inventory Control Specialist will perform a visual verification that the lockbox is in fact empty and contains no leftover cannabis products from a previous delivery business. If there is cannabis, it will be removed from the vehicle, identified, recorded and placed in the vault for either reshipment or in the case of a cancelled order, the box seal will be cut, the contents verified as being un-tampered with and then re-stocked into inventory and



recorded as being re-stocked, including time, date, amount, package numbers, weights, employee performing the re-stocking and reason for the return of the product. Any product that has been tampered with will be accounted for and then destroyed in accordance with Element 7 procedures.

- Any cash payments received by the Driver will be logged, accounted for, signed and held in the cash register until the end of the shift or day, at which point it will be counted and locked in the Walk-In Vault.

Delivery Receipts

- Element 7 will prepare both a hard copy and an electronic delivery request receipt for each delivery of cannabis goods. The delivery request receipt will contain the following:
 1. The name and address of Element 7;
 2. The first name and employee number of Element 7' delivery employee who delivered the order;
 3. The first name and employee number of Element 7' employee who prepared the order for delivery;
 4. The first name of the patient/customer and an Element 7 retailer-assigned customer number for the person who requested the delivery;
 5. The date and time the delivery request was made;
 6. The delivery address; and
 7. A detailed description of all cannabis goods requested for delivery.

Communications

- Each driver will carry a communication device and a cell phone for backup communication.
- Driver will always remain in contact with Element 7's Central Security Control Room as well as 911 and emergency services, if necessary.

Route Planning

- The Dispatch Team will plan route security after the time and destination are determined. Routes will be randomized, and times varied. Other consideration, in addition to randomization and time, for each route will be based upon:
 1. Operational security (based on number of stop on route, crime by area, known previous routes etc.);
 2. Traffic (time of day or road incident);
 3. Known public events, i.e. parades, demonstrations, unusual activity using current information available from a variety of sources to include news releases, police and city offices, social media; and



4. Ongoing real-time incidents that would impede delivery business.
- If an Element 7 delivery driver does not have any delivery requests to be performed for a 30-minute period, the delivery driver will not make any additional deliveries and will return to the facility.

CONTROL AND COMPLIANCE

Carriage of Business License

All vehicles associated with the business will carry in the vehicle a copy of the valid, unexpired business license as well as a copy of Element 7's current non-storefront retailer's license. In addition, Element 7 Vehicle' will be registered with the City Police Department.

Delivery Employees

- Element 7 will not employ or retain persons under 21 years of age.
- All deliveries of cannabis goods will be performed by a delivery employee who is directly employed by Element 7.
- All deliveries of cannabis goods will be made in person. A delivery of cannabis goods will not be made through the use of an unmanned vehicle.
- Delivery employees will carry a current government-issued identification, and an identification badge provided by Element 7.

Online Age Verification

- Electronic age verification will be utilized to determine the age of any individual attempting to purchase cannabis goods. All employees will be instructed on its use.
- Cannabis will not be sold to the public without electronic age verification.
- Delivery employees will verify the age and identity of the recipient of the cannabis goods at both order time and delivery of goods.
- Cannabis goods will only be received by the patient/customer. The driver will scan the patient/customer's valid identification card and verify that the individual is 21 years of age or older, or 18 years old with a valid physician recommendation.

Summary

Element 7's Delivery business and operations are a critical focus point for our overall business strategy. While cannabis is a highly experimental and discovery-led category in 2019, we know that moving ahead, cannabis will more closely mimic existing shopping and buyer behavior practices of other consumer product verticals. Having a robust business plan and set of policies in place will be critical to our expansion efforts over the next 3-5 years as we seek to become one of the leading and largest cannabis delivery companies in California.



MANUFACTURING OPERATING PLAN



Introduction

Element 7 manufactures a range of cannabis products and brands to meet the growing demand for these goods from patients and consumers in California. Manufactured extracts, edibles and topicals are the fastest growing categories in the industry and Element 7 produces a range of in-house cannabis brands to meet this demand.

Our cannabis brands include:

SLAY: A range of THC-infused cannabis creams, lotions and beauty products targeted at empowered, confident, and young female consumers.

Daily Cannabis Co: The Monday-to-Friday cannabis brand available in flower, pre-rolls and CO2-produced concentrates.

Element 7: Holistic wellness infused cannabis creams, lotions, extracts and edibles.

Powered by the experience gained from our existing cannabis operations footprint, logistics management experience, and technology and data partnerships with Ready Cart, BURPY and BRIGADE, Element 7 is strategically positioned to become one of the leading cannabis manufacturing companies in the State known for the quality of our products, the emotional need states we deliver against, and the strength of our brands and trademarks.



Management Plan and Staffing

The manufacturing aspect of the business will be managed by a dedicated Head of Manufacturing within Element 7 Ukiah, reporting to the General Manager of the local business.

Head of Manufacturing

The Head of Manufacturing will oversee all lab operations, including the management of lab technicians. This role will be responsible for maintaining the organization, cleanliness, and efficiency of the production area. The Head of Manufacturing maintains quality control measures to ensure high quality product and carries out day-to-day tasks including: prepping, extracting, and packaging. The Head of Manufacturing must monitor and maintain production facility in accordance with Element 7's Laboratory standards. The Head of Manufacturing will perform regular maintenance, cleaning, and repairs of all laboratory equipment including arranging any necessary equipment replacement(s). The Head of Manufacturing will also schedule and maintain testing for research and product safety, as well as state compliance for the state of California.

The core job responsibilities of the Head of Manufacturing include:

- Planning and managing production schedules that effectively leverage capacity, labor and materials to meet volume, cost and quality goals.
- Developing, implementing, and holding the team accountable to relevant KPIs with a focus on continuous improvement by producing weekly production reports and attending company meetings.
- Studying and clarifying specifications, calculating requirements, assembling and weighing cannabis materials and supplies for lab processes.
- Performing all technical procedures adhering to the operation, technical, and quality control policies and guidelines.
- Creating and improving all SOPs to stay compliant with local and state regulations and maintaining accountability and inventory of all supplies, raw materials, finished products.
- Tracking post-processing temperatures and times to manipulate product as required.
- Tracking manufacturing metrics throughout the lab chain of custody including cannabis waste.
- Collecting and interpreting data to monitor and adjust daily operations for maximum output and quality.
- Creating proprietary blends for our products
- Blending for our customers according to set parameters
- Tracking consumables usage and maintain the laboratory inventory.
- Creating QC and R&D samples and oversee all COA product testing,
- Maintaining inventory records of supplies, materials, and temperatures of machinery along with troubleshooting, preventative maintenance and regular data logging for all lab equipment
- Regular cleaning and maintenance of lab equipment and facility to keep laboratory and all other working areas in pristine conditions.
- Maintaining material safety data sheets for all department chemicals and products.



Operations Management

Day-to-day operations at the Facility will be governed by a series of Standard Operating Procedures developed and implemented by Element 7, including:

- Type-6 Manufacturing Operations Policy
- Cannabis Track and Trace Policy
- Inventory Control Policy
- Records Management Policy

Product Range

Element 7 will package finished cannabis products in the form of pre-rolls, extracts / concentrates, edibles, tinctures and creams/ lotions. Our product range, branding, and pricing will largely be determined by analyzing industry data, consumer trends, consumer need-state analysis and a range of other data and insights to create the optimal go-to-market product and packaging mix.

Manufactured products will either be produced and packaged as single extracts and concentrates, or, combined with holistically natural and organic ingredients to create a homogenized material with a consistent cannabinoid profiles and potency.

Edibles

Technicians will combine sustainably sourced, organic fruits, grains, sugars, nuts, seeds, chocolates, and other ingredients with cannabis oils to create a spectrum of palatable edibles under the Element 7 brand.

Topicals

Element 7 will produce finished cannabis products in the form of topical applications, including lotions, creams, salves, balms, and/or moisturizers.

Tinctures

Element 7 will manufacture tinctures in a variety of cannabinoid profiles and flavors available to enhance product diversity and therapeutic options for its customer base. Element 7 will also produce finished medical cannabis products in the form of semi-viscous liquid tinctures. Tinctures will be vegetable-glycerin-based and may be applied by a glass and rubber self-contained liquid dropper. Tinctures will have consistent cannabinoid profiles. Processing Technicians will bottle tinctures in accordance with industry best practices. Technicians will produce tinctures from medical cannabis oil that contains activated cannabinoids and add material to food-grade glycerin and other natural or organic sweeteners and/or flavors to enhance the palatability of the finished product. Agave nectar will be a desired sweetener for its low viscosity at room temperature.

Pre-Rolls and Joints

Pre-Rolls and joints will be made from a range of flower-grade products sourced from the market, using pre-roll machinery equipment that produces up to 2,000 pre-rolls an hour.



Manufacturing Standard Operating Procedures

POLICY NAME	TYPE-6 LICENSE MANUFACTURING OPERATIONS POLICY
APPLICABLE LAW	Pursuant to the California Code of Regulations Sections 40200-40258.
POLICY OBJECTIVE	To create a successful and fully compliant manufacturing operation which focuses on team member safety and training, the consistent delivery of high quality locally sourced products, consumer education, and community engagement.
ELEMENT 7 CORE VALUE	<i>'Excellence in Everything We Do'</i>
SOP PROCEDURES	Facility Design - Water Management - Heating, Ventilation, Cooling and Air Filtration Systems - Plumbing Systems - Sanitary Conditions and Facilities - Facility Lighting - Pest Control - Equipment and Utensils Manufacturing Protocols - Controlling and Tracking Component Requirements - Batch Manufacturing Protocol - Process Monitoring and Controls During Manufacture - Quality Control - Cannabis-Derived Product Specifications - Product Discrepancies - Calculation of Yield Fire and Safety Technical Report

Facility Design

Element 7 propose to construct a 237 sq. ft. cannabis manufacturing lab to facilitate the processing of raw medical cannabis flower and trim into extracts, infused products and finished manufactured goods. We estimate that we will receive one (1) delivery per week of raw product from a state-licensed distributor. The following considerations have been taken into account when designing our Facility and proposing our plan:

- The facility will have adequate space for the orderly placement of equipment and materials to prevent mix-ups of components, packaging components, in-process materials, cannabis, or cannabis-derived products during manufacturing, packaging, labeling, or holding.
- The facility will be designed to reduce the potential for contamination of components, packaging components, cannabis, cannabis-derived products, or contact surfaces, with microorganisms, chemicals, filth, or other extraneous material. To ensure this, Element 7 will ensure that the design and construction includes:
 - Floors, walls, and ceilings that can be adequately cleaned and kept clean and in good repair;



- Fixtures, ducts, and pipes that do not contaminate components, packaging components, in-process materials, cannabis or cannabis-derived products, or contact surfaces by dripping or other leakage, or condensate;
- Aisles or working spaces between equipment and walls that are adequately unobstructed and of adequate width to permit all persons to perform their duties and to protect against contamination, or contact surfaces with clothing or personal contact.
- Safety-type light bulbs, fixtures, skylights, or other glass or glass-like materials must be used when the light bulbs, fixtures, skylights or other glass or glass-like materials are suspended.
- The facility will have separate or defined areas, or other control systems such as computerized inventory controls or automated systems of separation, to prevent cross-contamination and mix-ups of components:
 - Receipt, identification, storage, and withholding from use of quarantined components;
 - Storage of approved components, packaging components, cannabis, or cannabis-derived products;
 - Storage of rejected components and cannabis waste pending return to their supplier or destruction;
 - Storage of in-process materials pending normal further processing;
 - Storage of components pending reprocessing;
 - Manufacturing operations;
 - Packaging and labeling operations;
 - Separation of the manufacturing, packaging, labeling, and holding of different product types including different types of cannabis or cannabis-derived products and other products handled in the same physical facility; and
 - Performance of laboratory analyses and storage of laboratory supplies and samples, as applicable.

The facility will feature an odor control system and an internal building security system both discussed in more in this application.

Water Management

Water will be provided that is:

- Safe and sanitary, at suitable temperatures, and under pressure as needed, for



all uses where water does not become a component of the cannabis derived product.

- Compliant with applicable state and local potable water requirements and with other requirements as necessary to ensure the water does not contaminate the cannabis-derived product.

Heating, Ventilation, Cooling and Air Filtration Systems

Systems will be installed and maintained in the Facility as needed to ensure the quality of the product.

- Ventilation equipment such as filters, fans, exhausts, dust collection, and other air-blowing equipment will be provided in areas where odors, dust, and vapors (including steam and noxious fumes) may contaminate components or contact surfaces.
- When fans, compressed air, or other air-blowing equipment are used, such equipment must be designed, located, and operated in a manner that minimizes the potential for microorganisms and particulate matter to contaminate components or contact surfaces.
- Equipment that controls temperature, humidity, and/or microorganisms must be provided, when such equipment is necessary to ensure the quality of the product.

Plumbing Systems

The plumbing in the facility will be of an adequate size and design and be adequately installed and maintained to:

- Carry sufficient amounts of water to required locations throughout the facility;
- Properly convey sewage and liquid disposable waste from the facility;
- Avoid being a source of contamination to components or any contact surface, or creating an unsanitary condition;
- Provide adequate floor drainage in all areas where floors are subject to flooding-type cleaning or where normal operations release or discharge water or other liquid waste on the floor;
- Not allow backflow from, or cross connection between, piping systems that discharge waste water or sewage and piping systems that carry water used for manufacturing cannabis-derived products, for cleaning contact surfaces, or for use in bathrooms or hand-washing facilities.

Sanitary Conditions and Facilities

Adequate and convenient hand-washing facilities will be provided that are:

- Provided with running water of suitable temperature;
- Provided with effective hand cleaning and/or sanitizing preparations and single use paper towels or other drying devices;
- Located at points in the facility where good sanitary practices require



- personnel to wash their hands;
- Prohibited from being used for activities that support production operations, such as cleaning of production equipment or utensils.

The grounds of the Facility will be kept in a condition that protects against the contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces. The methods for adequate ground maintenance include:

- Properly storing equipment, removing litter and waste, and cutting weeds or grass within the immediate vicinity of the facility so that it does not attract pests, harbor pests, or provide pests a place for breeding;
- Maintaining roads, yards, and parking lots so that they do not constitute a source of contamination in areas where components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces are exposed;
- If the plant grounds are bordered by grounds not under the operation's control, and if those other grounds are not maintained in the manner described in this section, care should be exercised in the plant by inspection, extermination, or other means to exclude pests, dirt, and filth or any other extraneous materials that may be a source of contamination;
- Cleaning compounds, sanitizing agents, pesticides, and other toxic materials will be appropriately stored, handled, and controlled.
 - Cleaning compounds and sanitizing agents must be free from microorganisms of public health significance and be safe and adequate under the conditions of use.
 - Toxic materials must not be used or held in the facility in which components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces are manufactured or exposed, unless those materials are necessary as follows:
 - (i) To maintain clean and sanitary conditions;
 - (ii) For use in laboratory testing procedures, where applicable;
 - (iii) For maintaining or operating the facility or equipment; or
 - (iv) For use in the facility's operations.

Cleaning compounds, sanitizing agents, pesticides, pesticide chemicals, and other toxic materials must be identified, stored, and used in a manner that protects against contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces.

Facility Lighting

Adequate lighting will be provided in:



- All areas where components, packaging components, in-process materials, cannabis, or cannabis-derived products are examined, manufactured, packaged, labeled, or held;
- All areas where contact surfaces are cleaned; and
- Hand-washing areas, dressing and locker rooms, and toilet facilities.

Pest Control

Adequate pest control will be provided.

- Animals or pests will not be allowed in any area of the facility, except that guard or guide dogs may be allowed in some areas of the facility if the presence of the dogs will not result in contamination of components, packaging components or contact surfaces;
- Effective measures will be taken to exclude pests from the facility and to protect against contamination of components and contact surfaces on the premises by pests; and
- Insecticides, fungicides, or rodenticides must not be used in or around the facility, unless they are registered with EPA and used in accordance with the label instructions, and effective precautions are taken to protect against the contamination of components or contact surfaces.
- Trash will be regularly conveyed, stored, and disposed in order to:
 - Minimize the development of odors;
 - Minimize the potential for the trash to attract, harbor, or become a breeding place for pests;
 - Protect against contamination of components, any contact surface, water supplies, and grounds surrounding the facility; and
 - Control hazardous waste to prevent contamination of components and contact surfaces.
- A schedule will be developed for sanitation that includes:
 - Responsibility for sanitation;
 - Detailed description of the cleaning schedules, methods, equipment, and materials to be used in cleaning the grounds and buildings; and
 - Records of cleaning and sanitation.

Equipment and Utensils

- Production operations must use equipment and utensils that are of appropriate design, construction, and workmanship.



- Equipment and utensils will be suitable for their intended use;
- Equipment and utensils will be able to be adequately cleaned and properly maintained; and
- Use of equipment and utensils will not result in the contamination of components, packaging components.
- Each freezer, refrigerator, and other cold storage compartment used to hold components, in-process materials, or cannabis or cannabis-derived products:
 - Will be fitted with an indicating thermometer, temperature-measuring device, or temperature-recording device that indicates and records, or allows for recording by hand, the temperature accurately within the compartment; and
 - Will have an automated device for regulating temperature and/or an automated alarm system to indicate a significant temperature change.
- Instruments and controls used in manufacturing, packaging, holding, or testing components, packaging components, in-process materials, cannabis, and cannabis-derived products will be calibrated, inspected, or otherwise verified before first use and at routine intervals or as otherwise necessary to ensure the accuracy and precision of the instrument or control, and the resulting data must be periodically reviewed by quality control personnel. Instruments or controls that are past their calibration, inspection, or verification due date, or which cannot be adjusted to provide suitable accuracy and precision, will be removed from use until they are repaired or replaced.

Controlling and Tracking Component Requirements

- Element 7 manufacturing operations will have written procedures describing in sufficient detail the receipt, identification, storage, handling, sampling, review, and approval or rejection of components.
- Each container or grouping of containers for components will be identified with a distinctive code (i.e. lot or control number) for each lot in each shipment received, which allows the lot to be traced backward to the supplier, the date received, and the name of the component; and forward to the cannabis-derived product batches manufactured or distributed using the lot.
- Components must be received and stored pending approval as follows:
 - Upon receipt and before acceptance, each container or grouping of containers must be examined visually for appropriate labeling as to contents, container damage or broken seals, and contamination, to determine whether the container condition may have resulted in contamination or deterioration of the components.
 - The supplier's documentation for each shipment must be examined to ensure the components are consistent with what was ordered.



- Components must be stored under quarantine until they have been sampled, reviewed, and approved or rejected by quality control personnel.
- Components must be approved or rejected as follows:
 - Each lot of components will be withheld from use until the lot has been sampled, reviewed, and released for use by the quality control personnel.
 - Compliance of the lot with established specifications will be ensured either through review of the supplier's certificate of analysis or other documentation, or through appropriate tests and/or examinations. Any tests and examinations performed will be conducted using appropriate scientifically valid methods.
 - Any lot of a component that meets its specifications may be approved and released for use for use by quality control personnel.
 - Any lot of a component that does not meet its specifications must be rejected by quality control personnel.

Process Monitoring and Controls During Manufacture

- Process specifications are established for production process parameters at or during any point, step, or stage where control is necessary to ensure the quality of the batch of cannabis-derived product, and to detect any unanticipated occurrence that may result in contamination, adulteration, or a failure to meet specifications.
- The process parameters to be monitored may include, but are not limited to, the following as appropriate:
 - Time;
 - Temperature;
 - Pressure; and
 - Speed.
- Production process parameters will be monitored at or during any point, step, or stage where process specifications have been established. Any deviation from the specified process parameters will be documented and justified, and the associated in-process material or product must be quarantined. The deviation must be reviewed and approved or rejected by quality control personnel. Such deviations will not be approved unless quality control personnel determine that the resulting cannabis-derived product will meet all specifications for identity, purity, strength, and composition and is not otherwise contaminated or adulterated.
- If a deviation is rejected, the resulting in-process or finished cannabis-derived product must be rejected and destroyed.



- Operations on one component, product, or batch must be physically, spatially, or temporally separated from operations on other components, products, or batches.
- All necessary precautions must be taken during the manufacture of a cannabis-derived product to prevent contamination of components and products.

Quality Control

The Head of Manufacturing and Compliance Manager will randomly select finished, packaged samples and test them for potency and the presence of microbial contaminants.

A representative sample of each batch or lot of component, cannabis, or cannabis-derived product will be collected by removing and compositing portions of material or units from throughout the containers in the batch or lot to be given to a licensed Distributor for testing.

Cannabis-Derived Product Specifications

Manufacturing operations will establish specifications for the identity, purity, strength, and composition of each cannabis-derived product manufactured by the operation. Manufacturing operations which receive cannabis-derived product for further processing must establish specifications to provide sufficient assurance that the product received is adequately identified and is consistent with the purchase order.

For every batch or lot, or for a subset of cannabis-derived product batches or lots identified through sound statistical sampling plan, the operation will verify that the batch or lot meets product specifications for identity, purity, strength, and composition, to the extent that scientifically valid test methods exist for these specifications via a state-licensed testing laboratory.

Product Discrepancies

Any unexplained occurrence or discrepancy, and any failure of the cannabis-derived product to meet its specifications or requirements, must be documented and investigated. The investigation must extend to any related batches that may have been associated with the same specific failure, discrepancy, or problem; this may include, but is not limited to, batches of the same cannabis-derived product, other batches processed on the same equipment or during the same time period, and other batches produced using the same lots of components.

Calculation of Yield

Actual yields will be determined at the conclusion of each appropriate phase of manufacturing of the cannabis-derived product. Such calculations must either be performed by one person and independently verified by a second person, or, if the yield is calculated by automated equipment, be independently verified by one person.

If the percentage of theoretical yield at any process step or at the end of production falls outside the maximum or minimum percentage of theoretical yield allowed in the manufacturing protocol, quality control personnel must conduct an investigation of the batch and determine, to the extent possible, the source of the discrepancy. The



deviation must be documented, explained, and approved by quality control personnel.

Fire and Safety Technical Report

Element 7 will provide a fire and life safety technical report to the Fire Department, prepared by a licensed professional engineer, to evaluate the totality of the cannabis operation, including the certification of equipment. Said report will be approved by the Fire Department prior to Operation.

Summary

Element 7 will continue to leverage its access to data and customer insight to stay ahead of its competition and continue to meet consumer demand for innovation, new products, and better manufacturing methods to produce cleaner, better tasting, and functionally superior products.

We aim to be the most tested, taxed, trusted, controlled and compliant operator in the industry. With concentrates and extracts being the fastest growing products in the market, our manufacturing operations are critical to the overall growth and continued development of the Element 7 brand.



SITE OPERATING PLAN: POLICIES AND PROCEDURES



Element 7's Standard Operating Procedures are designed to provide step-by-step instructions for staff performing routine and complex tasks. Our SOP's focus on creating efficiency, quality and uniformity of output, while reducing miscommunication and failure to comply with industry regulations and company standards.

With an increasingly complex regulatory environment guiding our business and industry, the development of clear guidelines and the consistent implementation of such processes is critical to our business.

Standard Operating Procedures contained within this document are consistent across all aspects of our business, from seed to sale, and include:

- Facility Restrictions
- Opening and Closing Procedures
- Signage Policies
- Sales Limit
- Inventory Management
- Records Retention
- Annual Reviews
- Packaging Policy
- Complaints, Returns & Recalls Policy
- Permit Display Policy
- Hours of Operation
- Age Restriction and Verification
- Advertising and Marketing Policies
- Track and Trace
- Data Management
- Auditing Procedures
- Right of Access
- Storage and Handling Policy
- Compliance Management
- Noise Reduction Policy



SITE OPERATING POLICIES

POLICY NAME	FACILITY RESTRICTIONS
APPLICABLE LAW	Pursuant to the California Code of Cannabis Regulations §5039 and Article 15.6 of Chapter 2 in Division 9 of the Ukiah City Code, Element 7 officers, management, and staff will adhere to both local and state laws and regulations as it relates to running a compliant facility in the City of Ukiah.
POLICY OBJECTIVE	To ensure that the Element 7 facility remains in compliance with the City of Ukiah rules and regulations, as it relates to building signage, advertising, on-site consumption and permit visibility.
ELEMENT 7 CORE VALUE	<i>"Make Compliance an Advantage"</i>
SOP PROCEDURES	Facility Restrictions

Facility Restrictions

- On-site consumption of cannabis is prohibited at all times by all individuals on the property.
- No cannabis or cannabis products or graphics depicting cannabis or cannabis products will be visible from the exterior of the business premises, or on any of the vehicles owned or used as part of the business.
- Each entrance will be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the commercial cannabis business is prohibited.
- The original copy of the commercial cannabis business permit issued by the City will be posted inside the business premises in a location readily visible.

POLICY NAME	HOURS OF OPERATION
APPLICABLE LAW	Pursuant to the California Code of Cannabis Regulations §5403, Element 7 officers, management, and staff will adhere to both local and state laws and regulations as it relates to running a compliant facility in the City of Ukiah.
POLICY OBJECTIVE	To create a successful and fully compliant operation which allows Element 7 to serve the needs of its patients, primary caregivers and customers during the hours of operation.
ELEMENT 7 CORE VALUE	"Consistency is Everything"
SOP PROCEDURES	Hours of Operation

Pursuant to BCC and Ukiah requirements, the proposed main hours of operation for the Facility will be between 7am and 10pm:

Dispensary Hours of Operation

7am – 8am: Opening Procedures (Dispensary) – Not Open to Public
 9am – 9pm: Dispensary Operations
 9pm – 10pm: Closing Procedures (Dispensary) – Not Open to Public

Manufacturing Hours of Operation

8am – 8pm Manufacturing Operations



POLICY NAME	OPENING AND CLOSING PROCEDURES
APPLICABLE LAW	An Element 7 Internal Practice.
POLICY OBJECTIVE	To ensure that Element 7 managers and staff adhere to a streamlined system for day-to-day operations at the retail facility.
ELEMENT 7 CORE VALUE	'Consistency is Everything'
SOP PROCEDURES	Daily Business Schedule - Opening Procedures - Mid-day Procedures - Closing Procedures

Daily Business Schedule

The following proposed schedule represents the general daily tasks that will take place at the business location.

Opening Procedures

- The Manager will unlock the Dispensary and Offices section of the business each morning at 8am.
- The Manager will be accompanied by a security guard when unlocking and entering the business (a guard will be at the premises 24 hours a day).
- Upon entering the building, the Manager will conduct the following tasks:
 1. Disarm the alarm
 2. Turn on all lights
 3. Check the phone for messages
- The Head of Retail will be scheduled to arrive approximately 15 minutes after the Manager. Once the employees arrive, they will be responsible for managing their own departments and operations, reviewing inventory levels, monitoring and checking overnight data, preparing upcoming schedules for the day and week, and assigning employees to tasks as they arrive for work.

Mid-Day Procedures

- Throughout the work day, the manager may conduct the following tasks:
 1. Assist employees with processing orders and ensuring that they are properly designated/assigned.
 2. Update the track-and-trace system as necessary.
 3. Receive shipments with the assistance of another employee.
- Salespersons will be responsible providing excellent customer service and processing orders.
- During operating hours, the security guard will be walking the perimeter of the property and present in the facility, from time- to-time.



Closing Procedures

- The General Manager will ensure that all cannabis and cannabis products are securely stored.
- The facility be dusted, sweep, mopped, etc. as needed.
- The General Manager will ensure that all doors, safes, and vaults are locked and secured.
- All benches and surfaces will be cleaned and wiped. All equipment will be turned off and cleaned.
- All non-cannabis trash will be taken to the dumpster and sorted for recycling.
- All lights will be shut off.
- The General Manager will arm the alarm.
- The General Manager will lock and exit the building.

The General Manager will be accompanied by a security guard when locking and exiting the retail store. The security guard will escort the General Manager to their car.

POLICY NAME	AGE RESTRICTION AND VERIFICATION
APPLICABLE LAW	Pursuant to the California Code of Regulations §5031, §5400, §5404 and §5415 Element 7 directors, officers and management will adhere to both local and state laws and regulations as it relates age restrictions at the facility in the City of Ukiah.
POLICY OBJECTIVE	To protect children and young adults from entering the Element 7 facility, and ensure that all patients, primary caregivers, customers and employees meet both the local and state age requirements.
ELEMENT 7 CORE VALUE	<i>"Make Compliance an Advantage"</i>
SOP PROCEDURES	Employee Age Restriction Age Verification

Employee Age Restriction

- Element 7 will not employ or retain persons under 21 years of age.

Age Verification

- Electronic age verification will be utilized to determine the age of any individual attempting to purchase cannabis goods. All employees will be instructed on its use.
- Cannabis will not be sold to the public without electronic age verification.
- Dispensary employees will verify the age and identity of the recipient of the cannabis goods at purchase.
- Cannabis goods will only be received by the customer. The employee will scan the customers valid identification card and verify that the individual is 21 years of age or older.



POLICY NAME	SIGNAGE POLICIES
APPLICABLE LAW	Pursuant to the California Code of Regulations §5040(b); Business and Professions Code §5200 and the City of Ukiah (Insert ordinance) the Element 7 facility will adhere to both local and state laws and regulations as it relates to signage in the City of Ukiah.
POLICY OBJECTIVE	To inform visitors, contractors, patients, primary caregivers, customers and staff of Element 7' protocols both inside the facility, and the area surrounding the facility.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Signage Policies

SIGNAGE POLICIES

Element 7 will install facility signage once approved by the City of Ukiah, such as the main building sign, in a manner that clearly establishes it is a dispensary, but is not overly obtrusive, obstructive, or offensive in nature.

The following signage will be displayed prominently within the business in measurements of not less than 8 x 10 inches in a minimum of 24-point font, stating:

1. "The sale or diversion of cannabis or cannabis products without a license issued by the City of Ukiah is a violation of State law and the Ukiah Municipal Code."
2. "Smoking, ingesting or consuming marijuana on the premises or in the vicinity of the dispensary is prohibited."
3. "No one under the age of twenty-one will be allowed on the premises."
4. "The hours of operation for an authorized *dispensary* will be limited to between seven a.m. (7am) to ten p.m. (10pm)."
5. "Secondary sale, barter, or distribution of cannabis or cannabis products purchased from Element 7 is a crime and can lead to arrest."
6. "Patrons must immediately leave the premises and not consume cannabis or cannabis products until at home or in an equivalent private location. Staff will monitor the location and vicinity to ensure compliance."
7. "These premises are continually monitored by CCTV cameras."
8. "Loitering is strictly prohibited."

This signage is designed to ensure that customers are managed and aware that ingesting or smoking any cannabis products in the immediate vicinity of the building is not allowed, thus limiting the impacts on surrounding businesses, and their concerns.



NOTICE

The sale or diversion of cannabis or cannabis products without a license issued by the City of (_____) is a violation of State law and the (_____) Municipal Code.



NOTICE

Patrons must immediately leave the premises and not consume cannabis or cannabis products until at home or in an equivalent private location. Staff will monitor the location and vicinity to ensure compliance.



NOTICE

No one under the age of twenty-one will be allowed on the premises



NOTICE

The hours of operation for an authorized *dispensary* will be limited to between seven a.m. (7am) to ten p.m. (10pm).



NOTICE

Secondary sale, barter, or distribution of cannabis or cannabis products purchased from Element 7 is a crime and can lead to arrest



NOTICE

Loitering is strictly prohibited.



WARNING

These premises are continually monitored by CCTV cameras.



WARNING

Smoking, ingesting or consuming marijuana on the premises or in the vicinity of the dispensary is prohibited.



POLICY NAME	ADVERTISING AND MARKETING POLICIES
APPLICABLE LAW	Pursuant to the California Code of Regulations §5040, §5041-5041.1; Business and Professions Code §5200 and the City of Ukiah (Insert ordinance) the Element 7 facility will adhere to both local and state laws and regulations as it relates signage in the City of Ukiah.
POLICY OBJECTIVE	To compliantly market the Element 7 brand to new and existing patients, primary caregivers and customers in the City of Ukiah.
ELEMENT 7 CORE VALUE	<i>'Excellence in Everything We Do'</i>
SOP PROCEDURES	Ethical Advertising and Marketing

Ethical Advertising and Marketing

Element 7 will direct all advertising efforts towards cannabis customers only. The company logo and all produced marketing materials will be non-offensive and designed to be informative, not just about deals and product placement.

Element 7 will place advertisements strategically and deliberately and will not use large billboards or obtrusive signage in company campaigns unless a sign permit has been issued to the company and permitted by law.

Element 7 marketing materials will not be located within 1,000 feet of a Treatment Center, Day Care Center, K-12th school, Youth Center, Youth-Oriented Facility, or Public/Private Park (Ukiah Municipal Code).

In addition, Element 7 will gear its social media presence towards the responsible use of cannabis. As such, pages will include full disclaimers that products shown are for educational/promotional purposes, are intended for cannabis customers, and are not for sale through the outlet on which they are shown.

Advertising and marketing of the Element 7 brand will not contain any depictions of an individual under 21 years of age, nor will advertising and marketing be attractive to youth (as per the Municipal Code).

All Element 7 advertisements will comply with the Ukiah Municipal Code, County, State, and Federal Communications Commission (FCC) regulations.

Element 7 will update all ethical advertising practices to maintain compliance with the law and address any further concerns expressed by the public as referenced above.



POLICY NAME	SALES LIMITS
APPLICABLE LAW	Pursuant to the California Code of Regulations §5409 Element 7 retail staff will adhere to both local and state laws and regulations as it relates to the daily sales limits in the City of Ukiah.
POLICY OBJECTIVE	To ensure that the Element 7 retail staff are providing patients, primary caregivers and customers with the correct amount of cannabis or cannabis goods in compliance with local and state laws and regulations.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Sales Limits

Sales Limits

- Element 7 will not sell no more than 28.5 grams of non-concentrated Cannabis in a single day to a single customer.
- Element 7 will not sell no more than 8 grams of Cannabis Concentrate, including Cannabis Concentrate contained in Cannabis Products, in a single day to a single customer.
- Element 7 will not sell no more than 6 immature Cannabis plants in a single day to a single customer.
- Element 7 will not sell edible Cannabis Products containing more than 10 milligrams of THC per serving.
- Element 7 will not sell edible Cannabis Products containing more than 100 milligrams of THC per package.
- Element 7 will not sell Cannabis Products that is in the shape of a human being, either realistic or caricature, animal, insect, or fruit.
- Element 7 will not sell Cannabis-infused beverages or powder, gel, or other concentrate with instruction for the preparation of Cannabis-infused beverages.
- Element 7 will not provide free Cannabis or Cannabis Products to any Person.



POLICY NAME	TRACK AND TRACE
APPLICABLE LAW	Pursuant to the California Code of Regulations § 5048-5051; Business and Professions Code Section 26013, 26067, 26070, 26160 and 26161.
POLICY OBJECTIVE	To ensure that any cannabis handled, managed or sold by Element 7 is tracked and traced at every point of the inventory management process.
ELEMENT 7 CORE VALUE	'Trusted'
SOP PROCEDURES	Track and Trace Operations - Service Provider - Track and Trace Systems Procedures - Track and Trace Data - Destruction and Disposal of Cannabis - Loss of Connectivity - System Reconciliation

Track and Trace System Provider

Element 7 uses **FlowHub** as its primary point-of-sale or management inventory tracking system to track and report on all aspects of the commercial cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale), time and date of each sale, etc.

Track and Trace Procedures

- Element 7 will have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the commercial cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale), time and date of each sale, etc.
- All transactions will be entered into the track and trace system by 11:59 p.m. Pacific Time, on the day the transaction occurred.
- Element 7 will only enter and record complete and accurate information into the track and trace system, and will correct any known errors entered into the track and trace system immediately upon discovery.
- Element 7 will record in the track and trace system, all commercial cannabis activity, including any:
 1. Packaging of cannabis goods.
 2. Sale of cannabis goods.
 3. Transportation of cannabis goods to a licensee.
 4. Receipt of cannabis goods.



5. Return of cannabis goods.
 6. Destruction and disposal of cannabis goods.
 7. Laboratory testing and results.
 8. Any other activity as required by any other licensing authority.
- The following information will be recorded for each activity entered in the track and trace system:
 1. Name and type of the cannabis goods.
 2. Unique identifier of the cannabis goods.
 3. Amount of the cannabis goods, by weight or count.
 4. Date and time of the activity or transaction.
 5. Name and license number of other licensees involved in the activity or transaction.
 6. If the cannabis goods are being transported Element 7 will transport pursuant to a shipping manifest generated through the track and trace system as well as:
 - a) The name, license number, and premises address of the originating licensee.
 - b) The name, license number, and premises address of the licensee transporting the cannabis goods.
 - c) The name, licensee number, and premises address of the destination licensee receiving the cannabis goods into inventory or storage.
 - d) The date and time of departure from the licensed premises and approximate date and time of departure from each subsequent licensed premises, if any.
 - e) Arrival date and estimated time of arrival at each licensed premises.
 - f) Driver's license number of the personnel transporting the cannabis goods, and the make, model, and license plate number of the vehicle used for transport.

Destruction and Disposal of Cannabis

- If cannabis goods are being destroyed or disposed of, the licensee will record in the track and trace system the following additional information:



1. The name of the employee performing the destruction or disposal.
 2. The reason for destruction or disposal.
 3. The name of the entity being used to collect and process cannabis waste.
- Description for any adjustments made in the track and trace system, including, but not limited to:
 1. Spoilage or fouling of the cannabis goods.
 2. Any event resulting in exposure or compromise of the cannabis goods.
 3. Any other information as required by any other applicable licensing authorities.

Loss of Access

- If at any point Element 7 loses access to the track and trace system for any reason, Element 7 will prepare and maintain comprehensive records detailing all commercial cannabis activities that were conducted during the loss of access.
- The licensee will both document and notify licensing authorities immediately:
 1. When access to the system is lost;
 2. When it is restored; and
 3. The cause for the loss of access.
- Element 7 will submit the Notification and Request Form, BCCLIC-027 when connectivity is lost.
- Once access is restored, all commercial cannabis activity that occurred during the loss of access will be entered into the track and trace system within three (3) business days of access being restored.
- Element 7 will not transport, transfer or deliver any cannabis goods until such time as access is restored and all information recorded in the track and trace system.

System Reconciliation

Element 7 will reconcile the physical inventory of cannabis goods at the licensed premises with the records in the track and trace database at least once every 14 days. If Element 7 finds a discrepancy between its physical inventory and the track and trace system database, the licensee will conduct an audit.



POLICY NAME	CANNABIS INVENTORY CONTROL POLICY
APPLICABLE LAW	Pursuant to the California Code of Regulations §5423-5324 Element 7 management and staff will adhere to both local and state laws and regulations as it relates to inventory control in the City of Ukiah.
POLICY OBJECTIVE	To ensure that any cannabis handled, managed or sold by Element 7 is managed and accounted for in the most efficient and effective manner possible.
ELEMENT 7 CORE VALUE	'Consistency'
SOP PROCEDURES	Inventory Control - Inventory Control Practices - Monthly Inventory Procedure - Inventory Discrepancies

Inventory Control Practices

- Element 7 will be using industry specific tracking software – preferred choice is **FlowHub** and METRC, the State approved tracking system. To the extent any employee will be using the system, employees will be trained and given a specific passcode to access the system. An employee must NEVER share or disseminate the passcode to any third party or other employee. An employee must NEVER allow another employee to access the inventory control system with their unique passcode.
- The Data Management System is designed to track data in each phase that is carried forward throughout the entire process chain of the seed-to-sale system - growth, harvesting, processing, packaging, order fulfillment, shipping, sale & payment of the medical cannabis, so that the medical cannabis can be traced forward through the entire process and backward from the point of sale back to the clone and mother from which the product was produced.
- The software and backup data assures instant access to all information that has been gathered and maintained. The system is specifically designed to record and report information to prevent diversion of the products and theft while maintaining product quality, product consistency, making the employees accountable for the tasks they undertake, while simultaneously providing all regulatory information quickly and efficiently, and providing management with key information and storing such information for the requisite time periods.
- All cannabis will be kept in a safe, locked access-controlled area. This area will have the highest and tightest security restrictions in the Facility and will only be accessible by the Shift Manager and General Manager. No other persons will be allowed to access this room at any time, without exceptions. Employee theft and/or diversion of medical cannabis, regardless of the amount, is grounds for immediate termination and will not be tolerated. Offenders will be reported to the Police.



Monthly Inventory Audits

On the first of each month a complete inventory audit according to generally accepted accounting principles of usable and unusable medical marijuana will be taken by the inventory control manager and documented in the inventory log. All usable and unusable products will be accounted for.

Inventory Discrepancies

- Element 7 will verify that the physical inventory at the facility is consistent with the its records pertaining to inventory. If for any reason the inventory counts do not match those entered into the database due to suspected criminal activity by an employee, Element 7 will immediately contact local law enforcement authorities and the Bureau.
- Inventory discrepancies not due to criminal activity will be documented by the General Manager. Element 7 will investigate the source of the difference, those suspected to be involved and take and document corrective action.
- Inventory counts are taken very seriously and any discrepancy in numbers is of the utmost importance to Element 7.
- All documentation of inventory count discrepancy will be available to the General Manager, the Head of Security and relevant external Tax Authorities.

Records Retention

- All cannabis inventory including each day's beginning inventory, acquisitions, sales, disbursements, disposal of unusable cannabis, and ending inventory will be taken daily.
- All daily, weekly and monthly inventory logs will be kept at the Delivery facility for 5 (five) years from the date of the document and will be available to the City for review upon request.

POLICY NAME	DATA MANAGEMENT
APPLICABLE LAW	Pursuant to the California Code of Regulations §5048 and §5051 in association with an Element 7 Internal Policy. Element 7 management and staff will adhere to both local and state laws and regulations as it relates to data management in the City of Ukiah
POLICY OBJECTIVE	To ensure that privacy records, financial records, cost tracking and analysis, inventory levels and compliance data are safely and securely stored within the cloud software.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Data Management Data Reconciliation

Data Management

Data will be stored by Element 7 using industry specific cloud storage software. Our first priority is to ensure that such system provides secure electronic access to health data that is compliant with privacy rules and HIPAA Compliance (Health Insurance of Portability and Accountability Act). HIPAA Compliance ensures that data could never be released without either the patients written consent or by court subpoena. Data is stored at an off-site HIPAA-Compliant Data Storage Centre and is SSL Encrypted.

Specifically, we will also ensure that any Data Storage and Web-Hosting Services have:

1. A signed Business Associate Agreement (BAA)
2. Monthly vulnerability scans of your servers
3. Mitigation of the vulnerabilities discovered by the monthly vulnerability scans
4. Server hardening
5. Off-site backups
6. Log retention of 6 years

A licensed CFO is retained and employed by Element 7 to ensure that appropriate financial systems, policies, procedures and accounts are maintained accurately by the Company. GAAP Accounting Procedures shall be used. An independent and certified 3rd party auditor shall also be appointed for annual accounting compliance and audit checks.

Data Reconciliation

The key is to gather information at specific points in the process and then reconcile that information such that the continuous flow and custody of the cannabis product can be monitored and measured. Such information is used at two levels.

- First, for regulatory reporting purposes.
- Second, as a management tool for making important decisions about the overall efficiency of the operation.



To that end, information such as cost tracking and analysis, inventory levels and compliance data is entered into the Data Management System and recorded. Any differences between expected and actual values or counts are immediately highlighted and addressed. Further, using various software privileges, individual employees are held accountable for their tasks and any issues that may arise in fulfilling those tasks. Each employee is given a specific password, such that his/her work input can be monitored and corrected, if necessary.

The software systems have a redundancy of backup. Data is stored in secured hardware off-site cloud storage servers (HIPAA-Compliant process), using the latest in encryption technology. All data collected is time and date specific, identified by the employee inputting the data and stored for at least the time required by the State rules. Further, backup data is taken at regular intervals and stored off-site in secondary secure locations using portable hard drives. The result is a highly secure, data processing system with redundancy of operations and storage built in.

POLICY NAME	RECORDS RETENTION
APPLICABLE LAW	Pursuant to California Code of Regulations §5037 and §5426. Element 7 management and staff will adhere to both local and state laws and regulations as it relates to record retention in the City of Ukiah.
POLICY OBJECTIVE	To ensure that Element 7 management, officers and employees keep and consistently maintain all records related to commercial cannabis activity at the premises.
ELEMENT 7 CORE VALUE	'Accountability'
SOP PROCEDURES	Record Overview - Record Retention - Employee Records - Records Management

Records Retention

Element 7 will keep and maintain the following records related to commercial cannabis activity for at least seven years:

- **Financial Records** including, but not limited to, bank statements, sales invoices, receipts, tax records, and all records required by the California Department of Tax and Fee Administration.
- **Personnel Records** including each employee's full name, social security or individual taxpayer identification number, date employment begins, and date of termination of employment if applicable.
- **Training Records** including but not limited to the content of the training provided, and the names of the employees that received the training.
- **Contracts** with other licensees regarding commercial cannabis activity, including the source(s) of all products.
- **Permits, Licenses, and Other Local Authorizations** to conduct the licensee's commercial cannabis activity.
- **Security Records** except for surveillance.
- **Cannabis Records** relating to the composting or destruction of cannabis goods.
- **Documentation for Data** or information entered into the track and trace system.



- **Other Documents** prepared or executed by an owner or his employees or assignees in connection with the licensed commercial cannabis business.
- **Accurate Books and Records** in an electronic format, detailing all of the revenues and expenses of the business, and all of its assets and liabilities.
- **Employee Register** containing the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in Element 7, and separately of all the officers, managers, employees, and agents currently employed or otherwise engaged by Element 7.
- **Accurate Record of Sale** for every sale made to a customer. A record of a cannabis goods sale will contain the following information:
 - a) The first name and employee number of the retailer employee who processed the sale;
 - b) The first name of the customer and a retailer assigned customer number for the person who made the purchase;
 - c) The date and time of the transaction;
 - d) A list of all the cannabis goods purchased, including the quantity purchased; and
 - e) The total amount paid for the sale including the individual prices paid for each cannabis good purchased and any amounts paid for taxes.

Employee Records

Element 7 will keep the following records of each of its employees on file at the premises of the business:

- Name, address, and phone number of the employee;
- Age and verification of employee. A copy of a birth certificate, driver's license, government issued identification card, passport or other proof that the employee is at least twenty- one (21) years of age must be on file with the business;
- A list of any crimes enumerated in California Business and Professions Code Section 26057(b)(4) for which the employee has been convicted;
- Name, address, and contact person for all previous employers of the employee for the last ten (10) years, including, but not limited to, all



employers from which the employee was fired, resigned, or asked to leave and the reasons for such dismissal or firing;

- The fingerprints and a recent photograph of the employee;
- Verification that the employee is a qualified customer or primary caregiver, if applicable.

Financial Records

An appropriate Financial Software (e.g., QuickBooks) shall be installed and mandated for use by Element 7 with all revenues, expenses, assets and liabilities, accounted for. Annual records (or as requested) shall be made available to the City detailing all sales revenue on a per month basis. Taxes shall be estimated at agreed City rates and paid on time to all Local and State Tax Authorities.

Records Management

Records will be kept in a manner that allows the records to be produced for licensing authorities at the licensed premises in either hard copy or electronic form.

Records shall be maintained off-site, in electronic form on a secure SLL-encrypted server and secured and verified by the Head of Compliance for Element 7 as needed (consistent with requirements pertaining to patient confidentiality pursuant to applicable state and federal law).

All records required to be maintained by the business will be maintained for no less than three (3) years and are subject to immediate inspection by approved City Officials.



POLICY NAME	AUDITING PROCEDURES
APPLICABLE LAW	Pursuant to the California Code of Regulations §5800 (c-e) and Element 7 Internal Policies. Element 7 officers, management and staff will adhere to both local and state laws and regulations as it relates to auditing procedures in the City of Ukiah.
POLICY OBJECTIVE	To ensure accuracy of Element 7' systems and processes at the licensed facility in the City of Ukiah.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Auditing Procedures - Internal Auditing - External Auditing - City Audit Access

Internal Auditing

A dedicated and full-time internal audit, regulation and compliance management team will ensure that all operations are in adherence to both City and State Laws regarding all aspects of the cannabis operations.

Any standards will meet or exceed City and State Regulations and any changes must be approved by the Head of Compliance.

External Auditing

A dedicated third-party group (Marcum Group) has been appointed to conduct an annual audit of Element 7's financial records.

City Audit Access

Element 7 will fully cooperate with City officials in a timely and efficient manner to allow the City to have access to its books, records, accounts, together with any other data or documents relevant to its Commercial Cannabis Activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than 24 hours after receipt of the City's request, unless otherwise stipulated by the City.

POLICY NAME	ANNUAL REVIEWS
APPLICABLE LAW	An Element 7 Internal Policy.
POLICY OBJECTIVE	To provide transparency to the City of Ukiah as it relates to Element 7' internal processes, records, community engagement, security measures, labor and employment and site management at the facility.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Annual Review

Annual Review

Element 7 will submit an **Annual Performance Review Report** for review and approval by the City Manager, Development Services Director, and Head of Planning at the City of Ukiah.

This Annual Performance Review Report will cover all financials, labor and employment, community engagement, localization initiatives, security measures and initiatives, odor control initiatives, environmental initiatives and site management procedures implemented and executed by Element 7.



POLICY NAME	RIGHT OF ACCESS
APPLICABLE LAW	Pursuant to the California Code of Regulations §5800 (c-e) and Element 7 Internal Policies. Element 7 officers, management and staff will adhere to both local and state laws and regulations as it relates to right of access in the City of Ukiah.
POLICY OBJECTIVE	To provide transparency to the City of Ukiah as it relates to Element 7 granting full access to the premises and records at the facility.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Right of Access

Right of Access

Element 7 understands that the company is required to allow City officials, employees, and their designees full access to the premises and records as per the Ukiah Municipal Code.

POLICY NAME	PACKAGING POLICY
APPLICABLE LAW	Pursuant to the California Code of Regulations §5303 and §5412-5413. Element 7 management and staff will adhere to both local and state laws and regulations as it relates to packaging in the City of Ukiah.
POLICY OBJECTIVE	To ensure packaging is compliant throughout the entire life-cycle of the cannabis and/or cannabis product.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Packaging Overview - Packaging Practices: Dispensary and Delivery Operations - Packaging Practices: Distribution Operations - Packaging Practices: Manufacturing Operations Label Content for Cannabis and Cannabis-Derived Products Informational Panel Labeling Child-resistant Packaging New and First-Time Cannabis Users (Additional Packaging)

Packaging Regulations

All packaging will meet the requirements of California Business and Professions Code section 19347 and as a best practice, Element 7 will also meet the packaging requirements as outlined by the following standards:

- Poison Prevention Packaging Act (PPPA), Title 16, Part 1700;
- Code of Federal Regulations, Title 40, part 157.2; and
- American Society for Testing and Materials (ATSM) D3475-15.

Packaging Practices: Dispensary Operations

- Any edible cannabis or edible cannabis products sold on-site shall be labelled and placed in tamper-evident packaging which meets the requirements of the Bureau of Cannabis Control (BCC) as may be amended from time-to-time or superseded or replaced by subsequent State legislation or by any department or division of Ukiah.
- All items to be sold or distributed shall be individually wrapped at the original point of preparation by the business permitted as a commercial cannabis manufacturer. Labeling must include a warning if nuts or other known allergens are used, and must include the total weight (in ounces or grams) of cannabis in the package.
- A warning that the item is a medication and not a food will be clearly legible on the front of the package and/or must comply with state packing requirements.



- The package will have a label warning that the product is to be kept away from children. The label will also state that the product contains cannabis and must specify the date of manufacture.
- Any edible cannabis product that is made to resemble a typical food product must be in a properly labelled opaque (non-see-through) package before it leaves the commercial cannabis manufacturing business.

Packaging Practices: Manufacturing Operations

A package used to contain a cannabis product will adhere to the following requirements:

- The package will protect the product from contamination and will not expose the product to any toxic or harmful substance.
- The package will be tamper-evident, which means that the product will be packaged in packaging that is sealed so that the contents cannot be opened without obvious destruction of the seal.
- The package will be child-resistant. A package will be deemed child-resistant if it satisfies the standard for "special packaging" as set forth in the Poison Prevention Packaging Act of 1970 Regulations (16 C.F.R. §1700.1 (b)(4)) (Rev. December 1983), which is hereby incorporated by reference.
- The package will not imitate any package used for products typically marketed to children.
- If the product is an edible product, the package will be opaque.
- If the package contains more than one serving of cannabis product, the package will be re-sealable so that child-resistance is maintained throughout the life of the package.

Label Content for Cannabis and Cannabis-Derived Products

- Each packaged and labeled product must bear on the label of its primary packaging in a type size no less than 6 point:
 - The identity of the product in a text size reasonably related to the most prominent printed matter on the panel;
 - The universal symbol as prescribed in Section 40412;
 - The net weight or volume of the contents of the package;
 - The THC content and CBD content for the package in its entirety, expressed in milligrams per package;
 - Name and place of business of the manufacturer or distributor.
- In addition to the above requirements, for edible products, each product label must contain a "Product Facts" box listing quantitative content and



nutrient information relevant to the product, including, as applicable to the product's content:

- The words “cannabis-infused” immediately above the identity of the product in bold type and a text size larger than the text size used for the identity of the product.
- The THC content and CBD content per serving, expressed in milligrams per serving.

Informational Panel Labeling

The label for a cannabis product will include an informational panel that includes the following:

- The licensed manufacturer and its contact number or website address;
- The date of the cannabis product's manufacture and packaging;
- The following statement in bold print: “GOVERNMENT WARNING: THIS PRODUCT CONTAINS CANNABIS, A SCHEDULE I CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN AND ANIMALS. CANNABIS PRODUCTS MAY ONLY BE POSSESSED OR CONSUMED BY PERSONS 21 YEARS OF AGE OR OLDER UNLESS THE PERSON IS A QUALIFIED PATIENT. THE INTOXICATING EFFECTS OF CANNABIS PRODUCTS MAY BE DELAYED UP TO TWO HOURS. CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. CONSUMPTION OF CANNABIS PRODUCTS IMPAIRS YOUR ABILITY TO DRIVE AND OPERATE MACHINERY. PLEASE USE EXTREME CAUTION.”
- If the cannabis product is intended for sale in the medicinal-use market, the statement “FOR MEDICAL USE ONLY;”
- A list of all product ingredients in descending order of predominance by weight or volume;
- If the edible cannabis product contains an ingredient, flavoring, coloring, or an incidental additive that bears or contains a major food allergen, the word “contains,” followed by a list of the applicable major food allergens;
- If an edible cannabis product, the names of any artificial food colorings contained in the product;
- If an edible cannabis product, the amount, in grams, of sodium, sugar, carbohydrates, and total fat per serving;
- Instructions for use, such as the method of consumption or application, and any preparation necessary prior to use;
- The product expiration date, “use by” date, or “best by” date, if any; and
- The UID and, if used, the batch number.



Child Resistant Packaging

- Element 7 will draw its definition for child-resistant packaging from the PPPA. The Act defines child-resistant packaging as “designed or constructed to be significantly difficult for children under five years of age to open and not difficult for normal adults to use properly.”
- Prior to delivery by or sale at Element 7, BudTenders and Dispatch staff will package cannabis products in tamper-proof, child-resistant packaging, then label the packages. Labels will include a unique identifier, which will originate from manufacturers and cultivators for the purpose of identifying and tracking medical and adult-use cannabis.
- Child-resistant packages will not be attractive to children, nor will any package be sold that is not child-resistant, unless otherwise exempted by regulation. Milkman will only use generic food names on labels to describe edible medical cannabis products.

New and First-Time Cannabis Users (Additional Packaging)

Each package of medical cannabis sold will include a patient educational-safety insert. The insert will advise patients and customers on the following:

- Method or methods of administering individual doses of medical cannabis;
- Any potential dangers stemming from the use of medical cannabis;
- How to recognize what may be problematic usage of medical cannabis and how to obtain treatment for problematic usage;
- The side effects and contraindications associated with medical cannabis, if any, which may cause harm to the patient; and
- How to prevent or deter the misuse of medical cannabis by children.

It is a primary goal of Element 7 to ensure that all patients, caregivers and customers are fully informed about their medicine and cannabis. Element 7 BudTenders will welcome any question or potential concerns they have about information contained on labels and inserts, including how to access company information in languages other than English. Element 7 will contract with a translation service and use translation software to create safety inserts for patients in multiple languages. Providing multi-lingual services to all customers will ensure that Element 7 operates with a spirit of inclusiveness and patient-focused care.



POLICY NAME	STORAGE AND HANDLING POLICY
APPLICABLE LAW	Pursuant to the California Code of Regulations §5033, §5044(c)(2), §5301. Element 7 management and staff will adhere to both local and state laws and regulations as it relates to storage and handling in the City of Ukiah.
POLICY OBJECTIVE	To ensure cannabis and cannabis products are safe and secured in order to protect against deterioration, contamination and product diversion.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Storage Procedures - Storage and Handling - Withholding Materials from Use or Distribution

Storage Procedures

- Element 7 will store all cannabis and cannabis goods in a safe, vault, or secured room in order to prevent diversion, theft, or loss.
- Element 7 will store cannabis goods in a building designed to permit control of temperature and humidity and will prevent the entry of environmental contaminants such as smoke and dust.
- The area in which cannabis goods are stored will not be exposed to direct sunlight.
- Element 7 will not store cannabis goods outdoors.

Storage and Handling

- Components, packaging components, in-process materials, and products must at all times be handled, stored, and distributed in a manner to avoid deterioration, prevent contamination, and avoid mix-ups. Where necessary, appropriate conditions of temperature, humidity, and light must be established and maintained so that the identity, purity, strength, and composition of components, in-process materials, and products are not affected, and that adulteration is prevented.
- Containers of components, packaging components, in-process materials, and product must be stored off the floor and suitably spaced to permit cleaning and inspection.
- Components, in-process materials, and products that can support the rapid growth of microorganisms of public health significance must be held in a manner that prevents them from becoming adulterated.
- Labels, labeling, cannabis, cannabis-derived products, and cannabis waste must be stored in a controlled access area.



- Components, packaging components, and products must be used or distributed in a manner whereby the oldest batches or lots are used or distributed first. Deviation from this requirement is permitted if such deviation is temporary and appropriate.

Withholding Materials from Use or Distribution

- Manufacturing, packaging, and labeling operations must establish and implement written procedures for quarantine of any lot, batch, or other portion of component, packaging component, in-process material, or product whose suitability for use or distribution is in question, to prevent its use and distribution pending disposition by quality control personnel. This includes:
 - Newly received components and packaging components for use in manufacturing, packaging and/or labeling;
 - Batches newly completed in production;
 - Product returned to the operation for any reason;
 - Components, packaging components, in-process materials, or products that are or may be contaminated or adulterated; or
 - Components, packaging components, in-process materials, or products that are under investigation by quality control personnel for any other reason.
- Rejected components, packaging components, in-process materials, finished product, cannabis waste, and rejected labels and labeling (including any excess labeling bearing lot, batch, or control numbers which is not immediately destroyed after packaging operations are complete) must be appropriately segregated, controlled, and held in a controlled access area pending destruction or other disposal.
- Cannabis waste other than cannabis and cannabis-derived product that is rejected and returned to the vendor, and rejected labels and other labeling, must be destroyed in a manner which prevents unauthorized use. Destruction of any cannabis waste must be documented and witnessed by at least two workers, one of whom must be supervisory, managerial, or quality control personnel; except that if video surveillance is used, only one worker is necessary. Destruction may include composting.

POLICY NAME	COMPLAINTS, RETURNS AND RECALL POLICY
APPLICABLE LAW	Pursuant to the California Code of Regulations §5410 Element 7 management and staff will adhere to both local and state laws and regulations as it relates complaints, returns and recalls at the facility in the City of Ukiah.
POLICY OBJECTIVE	To provide a high level of customer service to patients, primary caregivers and customers who may want to complain or return cannabis /cannabis products purchased at our facility. In the event of a recall, Element 7 management and staff will be able to execute the process seamlessly by adhering to this policy.
ELEMENT 7 CORE VALUE	<i>'Trust is Earned, Not Given'</i>
SOP PROCEDURES	Customer Satisfaction - Complaints - Returned Products - Recall Procedures
KPI's	- All complaints must be acknowledged within 24-hours of receiving such complaint. - All complaints must be dealt with and completed within 72-hours of receiving such complaint.

CUSTOMER SATISFACTION

Element 7 has a complaint, returns, and recalls policy that is fair, just, and flexible (where needed) to deal with customer issues immediately. The policy has been designed to put customers first and adapt to the numerous circumstances where required to ensure that our patients and customers are managed fairly and justly.

The policy is rigid where it needs to be, particularly in relation to Product Recalls where there is minimal, or no, flexibility for front-line retail sales staff.

Complaints

- Element 7 appoints the General Manager as the qualified person that will receive all customer complaints. The General Manager must notify Element 7's Head of Compliance within 12-hours of any complaint by completing a "Complaint Notice" form which records the time, date, name, location and situation, regarding where the complaint was received (eg., phone, in-store, online etc.)
- Once a complaint is received, Element 7's Head of Compliance (Amber Norwood) will determine the following:
 - Receive and review product complaints to determine whether the product complaint involves a possible failure of a product to meet any of its specifications, or any other requirements, including but not limited to those specifications and other requirements that, if not met, may result in a risk of illness or injury; and



- Investigate any product complaint that involves a possible failure of a product to meet any of its specifications, or any other requirements of this part, including but not limited to those specifications and other requirements that, if not met, may result in a risk of illness or injury.
- The Head of Compliance is responsible for sending an initial 'Complaint Received' note to the person that made the complaint. Our Internal KPI for sending this note is within 24-hours of the complaint being received.
- The Head of Compliance will review and approve decisions about whether to investigate a product complaint and review and approve the findings and follow-up action of any investigation performed. This will be managed weekly in coordination with the General Manager for the Facility where the complaint was received.
- The review and investigation of the product complaint, and the review by the Head of Compliance about whether to investigate a product complaint, and the findings and follow-up action of any investigation performed, must extend to all related batches and relevant records. Related batches may include, but are not limited to, batches of the same product, other batches processed on the same equipment or during the same time period, or other batches produced using the same batches or lots of components or packaging components.
- A written record of the complaint, and where applicable, its investigation must be kept, including:
 - Identity of the product;
 - Batch, lot or other control number of the product;
 - Date the complaint was received and the name, address, or telephone number of the complainant, if available;
 - Nature of the complaint including, if known, how the product was used;
 - Names of personnel who do the following:
 - (i) Review and approve the decision about whether to investigate a product complaint;
 - (ii) Investigate the complaint, and
 - (iii) Review and approve the findings and follow-up action of any investigation performed.
 - Findings of the investigation and follow-up action taken when an investigation is performed; and a Response to the complainant, if

applicable, which should be sent no later than 72-hours after the complaint was received.

- The procedure for a product complaint that includes a report of an adverse event (an adverse event is a health-related event associated with use of a product that is undesirable, and that is unexpected or unusual), includes the following:
 - Reporting to any public health authority;
 - Reporting to the physician of record for the individual reported to have experienced the adverse event, if known; and
 - Product recall.

Returned Products

- Manufacturing, packaging, and/or labeling operations must establish written procedures describing the receipt, handling, and disposition of returned cannabis or cannabis-derived products.
- Returned products must be identified as such and be quarantined upon receipt.
- Returned product must be reviewed and approved or rejected by quality control personnel.
- If the conditions under which returned product has been held, stored, or shipped before or during its return, or if the condition of the product, its containers, or labeling, as a result of storage or shipping, casts doubt on the identity, purity, strength, composition, or freedom from contamination or adulteration of the product, the returned product will be rejected unless examination, testing, or other investigations prove the product meets appropriate standards of identity, purity, strength, and composition and its freedom from contamination or adulteration.
- If the reason a product is returned implicates associated batches, an appropriate investigation must be conducted and must extend to all related batches and relevant records. Related batches may include, but are not limited to, batches of the same product, other batches processed on the same equipment or during the same time period, or other batches produced using the same components or packaging components. (f) Rejected returned product returned to the manufacturing, packaging, labeling, and holding operation must be destroyed as per section 7.3(c).
- A written record must be kept of the return, and where applicable its investigation, including:
 - Identity of the product;
 - Batch, lot or other control number of the product;



- Date the returned product was received;
- Name and address from which it was returned, and the means by which it was returned;
- Reason for the return;
- Results of any tests or examinations conducted on the returned product, or on related batches, if any;
- Findings of the investigation and follow-up action taken when an investigation is performed;
- Any reprocessing performed on the returned product;
- The ultimate disposition of the returned product, and the date of disposition; and
- Names of the quality control personnel who do the following:
 - (i) Review the reason for the product return;
 - (ii) Review and approve any reprocessing, as applicable, and
 - (iii) Review and approve the findings and follow-up action of any investigation performed.

Recall Procedures

- Element 7 will establish and implement written procedures for recalling cannabis products manufactured at the facility that are determined to be misbranded or adulterated. These procedures will include:
 - Factors which necessitate a recall;
 - Personnel responsible for implementing the recall procedures; and
 - Notification protocols, including:
 - (i) A mechanism to notify all customers that have, or could have, obtained the product, including communication and outreach via media, as necessary and appropriate;
 - (ii) A mechanism to notify any licensees that supplied or received the recalled product; and
 - (iii) Instructions to the general public and/or other licensees for the return and/or destruction of recalled product.
- Procedures for the collection and destruction of any recalled product. Such procedures will meet the following requirements:



- (i) All recalled products that are intended to be destroyed will be quarantined for a minimum of 72 hours. The licensee will affix to the recalled products any bills of lading, shipping manifests, or other similar documents with product information and weight. The product held in quarantine will be subject to auditing by the Department.
- (ii) Following the quarantine period, the licensee will render the recalled cannabis product unusable and unrecognizable and will do so on video surveillance. A recalled cannabis product that has been rendered unusable and unrecognizable is considered cannabis waste and shall be disposed of.
- (iii) Element 7 shall dispose of chemical, dangerous, or hazardous waste in a manner consistent with federal, state, and local laws. This requirement shall include but is not limited to recalled products containing or consisting of pesticide or other agricultural chemicals, solvents or other chemicals used in the production of manufactured cannabis batches, and cannabis soaked in a flammable solvent for the purpose of producing manufactured cannabis batches.
- (iv) Element shall not dispose of recalled cannabis product in an unsecured area or waste receptacle that is not in the possession and/or control of Element 7.

In addition to the tracking requirements, Element 7 shall use the track-and-trace database and on-site documentation to ensure that recalled cannabis products intended for destruction are identified, weighed, and tracked while on the licensed premises and when disposed of. For recalled cannabis products, Element 7 shall enter the following details into the track and trace database: the weight of the product, reason for destruction, and the date the quarantine period will begin. Lastly, Element 7 shall notify the Department of any recall within 24 hours of initiating the recall.



POLICY NAME	COMPLIANCE MANAGEMENT
APPLICABLE LAW	An Element 7 Internal Policy.
POLICY OBJECTIVE	To ensure all requirements for operating a compliant cannabis operation in the City of Ukiah are implemented properly and are in alignment with the City's requirements.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Managing Compliance with Local and State Laws

Managing Compliance with Local and State Laws

The General Manager is the head of the business and all commitments thereunder including ensuring that all commitments to the City and State are being met. Element 7 will ensure that all obligations, taxes, fees and other operational procedures are in place.

Specifically, the General Manager will also ensure the following compliance measures take place:

- Providing all necessary information and reports to local and state regulatory agencies;
- Monitoring reports from the inventory control system;
- Tracking any discrepancies between known or expected values, counts, weights or other information back to the source of the error;
- Providing input and implementing changes to protocols to correct errors, and/or other deficiencies in the Facility operations;
- Monitoring shipping manifests, inventory levels, inventory weight amounts, and other seed to sale tracking information;
- Interfacing with Security;
- Engaging local counsel when necessary; and
- Any other responsibilities required by management.



POLICY NAME	PERMIT DISPLAY POLICY
APPLICABLE LAW	Pursuant to the California Code of Regulations §5039 and the City of Ukiah (Insert City Code) Element 7 management will comply with both local and state regulations pertaining to the display of permits and department licenses.
POLICY OBJECTIVE	To ensure that all local and state permits and licenses are properly displayed at the facility, in a manner requested by both licensing authorities.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Permit Display

Permit Display

The original copy of any Cannabis Business Permit issued by the City pursuant to the City of Ukiah Cannabis Ordinance, will be posted adjacent to the Lobby Entrance located at the Facility (Ukiah 5.19.080 (M)).

Element 7 understands that Permits will be required to renew every 12 months with both the City of Ukiah and State of California.

Filings will be placed at least 60 days before the existing Permit expires.

All applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such commercial cannabis business intends to establish and to operate will be obtained by Element 7 prior to any operations commencing.

POLICY NAME	NOISE REDUCTION POLICY
APPLICABLE LAW	Pursuant to the Business and Professions Code §5808 (c)(2) and Element 7 Internal Policies.
POLICY OBJECTIVE	To create a peaceful and enjoyable environment around the Element 7 facility. Element 7 management and staff will be good stewards and neighbors in the Ukiah community.
ELEMENT 7 CORE VALUE	<i>'Make Compliance an Advantage'</i>
SOP PROCEDURES	Noise Reduction

Noise Reduction Policy

Element 7 has made plans to address concerns about noise emanating from its facility. Element 7 will favor equipment that makes minimal noise in its facility and will utilize other sound-dampening technologies.

Many of the security features Element 7 will use in the facility (such as reinforced doors, windows, and walls) have the added bonus of being sound-dampening as well.

Element 7 will design the facility so that any loud equipment in continuous use (such as the air-filtration system) is located inside the building, on the roof, or properly sound-proofed in order to minimize any disturbance it may cause neighbors.

Element 7's store hours will also serve to minimize the noise caused by customer traffic, and all public events held by the company will take place, with city permission, inside its facility during their normal business hours.

Element 7 will update all noise reduction practices to maintain compliance with the law and address any further concerns expressed by the public.



PROJECT REVIEW REFERRAL

Please provide comments by: July 26, 2019

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. You are invited to comment on any aspect of the proposed project, including information required before you can finalize your comments and recommended conditions of approval for the project.

TO:

X Craig Schlatter, Director	Mendocino County Planning and Building
X Michelle Irace, Planning Manager	Mendocino County Public Health
X Matt Keiser, City Building Official	Mendocino Transit Authority
X Rick Seanor, City Public Works Dept.	US Army Corps of Engineers
X Kevin Jennings, Fire Marshall	Regional Water Quality Control Board
X Sean Kaeser, Ukiah Police Dept.	CA Dept. of Fish and Wildlife
X Nancy Sawyer, Community Service Officer	CA Dept. of Transportation
X Jimmy Lozano & Scott Bozzoli, Electrical	Sonoma State Northwest Information Center
Ukiah Municipal Airport Operations Manager,	AT & T
Greg Owen	
Airport Land Use Commission	PG & E (gas)
Mendocino County Air Quality	PG & E (Land Rights)
Mendocino County Environmental Health	

FROM PROJECT PLANNER:

Mireya G. Turner, Associate Planner
mturner@cityofukiah.com
707.463.6203

PROJECT INFORMATION:

Date Filed:	April 3, 2019	Date Referred:	7/12/2019
Prev. Projects on Site:	Professional office space	Resubmittal:	
File #(s)	19-4434	Agent:	Element 7, LLC
Project Name:	Element 7	Address:	8033 Sunset Blvd., Ste. 987
Site Location:	441 N. State St.		Hollywood, CA 90046
APN:	002-186-19	Phone:	(24) 285-0088
Zoning:	C-1 – Community Commercial	Email:	Robert@Element7.co
General Plan:	Commercial		

DESCRIPTION: Major Use Permit to allow a commercial cannabis manufacturing and retail facility in a two-story structure, previously used as professional office space. The applicant proposes no building additions.

ATTACHMENTS: Application, Project Description, Site Plans, Floor Plans, Zoning and Location Maps, Lighting Plan, Security Plan, Accessibility Evaluation.

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 Electric Utility Department

- ☐ No Comment
- ☒ Comments / Conditions of Approval Attached

Jimmy Lozano
Signature

7/15/2019
Date

Comments / Conditions of Approval:

Hi Mireya,

Regarding Project Review Referral File # 19-4434 Element 7 (441 N. State Street), the Electric Utility Department offers the following comments/conditions :

- 1) This property will be served from existing underground facilities and a 75kva 3-phase Transformer that currently serves the address/building at 441 N. State Street. Should the project need to upgrade to a larger panel or increase the electric load in the future, they will need to contact the Electric Utility Office.
- 2) All future site improvements shall be submitted to the Electric Utility Department for review and comment. At this time, specific service requirements, service Voltage and developer costs and requirements will be determined.
- 3) Developer will need to provide EUSERC approved electrical equipment that is to be used on this project.
- 4) In the event that the existing Electric Main Service Panel/s need to be upgraded to a larger size, applicant shall provide projected load calculations to the COUEUD for their project.
- 5) Developer/customer shall incur all costs of this future project to include (labor, materials, equipment).

Should they have any questions please call Jim Lozano at 467-5774 or Scott Bozzoli at 707-467-5775

Thank you, Jimmy

Mireya Turner

From: Matthew Keizer
Sent: Tuesday, August 6, 2019 7:38 AM
To: Mireya Turner
Subject: RE: looking for Element 7 comments

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

Useful City Hand outs and submittal documents links below.

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

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

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

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Special-Inspection-Agreement-2016-CBC-complete-fillable.pdf>

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

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

2. The design and construction of all site alterations shall comply with the 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.
3. If the Building is currently a B occupancy and will need to be converted to an F and/or M occupancy. Per 2016 CBC 3408 "No change shall be made in the character of occupancies or use of any building unless such building is made to comply with all current code requirements". This may be an extensive remodel and we recommend you hire an Architect or Engineer and a Casp to review your building for code compliance before you comment to a change of occupancy.



Matt Keizer, Building Official

Email: mkeizer@cityofukiah.com

300 Seminary Ave

Ukiah, CA 95482

Office 707-467-5718

Fax 707-463-6204

From: Mireya Turner <mtturner@cityofukiah.com>

Sent: Friday, August 2, 2019 10:27 AM



Ukiah Police Department

Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

To: Mireya Turner, Associate Planner
CC: Cpt. S. Kaeser, Chief J. Wyatt, M. Irace-Planning Manager
From: CSO N. Sawyer
Subject: **Element 7, 441 N. State St., File #19-4434**
Date: 12/2/19

On 12/2/19, Capt. Sean Kaeser and I reviewed the above named Major Use Permit, specifically related to the re-submitted site plan dated 11/25/19, as part of the Security Plan. After reviewing the newly revised site plans and various questions answered by the applicant, we find the current Security plan approved on 8/6/19, to be back in compliance.

This is with the understanding the fencing and gate on the State Street frontage will be moved to the east side of the creek bed. We find the current Security plan, which was approved on 8/6/19, to be back in compliance.

Respectfully submitted,

Nancy Sawyer, ICPS, CPD
Community Service Officer
Ukiah Police Department, Phone: 707-467-5708
nsawyer@cityofukiah.com

PROJECT REVIEW REFERRAL

Please provide comments by: July 26, 2019

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. You are invited to comment on any aspect of the proposed project, including information required before you can finalize your comments and recommended conditions of approval for the project.

TO:

☐	Craig Schlatter, Director	Mendocino County Planning and Building
☒	Michelle Irace, Planning Manager	Mendocino County Public Health
☒	Matt Keiser, City Building Official	Mendocino Transit Authority
☒	Rick Seanor, City Public Works Dept.	US Army Corps of Engineers
☒	Kevin Jennings, Fire Marshall	Regional Water Quality Control Board
☒	Sean Kaeser, Ukiah Police Dept.	CA Dept. of Fish and Wildlife
☒	Nancy Sawyer, Community Service Officer	CA Dept. of Transportation
☒	Jimmy Lozano & Scott Bozzoli, Electrical	Sonoma State Northwest Information Center
	Ukiah Municipal Airport Operations Manager,	AT & T
	Greg Owen	
	Airport Land Use Commission	PG & E (gas)
	Mendocino County Air Quality	PG & E (Land Rights)
	Mendocino County Environmental Health	

From:

To:

FROM PROJECT PLANNER:

Mireya G. Turner, Associate Planner
mturner@cityofukiah.com
707.463.6203

PROJECT INFORMATION:

Date Filed:	April 3, 2019	Date Referred:	7/12/2019
Prev. Projects on Site:	Professional office space	Resubmittal:	
File #(s)	19-4434	Agent:	Element 7, LLC
Project Name:	Element 7	Address:	8033 Sunset Blvd., Ste. 987 Hollywood, CA 90046
Site Location:	441 N. State St.		
APN:	002-186-19	Phone:	(24) 285-0088
Zoning:	C-1 – Community Commercial	Email:	Robert@Element7.co
General Plan:	Commercial		

DESCRIPTION: Major Use Permit to allow a commercial cannabis manufacturing and retail facility in a two-story structure, previously used as professional office space. The applicant proposes no building additions.

ATTACHMENTS: Application, Project Description, Site Plans, Floor Plans, Zoning and Location Maps, Lighting Plan, Security Plan, Accessibility Evaluation.

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) Nancy Sawyer, Ukiah P.D.

☐ No Comment

☒ Comments / Conditions of Approval Attached

Additional info/crime stats

Signature

Date

Nancy Sawyer

10/7/19

** requested by Mireya Turner 10/1/19*

Block Activity 09/30/2018 thru 09/30/2019

<i>Block</i>	<i>Street</i>	<i>Complaint</i>	<i>Calls</i>	<i>Block</i>
400	N STATE ST			128
		Alarms	24	
		Stolen Vehicles	2	
		Assaults	1	
		Threats	2	
		Mental Health	2	
		Follow Up	4	
		Other Activity	1	
		Security Checks	8	
		Abandoned Auto	1	
		Bike Stop	1	
		Citizen Assist	1	
		Disturbance	4	
		Domestic Violence	1	
		Extra Patrol	2	
		Found Property	1	
		Information Taken	4	
		Loud Music	2	
		Parking Complaint	1	
		Repossessed Vehicle	4	
		Suspicious Circumstance	1	
		Suspicious Person	6	
		Suspicious Vehicle	2	
		Traffic Collision	4	
		Traffic Stop	38	
		Transient	2	
		Trespasser	1	
		City Code Violation	1	
		Utility Call Out	2	
		Vandalism	2	
		Welfare Check	3	

<i>Block</i>	<i>Street</i>	<i>Complaint</i>	<i>Calls</i>	<i>Block</i>
300	MAIN ST			218
		Alarms	3	
		Stolen Vehicles	1	
		Child Abuse	1	
		Assault	2	
		Physical Fight	4	
		Verbal Fight	5	
		Threats	2	
		Burglary	5	
		Mental Health	2	
		Public Intoxication	1	
		Agency Assist	5	
		Follow Up	21	
		Other Activity	1	
		Security Checks	1	
		Suspicious Vehicle	12	
		Suspicious Person	21	
		911 Hangup	2	
		Animal	2	
		Abandoned Auto	3	
		Bike Stop	2	
		Citizen Assist	2	
		Civil Issue	4	
		Disturbance	20	
		Domestic Violence	7	
		Fraud	1	
		Drug Activity	1	
		Information Taken	8	
		Juvenile Danger	1	
		Loud Music	3	
		Misc Crime	1	
		Misc Service	1	
		Neighbor Problem	5	
		Parking Complaint	3	
		Probation Search	1	
		Shots Fired	1	
		Supplemental Report	3	
		Suspicious Circumstance	13	
		Theft	11	
		Traffic Stop	14	
		Transient	3	
		Vandalism	5	
		Violation of Court Order	1	
		Welfare Check	13	

Interoffice Memorandum



To: Alicia Tlelo, Assistant Planner
From: Jason Benson, Public Works Senior Engineer
Date: July 23, 2019
Re: Project Review Committee Referral File No. 4434, Major use permit,
Located at 441 N State St

The Department of Public Works has reviewed the above referenced project and recommends the following conditions of approval:

1. 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.
2. All sidewalks and driveway aprons that front the parcel shall be ADA compliant.
3. Based on the proposed use and no building additions are proposed, there are no fees for sewer and water at this time.

Mireya Turner

From: Kevin Jennings
Sent: Tuesday, July 16, 2019 10:15 AM
To: Mireya Turner
Subject: RE: Project Review Request - Cannabis Manufacturing & Retail - 441 N. State St.

Mireya,

After looking through the "stack" of information I finely came across a reference to the Fire and Safety Technical Report that will be prepared and presented to the Fire Official prior to opening for operations. Not only prior to but I will need this report for an appropriate plan review when the applicant applies for their building permit. The application only slightly mentions the use of CO2 in their process and no other distillates that I can see. I anticipate that this will be covered in the engineers technical Fire and Safety report.

Other fire and life safety requirements will include fire extinguishers, emergency lighting, visible address location and such that will be part of my plan review.

I have no other comments at this point.

Thanks, Kevin

From: Mireya Turner <mturner@cityofukiah.com>
Sent: Friday, July 12, 2019 11:12 AM
To: Michelle Irace <mirace@cityofukiah.com>; Matthew Keizer <mkeizer@cityofukiah.com>; Rick Seanor <rseanor@cityofukiah.com>; Kevin Jennings <kjennings@cityofukiah.com>; Sean Kaeser <skaeser@cityofukiah.com>; Nancy Sawyer <nsawyer@cityofukiah.com>; Jimmy Lozano <jlozano@cityofukiah.com>; Scott Bozzoli <sbozzoli@cityofukiah.com>
Subject: Project Review Request - Cannabis Manufacturing & Retail - 441 N. State St.

Good morning,

Attached please find a request for project review for Element 7, LLC's application for cannabis manufacturing and retail. Project location is 441 N. State Street.

The application is 210 pages long, so I broke it up into hopefully more easily digestible chunks, available at the link below.

<https://cityofukiah.box.com/s/mpracc21wd2f38xetuns9shx3b83f4bm>

Your consideration and comments no later than July 26, 2019, are greatly appreciated.

Cordially,



Mireya G. Turner, MPA
Associate Planner
300 Seminary Avenue
Ukiah, CA. 95482
Tel: (707) 463-6203

Mireya Turner

From: Arnhold, Christopher@DSS <Chris.Arnhold@dss.ca.gov>
Sent: Wednesday, July 24, 2019 3:41 PM
To: Mireya Turner
Subject: RE: Request for daycare proximity check

All of these addresses are at least 800 feet from a child care. Both Center and Family Child care homes. Hope that helps. I submitted my idea to my manager to make this a function of our HQ but who knows how that will turn out. In the meantime, if you or Lake Co needs a check done, just email me. Ill try and get back to you the same day, if not sooner, now that my template is created.

Chris

From: Mireya Turner <mturner@cityofukiah.com>
Sent: Wednesday, July 24, 2019 1:45 PM
To: Arnhold, Christopher@DSS <Chris.Arnhold@dss.ca.gov>
Subject: Request for daycare proximity check

Dear Chris,

Thank you so much for assisting us in finding a new way to check our daycare setbacks for our commercial cannabis permits.

We have three locations which need confirmation of any home daycares within a 250 foot radius.

The addresses are as follows:

441 North State Street

270-274 East Smith Street (they are using 3 suites in a strip mall)

1125 South State Street

Thank you again, for your help.

Cordially,



Mireya G. Turner, MPA
Associate Planner
300 Seminary Avenue
Ukiah, CA. 95482
Tel: (707) 463-6203
Fax: (707) 463-6204



DATE: January 8, 2020
TO: Planning Commission
FROM: Mireya G. Turner, Associate Planner
SUBJECT: Request for Review for Major Use Permit with Major Exception to Allow Operation of a Cannabis Microbusiness to Include Cultivation, Distribution, and Dispensary/Retail in an Existing Building at 270, 272 & 274 East Smith Street; APN 002-191-23; File No. 19-4635.

SUMMARY

OWNER(S): Rob Gitlin
APPLICANT: Jay Donnellan, JPJ & Associates, LLC, dba Wine Country Cannasseurs
LOCATION: 270, 272 & 274 East Smith Street; APN 002-191-23
TOTAL ACREAGE: ±0.63 acre (27,442 sf)
GENERAL PLAN: Commercial (C)
ZONING DISTRICT: General Urban (GU), Downtown Zoning Code
AIRPORT COMPATABILITY: B2 (Extended Approach/Departure)
ENVIRONMENTAL DETERMINATION: Categorical Exemption, pursuant to CEQA Guidelines Article 19 Section 15301, Existing Facilities
RECOMMENDATION: Conditional Approval (see Draft Findings in **Attachment 1** and Draft Conditions of Approval in **Attachment 2**)

Staff Report
Major Use Permit
Wine Country Cannasseurs
270, 272 & 274 East Smith Street
File No.: 19-4635

PROJECT DESCRIPTION AND BACKGROUND

An application was received from Jay Donnellan, of Wine Country Cannasseurs, for approval of a Major Use Permit to allow a cannabis microbusiness within three suites of an existing commercial structure. Each suite is approximately 1,800 sf. Expansion of the existing footprint is not proposed. The project would include the following components. The application is included as **Attachment 3a** and development plans are included as **Attachment 3b**.

- Indoor Cultivation, Distribution, and Retail/Dispensary of recreational and medicinal cannabis and cannabis products, including pre-rolls;
- Nine secured, employee and delivery parking spaces (eight standard and one ADA) within rear, fenced and locked parking lot; six additional parking spaces, accessed via an existing driveway along East Smith Street;
- Exterior building and parking lot lighting (down-shielded and dark sky compliant-see lighting details on **Attachment 3c**);
- Odor control features such as carbon air filters (see **Attachment 3d**);
- Signage including one 45 sf "Wine Country Cannasseurs" sign, a 2' 6" x 6' "Parking" sign located on Suite 262 (See **Attachment 3b**, Site Plans);
- Seven ft sheet metal fencing with along North and West parcel boundaries, and enclosing the Employee and Delivery Parking Area;
- Cypress trees planted along Northern perimeter, on both project parcel and adjacent mobile home park (See Site Plan in **Attachment 3b**);
- Security features such as surveillance cameras, alarms, card reader entry, etc.;
- Retail deliveries are proposed between 10:00 a.m. and 8:00 p.m. during operational hours;
- Distribution deliveries are proposed between 10:00 a.m. and 4:00 p.m. daily;
- Operating hours for Wine Country Cannasseurs would be as follows:
 - Cultivation: Mon-Sun 9:00 a.m. to 9:00 p.m.
 - Distribution: Mon-Fri 9:00 a.m. to 5:00 p.m.
 - Retail/Dispensary: Mon, Tues, Thur-Sat 9:00 a.m. to 9:00 p.m. Wed 9:00 a.m. to 6:00 p.m. Closed Sundays.
- The microbusiness will be staffed with 10-12 employees total (six maximum at any time).

The project parcel is positioned between North Main Street and Mason Street. The railroad tracks are approximately 360 ft east of the parcel. Gibson Creek crosses the parcel in a box culvert below the building. The existing building, with six suites was constructed in 1952. Previous uses include various retail establishments, including appliance and floor covering sales, and a golf shop. Two of the suites included in the project proposal are vacant, and one is currently operating as a salon.

Two adjacent suites currently contain the Iglesia Pentecostal Unida. The parcel to the north contains the Circle Trailer Park. The Applicant applied for a waiver from UCC §9174.F.1 location limitations, due to the proximity of the youth-oriented facility (church), and the residential use of the mobile home park directly to the north. The waiver was denied by the Planning Commission at its August 28, 2019 meeting. The Planning Commission's decision was appealed to the City Council, and overturned by the Council at its October 2, 2019 meeting. The Council determined that the proposed seven ft sheet metal fencing along the parcel line between the project area and the mobile home park, along with proposed Cypress trees on both sides of the fence, in addition

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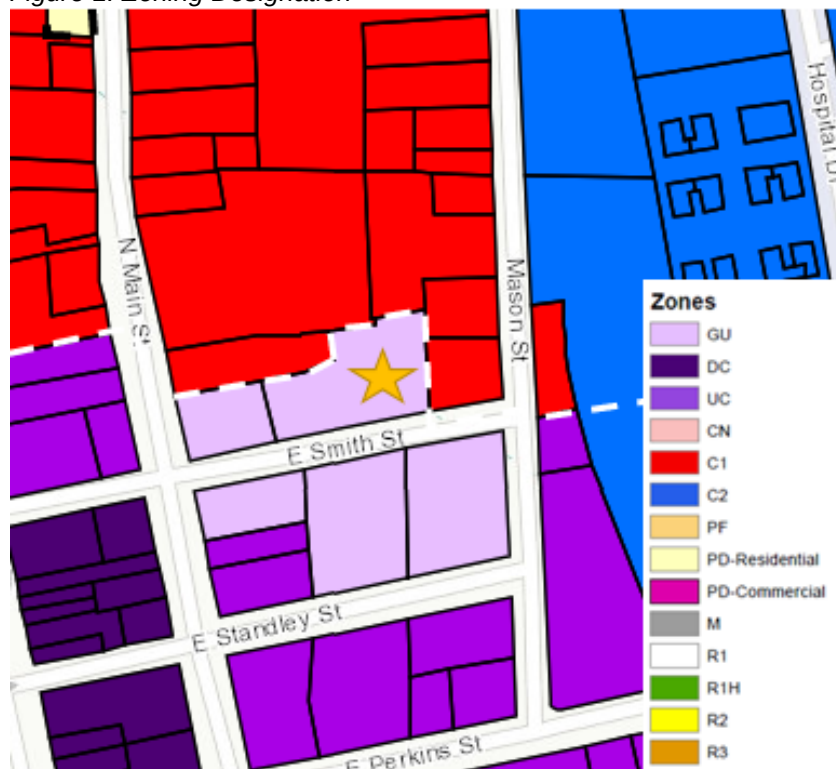
to closing the retail/dispensary by 6:00 p.m. on Wednesdays and remaining closed all day on Sunday, met the appropriate buffer intent of the code to approve the waiver. The Minutes of this meeting are included as **Attachment 4**.

SURROUNDING LAND USE AND ZONING

The parcel carries a General Plan Land Use designation of Commercial and is within the Downtown General Urban Zoning District. The project site is surrounded by parcels zoned Community Commercial, and General Urban. The following uses are directly adjacent to the parcel.

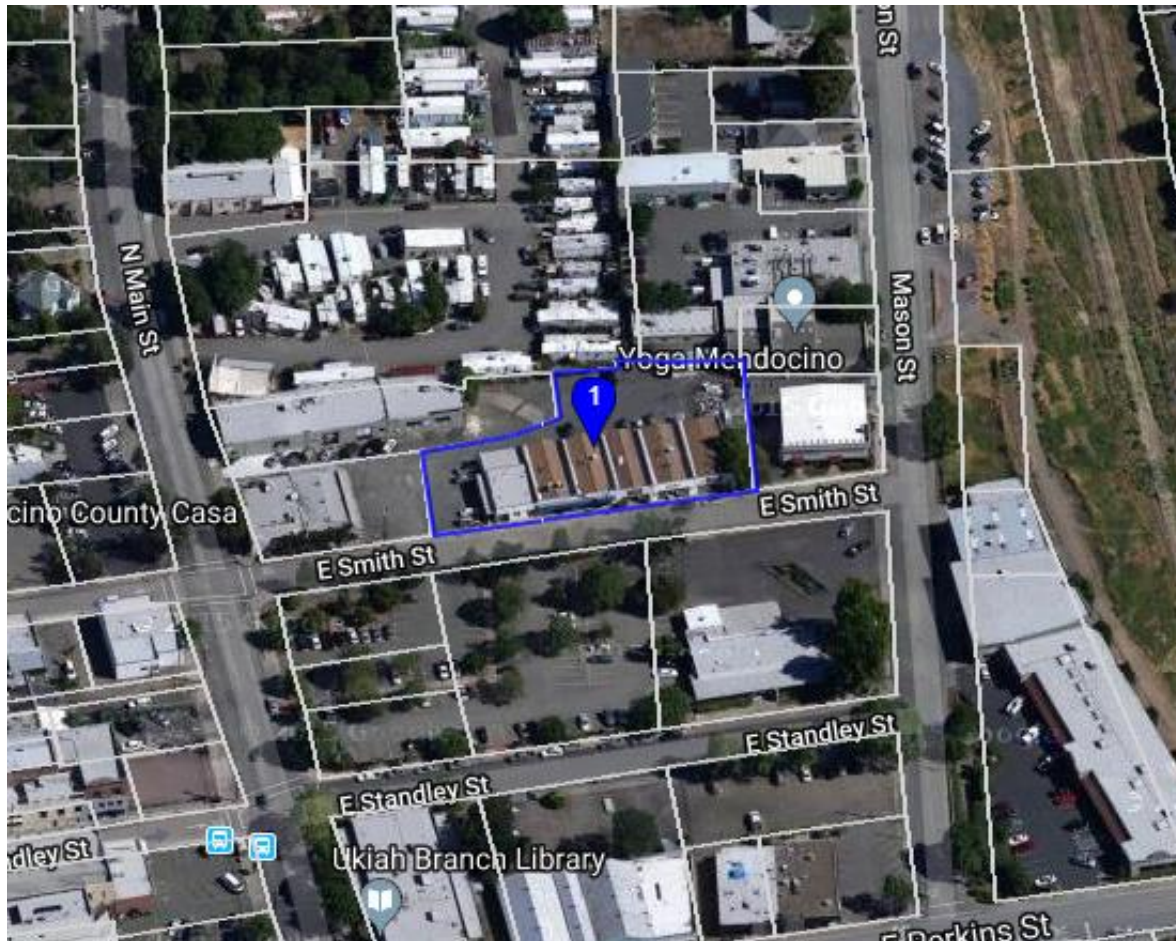
	ZONING:	USE:
NORTH	Community Commercial	Mobile Home Park
EAST	Community Commercial	Office Supply/Services Store
SOUTH	General Urban	City Parks storage parking lot
WEST	General Urban	Church and Nutrition and Fitness Center

Figure 1. Zoning Designation



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Major Use Permit
Wine Country Cannasseurs
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Figure 2. Aerial Map



AGENCY COMMENTS

Project referrals were sent to the following responsible or trustee agencies with interest or jurisdiction over the project: City of Ukiah Building Division, City of Ukiah Electric Utility Department, City of Ukiah Police Department, City of Ukiah Department of Public Works, Ukiah Valley Fire Authority, and State Department of Social Services. The agencies' comments are included as **Attachment 5**, and recommended Conditions of Approval are contained in **Attachment 2**.

STAFF ANALYSIS

General Plan and Zoning Consistency

Use. The parcel carries a General Plan Land Use designation of Commercial (C) and is zoned General Urban (GU). Per UCC §9215, cannabis related businesses including microbusinesses are allowed in GU zoning districts with approval of a Major Use Permit. Findings required for approval of Use Permits per UCC §9262(e) are included in **Attachment 1** and subject to Conditions of Approval contained within **Attachment 2**. In addition to the findings required in §9262 of this Code, the Planning Commission shall consider additional criteria related to security

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and crime in determining whether to grant or deny a Dispensary Use Permit (UCC §5710) which are also included as **Attachment 1**.

UCC §9174.2.F lists location limitations for proposed cannabis businesses, including proximity to youth-oriented facilities, and residentially zoned parcels. §9174.2.F.2 allows for a waiver from these restrictions, with approval and findings from the Planning Commission. As previously mentioned, Wine Country Cannasseurs applied for this waiver, due to the proximity of the church in the adjacent two suites, and the mobile home park adjacent to the north. The Planning Commission denied the waiver at its August 28, 2019 meeting. The applicant appealed this decision to the Council at its October 2, 2019 meeting. The Council approved the appeal, granting the waiver request, and allowing the project to continue its process. The minutes for the meeting are included as **Attachment 5**.

The applicant has submitted all required documents including a complete application, a Security Plan (omitted from the attachments for security reasons), Standard Operating Procedures (**Attachment 3e**), etc. in compliance with the aforementioned ordinances. In addition, the applicant has successfully completed the Live Scan process through the Ukiah Police Department. The project is consistent with all other requirements contained within the above applicable ordinances for cannabis related businesses. In addition, the project is consistent with the Ukiah City Code for development in General Urban zoning districts, as summarized below.

Setbacks. The five-suite commercial building was constructed in 1953, predating the Downtown Zoning Code. All proposed activity, excluding deliveries, shall take place within the existing structure. No expansion of this building footprint has been proposed. Therefore, it is considered an existing nonconforming structure.

Parking. UCC §9228.2.D exempts structures existing prior to January 1, 1979, and located within the Downtown Parking Improvement District, from the required off-street parking requirements. The Project Site is within this improvement district, and was constructed in 1953. Without this exemption, the project would require 11 off-street parking spaces.

The Applicant proposes sixteen total off-street parking spaces; nine (9) employee and delivery parking spaces (eight standard and one Accessible space) within the fenced area behind the building, and six (6) spaces, all standard, located along the western edge of the building.

Height. Per UCC §9225.3, the building can be two stories. The existing building is a single-story structure and the project does not propose to increase the height.

Landscaping. The UCC requires a minimum of 20% landscaping for commercial projects. However, the project parcel has been previously developed and entirely paved, with the exception of a small triangular area on the Southeast section, where a single tree grows. The project does not propose to expand the footprint of the existing building. Therefore, it is considered existing nonconforming to this requirement. However, the applicant proposes to plant cypress trees along the rear fence line, along the northern portion of the parcel. They have also offered to plant additional cypress trees along the mobile home park's southern boundary, adjacent to the Project Site. The proposed trees were included in the City Council's approved findings to support the request for waiver, establishing a buffer between the Project Site and the mobile home park which meets the spirit of the location limitation in the Zoning Ordinance.

Signage. Per UCC Section 3227, allowed signage is calculated by one and one-half (1 1/2) square feet of sign area for every ground level linear foot of parcel frontage. In no case shall the total square footage of signs on a building frontage exceed the number of linear feet in the frontage or

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five hundred (500) square feet, whichever is the lesser figure. The Project Site includes three suites, each thirty feet (30') in width. Based on these methods of calculation, the applicant is allowed approximately 135 sf of signage. The applicant has submitted preliminary sign information with the site plans. Proposed is a single, 45 sf sign above the entrance to the Retail/Dispensary suite. Additionally, a 15 sf parking directional sign is proposed above the suite at 262 E. Smith Street, signalling the parking available along the western side of the parcel. A Condition of Approval has been included to require the Applicant to obtain a Sign Permit, in compliance with all applicable sign regulations.

Fencing. At the October 2, 2019 City Council meeting, the Council found that the proposed seven foot (7') solid metal panel fencing, and the cypress trees, provided a sufficient buffer between the mobile home park and the Project Site. Within the Downtown Zoning Code, fencing over six feet in height requires a Major Exception. The findings required for the Major Exception are included in **Attachment 1**.

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 Section 15301, Existing Facilities, Class 1(a) which consists of the operations, repair, maintenance, or minor alteration of existing public or private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The project involves renovations to three 1,800 sf suites of a five-suite building historically used for commercial/retail uses. The project does not involve expansion of the existing building or use. In addition, the site is fully developed and does not contain any sensitive environmental resources. Therefore, the project qualifies for use of the aforementioned CEQA exemption.

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 December 28, 2019
- Posted on the Project site on December 27, 2019
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing
- Mailed to property owners within 300 feet of the project parcel on December 27, 2019.

RECOMMENDATION

Staff recommends Planning Commission 1) conduct a public hearing; and 2) adopt the findings and conditionally approve a Major Use Permit for the project, with the Major Exception to allow the proposed seven ft fence.

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Project Application Materials
 - a. Application

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- b. Site Plans
 - c. Lighting Specifications
 - d. Odor Control Details
 - e. Standard Operating Procedures
- 4. Minutes of the City Council Meeting on October 2, 2019
- 5. Agency Comments

FINDINGS TO ADOPT A MAJOR USE PERMIT WITH MAJOR EXCEPTION TO ALLOW THE OPERATION OF A CANNABIS MICROBUSINESS TO INCLUDE: CULTIVATION, DISTRIBUTION, AND DISPENSARY/RETAIL IN THREE SUITES OF AN EXISTING BUILDING AT 270, 272 & 274 EAST SMITH STREET; APN 002-191-23; FILE NO. 19-4635.

Recommendation for the Approval of the Major Use Permit and Findings: The Community Development Department's recommendation for conditional approval of a Major Use Permit with a Major Exception to allow a cannabis microbusiness to include: indoor cultivation, distribution, and retail/dispensary in three suites of an existing commercial building at 272, 272 & 274 East Smith Street, is based in part on the following findings, in accordance with UCC Sections 9262, 9231 and 5710.

Major Use Permit Findings

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

The proposed project is consistent with the General Plan goals and policies related to commercial and industrial/manufacturing development. The project also complies with all applicable requirements of the General Urban Downtown zoning district and is seeking a Major Use Permit, in compliance with the Ukiah City Code. In addition, the project is consistent with Ordinance Numbers 1176, 1182, 1186, 1188, 1190 for cannabis related businesses.

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

The proposed project would be similar in use, and intensity, as the surrounding area which is heavily developed with commercial/retail and public facility uses. The proposed project includes a comprehensive Security Plan and odor control measures to ensure that the project will not be detrimental to the public's health and safety. In addition, the project has been reviewed by the following agencies to ensure compliance with the Ukiah City Code and other codes and regulations relating to health and safety: Ukiah Valley Fire Authority, City of Ukiah Public Works Department, City of Ukiah Police Department, City of Ukiah Electric Utility Department, City of Ukiah Building Division and State Department of Social Services. Comments have been included as Conditions of Approval, as appropriate.

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

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

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

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

The Ukiah Police Department reported receiving 17 calls in the last year in the East Smith Street, North Main Street, East Standley Street, and Mason Street area, within the one block region of the project site, but has not reported this to be significantly higher than other areas within the City.

Crime information related to operation of this specific project will be reviewed and analyzed during the annual renewal process for the Use Permit.

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

See Finding No. 4 above.

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

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

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

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

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

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

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

The Applicant was granted a waiver by the City Council, from the location limitations of a youth-oriented facility (church) and the adjacent parcel with the mobile home park. At their October 2, 2019 meeting, the City Council approved the waiver request and adopted findings stating,

"1. The powers of operation for the two respective organizations – the proposed business and the church – are appropriate to meet the requirements of the code, without interfering with each other.

2. The distance of entrances to the mobile home park and the proposed mitigations of the 7 ft. wall, with separate trees on two sides of the property, including the property line between the mobile home park and the subject business property, do therefore meet the requirements for separation from the residential usage."

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With the approved findings above, the proposed project location meets all siting requirements contained within local and State regulations.

A Security Plan, Standard Operating Procedures and odor control measures are included as a part of the project to ensure no significant issues will arise from the project. The project has also been reviewed by the Ukiah Police Department, Ukiah Valley Fire Authority, and other agencies to ensure public safety.

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

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

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

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

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

See Finding Number 10.

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

The project site is surrounded by other commercial/retail and public facility uses. The Applicant was granted a waiver by the City Council, from the location limitations of a youth-oriented facility (church) and the adjacent parcel with the mobile home park. At their October 2, 2019 meeting, the City Council approved the waiver request and adopted findings stating,

“1. The powers of operation for the two respective organizations – the proposed business and the church – are appropriate to meet the requirements of the code, without interfering with each other.

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2. The distance of entrances to the mobile home park and the proposed mitigations of the 7 ft. wall, with separate trees on two sides of the property, including the property line between the mobile home park and the subject business property, do therefore meet the requirements for separation from the residential usage.”

Proposed operating hours for the cultivation portion of the microbusiness would be Mon-Sun 9:00 a.m.- 9:00 p.m.; the proposed operating hours of the distribution portion of the microbusiness would be Mon-Fri 9:00 a.m. – 5:00 p.m.; the operating hours of the retail portion of the microbusiness would be Mon, Tues, & Thurs-Sat 9:00 a.m. – 9:00 p.m., Wed 9:00 a.m. – 6:00 p.m., Closed Sundays.

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

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

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

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

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

The applicant certifies that he has not knowingly made a false statement or omitted information from his application.

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

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

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

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

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

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patrons through deliveries in compliance with Section 5717 of this Code, then adequate parking will be provided at a rate of one space for every four hundred (400) square feet of gross leasable space, pursuant to Section 9198(G)(3) of this Code.

The project proposes 15 standard parking spaces, including one ADA space and also a loading zone for deliveries, in compliance with the aforementioned regulations and UCC 9198(G)(1) for industrial uses.

In addition to the findings above, the Planning Commission shall consider the following criteria in determining whether to grant or deny a Major Exception for the seven ft metal fence:

20. The project is compatible with the neighborhood and design intent of this code.

The proposed seven ft sheet metal fence will replace the six ft wooden fence along the parcel line shared by the project parcel and the mobile home park, with an additional segment to enclose and secure the project site's rear parking area. The fence was proposed to create a buffer between the project site's commercial use and the adjacent residential use of the mobile home park. It will also provide a safe and controlled area for employee parking and deliveries, and will reduce the occurrence of unauthorized camping in this location. The fence, as proposed, supports the code's intent of encouraging development of a healthy and safe urban community.

21. The project provides appropriate connections, transitions, and relationships between buildings and the street, adjacent properties and one another.

The purpose of the seven ft fence is to establish a buffer between the commercial use of the project site, and the residential use of the adjacent mobile home park. The provision of this buffer establishes a relationship which satisfies the intent of the location limitations in the Zoning Ordinance, in order to minimize the potential conflict between the two disparate uses.

22. The project provides adequate and appropriate pedestrian facilities and connections.

The project parcel is located within the Downtown General Urban Zoning District, within easy walking distance to downtown commercial amenities. The proposed fence would be placed along the project's rear parcel line. The area behind the project site is commonly used for parking, but not for through travel. Approval and construction of the seven ft sheet metal fence would not negatively affect pedestrian facilities or connections.

23. The project would not impair the desirability of investment, employment, or residence in the neighborhood.

The proposed fence is a portion of the application for a Major Use Permit to operate a microbusiness. The proposal includes the use of three suites of an existing commercial structure. Two of the suites are currently vacant. The applicant proposes to employ 10-12 staff members. It also establishes a buffer between the proposed commercial use, and the adjacent residential use of the neighboring mobile home park.

24. Special circumstances or conditions apply to the site, building, improvement or use, such as the preservation of natural resources (creek, tree preservation), providing enhanced

pedestrian facilities or enhanced outdoor areas (outdoor seating, enhanced landscaped areas).

See Finding No. 22. UCC Section 9174.2 requires an intervening, non-residential use as a buffer between a commercial cannabis operation and a residentially zoned parcel. At the October 2, 2019 City Council meeting, the seven ft sheet metal fence was included in the findings as establishing this type of buffer. The proposed fence is a special circumstance to meet the intent of the code to create a buffered distance between commercial cannabis and residential uses.

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

- Published in the Ukiah Daily Journal on December 28, 2019
- Posted on the Project site on December 27, 2019
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing
- Mailed to property owners within 300 feet of the project parcel on December 27, 2019.

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

Draft Findings
Major Use Permit
Wine Country Cannasseurs
272, 272 & 274 East Smith Street
File No.: 19-4635

**DRAFT CONDITIONS OF APPROVAL OF MAJOR USE PERMIT WITH MAJOR EXCEPTION
FOR OPERATION OF A CANNABIS MICROBUSINESS TO INCLUDE CULTIVATION
(INDOOR), DISTRIBUTION, AND DISPENSARY/RETAIL IN THREE SUITES OF AN
EXISTING BUILDING AT 270, 272 & 274 EAST SMITH STREET;
APN 002-191-23; FILE NO. 19-4635**

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

Approved Project Description. An application was received from Jay Donnellan, of Wine Country Cannasseurs, for approval of a Major Use Permit with a Major Exception (for a seven ft fence) to allow a cannabis microbusiness within three suites of an existing commercial structure. Each suite is approximately 1,800 sf. Expansion of the existing footprint is not proposed. The project would include the following components. The application is included as **Attachment 3a** and development plans are included as **Attachment 3b**.

- Indoor Cultivation, Distribution, and Retail/Dispensary of recreational and medicinal cannabis and cannabis products, including pre-rolls
- Nine secured, employee and delivery parking spaces (eight standard and one ADA) within rear, fenced and locked parking lot; six additional parking spaces, accessed via an existing driveway along East Smith Street;
- Exterior building and parking lot lighting (down-shielded and dark sky compliant-see lighting details on **Attachment 3c**);
- Odor control features such as carbon air filters (see **Attachment 3d**);
- Signage including one 45 sf “Wine Country Cannasseurs” sign, a 2’ 6” x 6’ “Parking” sign located on Suite 262 (See **Attachment 3b**, Site Plans);
- Seven ft sheet metal fencing with along North and West parcel boundaries, and enclosing the Employee and Delivery Parking Area;
- Cypress trees planted along Northern perimeter, on both project parcel and adjacent mobile home park (See Site Plan in **Attachment 3b**);
- Security features such as surveillance cameras, alarms, card reader entry, etc.
- Retail deliveries are proposed between 10:00 a.m. and 8:00 p.m. during operational hours;
- Distribution deliveries are proposed between 10 a.m. and 4 p.m. daily;
- Operating hours for Wine Country Cannasseurs would be as follows:
 - Cultivation: Mon-Sun 9:00 a.m. to 9:00 p.m.
 - Distribution: Mon-Fri 9:00 a.m. to 5:00 p.m.
 - Retail/Dispensary: Mon, Tues, Thur-Sat 9:00 a.m. to 9:00 p.m. Wed 9:00 a.m. to 6:00 p.m. Closed Sundays
- The microbusiness will be staffed with 10-12 employees total (6 maximum at any time).

City of Ukiah Special Conditions

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

Draft Conditions of Approval
Major Use Permit
Wine Country Cannasseurs
270, 272 & 274 East Smith Street
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2. No special events are permitted on-site. If the applicant wishes to hold events, they must contact the Community Development Department; additional permits or approvals may be required.
3. Per Section 5704 of the UCC this Use Permit is valid for one-year. Dispensary Use Permits may be renewed on an annual basis by the Zoning Administrator following the procedure described in Section 5704 of the UCC. It is the Applicant's responsibility to apply for annual renewal 45 days prior to this permit expiring.
4. As outlined in Article 20, Administrative and Procedures, of the Zoning Code this planning permit may be revoked through the City's revocation process if the approved project related to this permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.
5. Prior to issuance of building permits and commencing operations, the applicant shall submit proof of State licensure to operate the cannabis related business to the Community Development Department.
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.
9. Storage of outdoor cargo containers is not authorized with this permit, and shall be removed prior to commencing operations.
10. Cypress trees shall be planted outside of the five foot (5') utility easement.

City of Ukiah Standard Conditions

11. 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.
12. 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.
13. 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.

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

Department of Public Works Conditions

21. 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.
22. Existing sewer laterals planned to be utilized as part of this project shall be cleaned and tested, and repaired or replaced if required.
23. Sewer connection fees shall be paid at the time of building permit issuance.

Electric Utility Department Conditions

24. This property will be served from Overhead power lines and existing transformer bank.
25. 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.
26. 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.

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

29. Prior to issuance of building permits and prior to commencing operations, expired Permit #721 to convert commercial space to residential space must be closed, with a completed department inspection of the premises to confirm Unit #262 has no residential use.
30. Submit plans and building permit application. Please submit three complete plan sets, two wet stamped and signed
31. 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, or current code cycle at date of submission.

Ukiah Police Department Conditions

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

32. 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.
33. 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.
34. The business permittee shall immediately report to the City Police Department all criminal activity occurring on the business site.
35. 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 Permittee shall provide the Chief of Police with a useable digital copy of the security video upon request or at the earliest convenience.
36. Duration of Use: Security system shall be equipped with at least 24 hours of continued operation time in case of power failure.
37. 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.
38. All applicable state and local licenses or permits shall be displayed in the lobby or waiting area of the main entrance to the building.

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39. All solid core exterior doors shall be equipped with a 180 degree viewing device to screen persons before allowing entry. Doors, including loading dock doors, shall remain locked at all times, except for emergencies and deliveries.
40. Bollards shall be installed along the frontage and rear of the suite used for indoor cultivation, to prevent vehicle penetration. Permittee shall coordinate with the Public Works Department and Building Division regarding the installation.
41. Permittee is responsible for reasonably controlling the conduct of persons on the site, and shall immediately disperse loiterers.
42. Security personnel shall arrive on-site no less than 30 minutes before opening, and remain 30 minutes after closing of all areas of the microbusiness.
43. Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.
44. Report any graffiti to UPD at (707) 463-6262. After reporting, clean-up/paint over as soon as possible.
45. Property shall be kept free of debris/garbage.
46. Permittee shall install "No Trespassing" and "Authorized Personnel Only" signs at the fenced/gated areas.
47. Dumpsters shall be kept locked or within locked enclosures to limit unauthorized dumping or scavenging.
48. Applicant shall install a "Knox Box" to allow Police Department emergency access to the interior and exterior areas of the property after hours.
49. Height markers shall be installed on the interior doorways and front door entrance.
50. 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.
51. Contacts on roll up doors and roof hatches shall be included in the Intrusion Detection System.
52. Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.
53. All exterior electrical outlets shall have locking mechanisms, or be decommissioned for non-use to limit illegal usage.
54. Any exterior water faucets shall have a locking box cover or be decommissioned for non-use to limit illegal usage.
55. Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. Color temperature shall be between 2700K and 4100K with a color rendering index of 80 or better and a light loss factor of .95 or better, with an efficiency of 110 lumens per watt or better.
56. Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.

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57. Tree canopies shall not interfere with, or block lighting.
58. Any proposed revisions to the approved Security Plan shall be made in writing and subject to approval of the Ukiah Police Department.
59. 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

60. All exit doors shall be equipped with lighted exit signage and emergency lighting with a battery backup.
61. Main entry door must swing in direction of egress travel "out".
62. There may be other minor Fire Code additions when plans are submitted, ie. Address location, and the need for additional fire extinguishers.
63. 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.
64. Fire extinguishers shall be required. Fire Marshal can assist with location and number of required extinguishers.
65. Fire sprinkler system shall be maintained and modified as necessary.
66. All exits shall be clearly marked. Means of egress shall be illuminated when the building space is occupied (CFC §1008.2).
67. 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).
68. In the event of power supply failure, an emergency electrical system shall automatically illuminate the means of egress (CFC 1008.3).
69. A "Knox Box" key security safe shall be required, and mounted on the exterior at a location specified by the Fire Marshal.
70. The business permittee shall provide the Fire Department with the current name and primary and secondary telephone numbers of at least one 24-hour on-call manager for emergency contact.

Mendocino County Air Quality Management District Conditions

71. The applicant may be required to obtain an Authority to Construct permit from the District prior to beginning construction.
72. 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.

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- 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.

73. 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.



City of Ukiah

Planning & Community Development Department

300 Seminary Avenue

Ukiah, CA 95482

Email: planning@cityofukiah.com

Web: www.cityofukiah.com

Phone: (707) 463 -6203

Fax: (707) 463-6204

Planning Permit Application

PROJECT NAME: J.P.J. and Associates LLC, doing business as Wine Country Cannasseurs					
PROJECT ADDRESS/CROSS STREETS: 270, 272, 274 East Smith Street, Ukiah, CA				AP NUMBER(S): 002-191-023	
APPLICANT/AUTHORIZED AGENT: J.P.J. and Associates LLC - agent Jay Donnellan		PHONE NO: 707-889-3987		FAX NO: N/A	
E-MAIL ADDRESS: WineCountryCannasseurs@gmail.com					
APPLICANT/AUTHORIZED AGENT ADDRESS: 2727 Beecham Street			CITY: Napa		STATE/ZIP: CA, 94558
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: Robert Gitlin		PHONE NO: 707-671-4335		FAX NO: N/A	
E-MAIL ADDRESS: RobGitlin@hotmail.com					
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT: 7221 Evan Ave.			CITY: Sebastopol		STATE/ZIP: CA, 95472
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? ☐ YES ☒ NO					
☐ AIRPORT LAND USE COMM. DETERMINATION 100.0800.611.003	\$	☐ REZONING 100.0800.611.001	\$	☐ USE PERMIT – AMENDMENT 100.0400.449.001	\$
☐ ANNEXATION 100.0800.611.001	\$	☐ REZONING – PLANNED DISTRICT 100.0800.611.001	\$	☒ USE PERMIT – MAJOR 100.0400.449.001	\$
☐ APPEAL 100.0400.449.001	\$	☐ SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	\$	☐ USE PERMIT – MINOR 100.0400.449.001	\$
☐ BOUNDARY LINE ADJUSTMENT 100.0800.610.001	\$	☐ SITE DEVELOPMENT PERMIT – MAJOR 100.0400.449.001	\$	☐ VARIANCE – MAJOR 100.0400.449.001	\$
☐ GENERAL PLAN AMENDMENT 100.0800.611.001	\$	☐ SITE DEVELOPMENT PERMIT – MINOR 100.0400.449.001	\$	☐ VARIANCE – MINOR 100.0400.449.001	\$
☐ MURAL PERMIT 100.0400.449.001	\$	☐ SPECIFIC/MASTER PLAN 100.0800.611.003	\$	☐ ZONING AMENDMENT – MAP 100.0800.611.001	\$
☐ PRELIMINARY REVIEW (PC) 100.0800.611.003	\$	☐ SUBDIVISION EXCEPTION 100.0800.610.001	\$	☐ ZONING AMENDMENT– TEXT 100.0800.611.001	\$
☐ PRELIMINARY REVIEW (PRC) 100.0800.611.003	\$	☐ TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	\$	☐ OTHER	\$
☐ PRELIMINARY REVIEW (STAFF) 100.0800.611.003	\$	☐ TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	\$	☐ OTHER	\$
COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	MAJOR PERMIT DEPOSIT:	\$	FILING DATE:	
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	MINOR PERMIT FEE:	\$	TOTAL AMOUNT PAID: \$	
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	TOTAL FEE:	\$	RECEIPT NUMBER:	
APPLICATION NUMBER(S):					

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

Project Description

The purpose of the project description is to assist Staff in understanding the project. 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

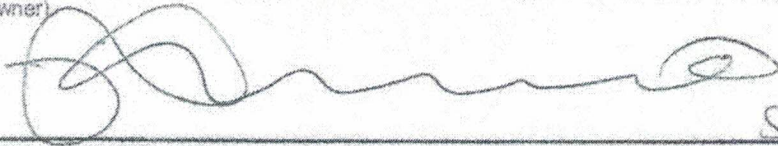
Please provide the following information related to the use of the site and building: Please see Exhibit H Site and Floor plan

Description of Building & Site			
Parcel Size: 25,951 square feet	Building Size: 3,600 square feet	Number of Floors: 1	
Use of Building (check all that apply)	Description	Square Footage	Number of Units/Suites
☐ Office (business/professional)	N/A	N/A	N/A
☐ Office (medical/dental)	N/A	N/A	N/A
☒ Retail	Sales floor + Lobby	1,073 sq. ft.	1
☒ Light Industrial	Cultivation	1,270 sq. ft.	1
☐ Residential			
☒ Other:	Distribution	1,660 sq. ft.	1
Operating Characteristics			
Days and Hours of Operation: Dispensary: Mon-Sat 9 a.m. - 9 p.m., Sun 1 p.m. - 9 p.m.; Distribution: Mon-Fri 10 a.m. - 4 p.m.; Cultivation: Mon-Sat 8:30 a.m. - 5 p.m., Sun 1 p.m. - 3 p.m.			
Number of Shifts: 3	Days and Hours of Shifts: Dispensary Mon - Fri: 8:30 - 4:30, 9:00 - 5:00, 1:00 - 9:00 / 8:30 - 4:30, 4:00 - 9:30, Sun: one shift Distribution: one shift Cultivation: one shift		
Number of Employees/Shift: Between 4 and 6 over all three facilities			
Loading Facilities: ☒ Yes ☐ No	Type/Vehicle Size: 2007 Prius, 4 door sedan		
Deliveries: ☒ Yes ☐ No	Type: Distribution	Number (day/week/month): TBD	Time(s) of Day: 10:00 - 4:00
Outdoor areas associated with use? (check all that apply) ☒ Yes ☐ No	Sales area: ☒ Yes ☐ No Square Footage: 826	Unloading of deliveries: ☒ Yes ☐ No Square Footage: 423	Storage: ☒ Yes ☐ No Square Footage: 613
Noise Generating Use? ☐ Yes ☒ No	Description:		

To Be Completed by Staff

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

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

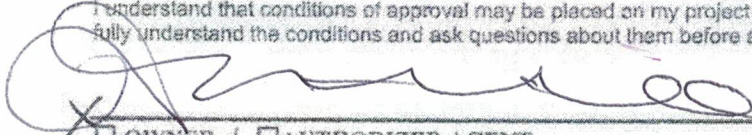


PROPERTY OWNER SIGNATURE DATE 5/16/19

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

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

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



☒ OWNER / ☐ AUTHORIZED AGENT DATE 5/16/19

INDEMNIFICATION AGREEMENT

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

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

I have read and agree to all of the above.

☒ ROBERT GITLIN

☐ PROPERTY OWNER / ☐ AUTHORIZED AGENT
(PLEASE PRINT NAME) 5/16/19

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

Revised 02/09/2016

CONTACT DATA

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UKIAH, CA 95482
707-671-4335

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CALGREEN
TITLE-24

SPRINKLER ENG.

HVAC ENG. CARL BEACH
CARL BEACH HEATING AND AIR
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SANTA ROSA, CA 95407
707-479-9189

BLDG. SECURITY: MARTIN WOLFE
WOLFE COMMUNICATIONS
849 NORTH STREET
SANTA ROSA, CA 95404
707-387-1140
MARTIN@WOLFECOM.NET

SITE AND BUILDING DATA

CURRENTLY THERE ARE FIVE IDENTICAL BUILDINGS IN A ROW AND A SIXTH WITH A SIMILAR FOOTPRINT WITH A FLAT ROOF.

VETERANS CANNIBIS IS LEASING THE FIRST THREE FOR THIS PROJECT. EACH BUILDING IS APPROX 60 FT X 30 FT OR 1800 SF

LOT DIMS: VARY. SEE SITE PLAN

LOT AREA: 25,951 SF OR .6 ACRES

ALLOWABLE LOT COVERAGE: 50%

EXISTING LOT COVERAGE: 10,800 SF

EXIST BUILDINGS FOOTPRINT FOOTPRINT: 10,800 SF

PROPOSED BLDGS. FOOTPRINT: SAME

PARKING: ONE VAN ACCESSIBLE SPACE AND MIN. 9 CAR SPACES.

SCOPE OF WORK

THERE ARE THREE EXISTING BUILDINGS THAT WILL BE OCCUPIED BY THE NEW TENANT FOR THIS PROJECT. CURRENT ADDRESSES ARE 270, 272 AND 274 EAST SMITH STREET.

270 AND 272 ARE OCCUPIED CURRENTLY WITH RETAIL USE, 274 IS VACANT.

THE PROPOSED USE IS A CANNIBIS OPERATION THAT WILL INCORPORATE 274 FOR CULTIVATION PURPOSES, 272 FOR THE DISTRIBUTION AND 270 FOR RETAIL.

AS THE BUILDINGS SHARE COMMON DEMISING WALLS, THEY WILL BE UPGRADED TO SUIT 1-HOUR CONSTRUCTION FROM EXISTING SLABS THROUGH EXISTING PARAPETS. IN ADDITION, THE ROOFS OF 272 AND 274 WILL PROVIDE FOR NEW RIGID INSULATION AND ROOF SHEATHING.

BUILDING 270 WILL BE USED AS-IS EXCEPT FOR THE ADDITION OF A NEW WALL AND DOOR AT THE FRONT AREA TO CREATE A RECEPTION AND WAITING AREA. ADDITION OF A NEW DOOR TO SEPARATE THE REAR AREA THAT WILL INCLUDE AN OFFICE (E), A STORAGE ROOM (E) AN EMPLOYEE AREA AND THE REMOVAL OF THE EXISTING SKYLIGHT AND UPGRADE OF THE RESTROOM.

BUILDING 272 WILL PROVIDE FOR THE ADDITION OF ONE NEW WALL AND DOOR TO SEPARATE THE REAR AREA AND THE UPGRADE OF THE RESTROOM. NEW AREAS PROVIDED WILL INCLUDE A SAFE ROOM, DISTRIBUTION/STORAGE AREA, WEIGHING AND PACKAGING AREA AND SIGN-IN. OPEN TRUSS 'CEILING' TO REMAIN.

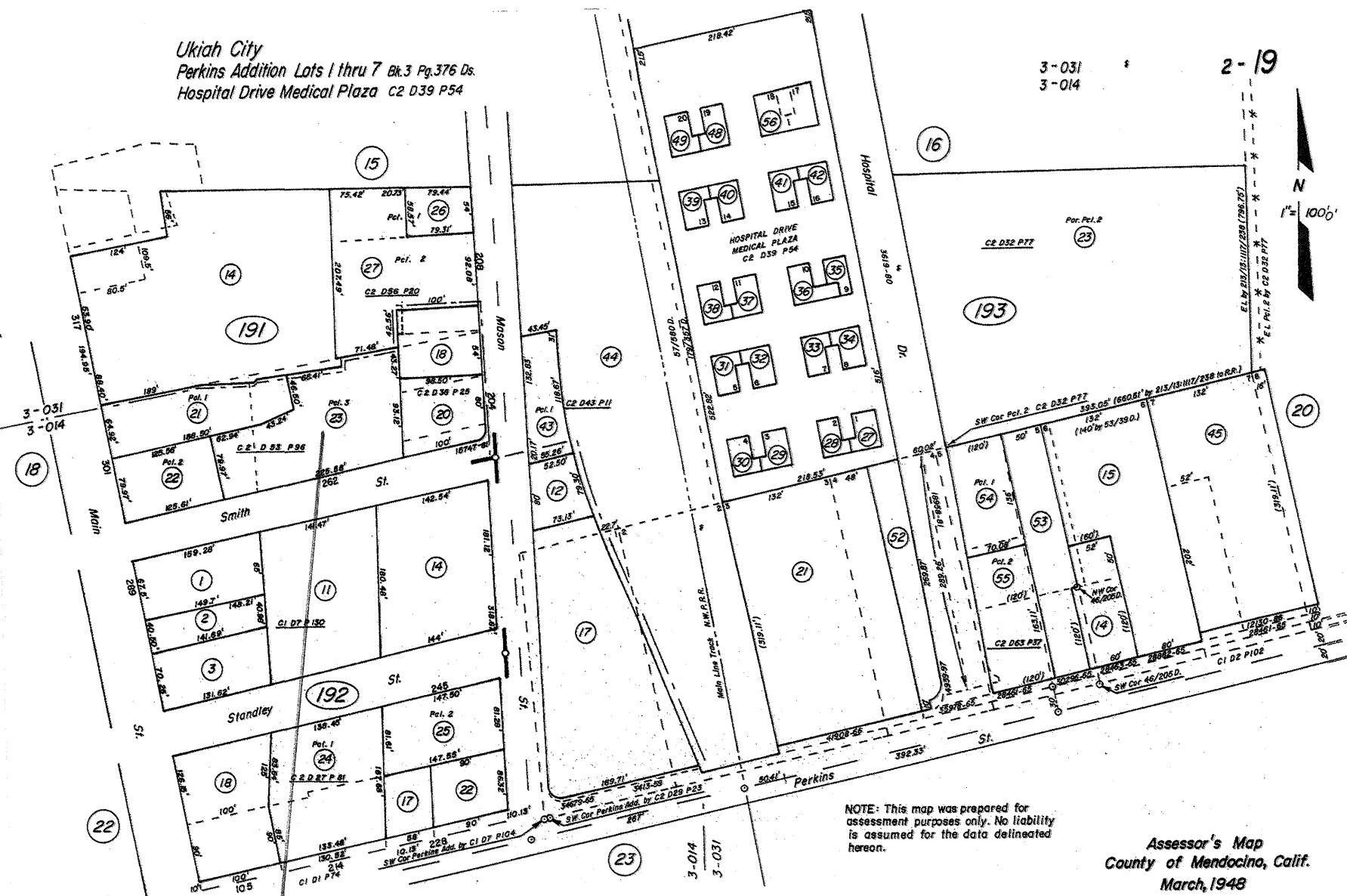
BUILDING 274 WILL PROVIDE FOR NEW ROOMS INCLUDING CULTIVATION A, B AND C, A DRY AND TRIM ROOM AND STORAGE ROOM. THERE WILL BE A NEW CEILING APPLIED TO THE UNDERSIDE OF THE OPEN TRUSSES THROUGHOUT THE SPACE AND AN UPGRADE OF THE RESTROOM.

STRUCTURAL WORK WILL ALSO REQUIRE THE REMOVAL OF A CENTRAL POST, EXISTING KNEE BRACING AND THE ADDITION OF LVL'S AT THE CEILING TO SUPPORT MECHANICAL EQUIPMENT.

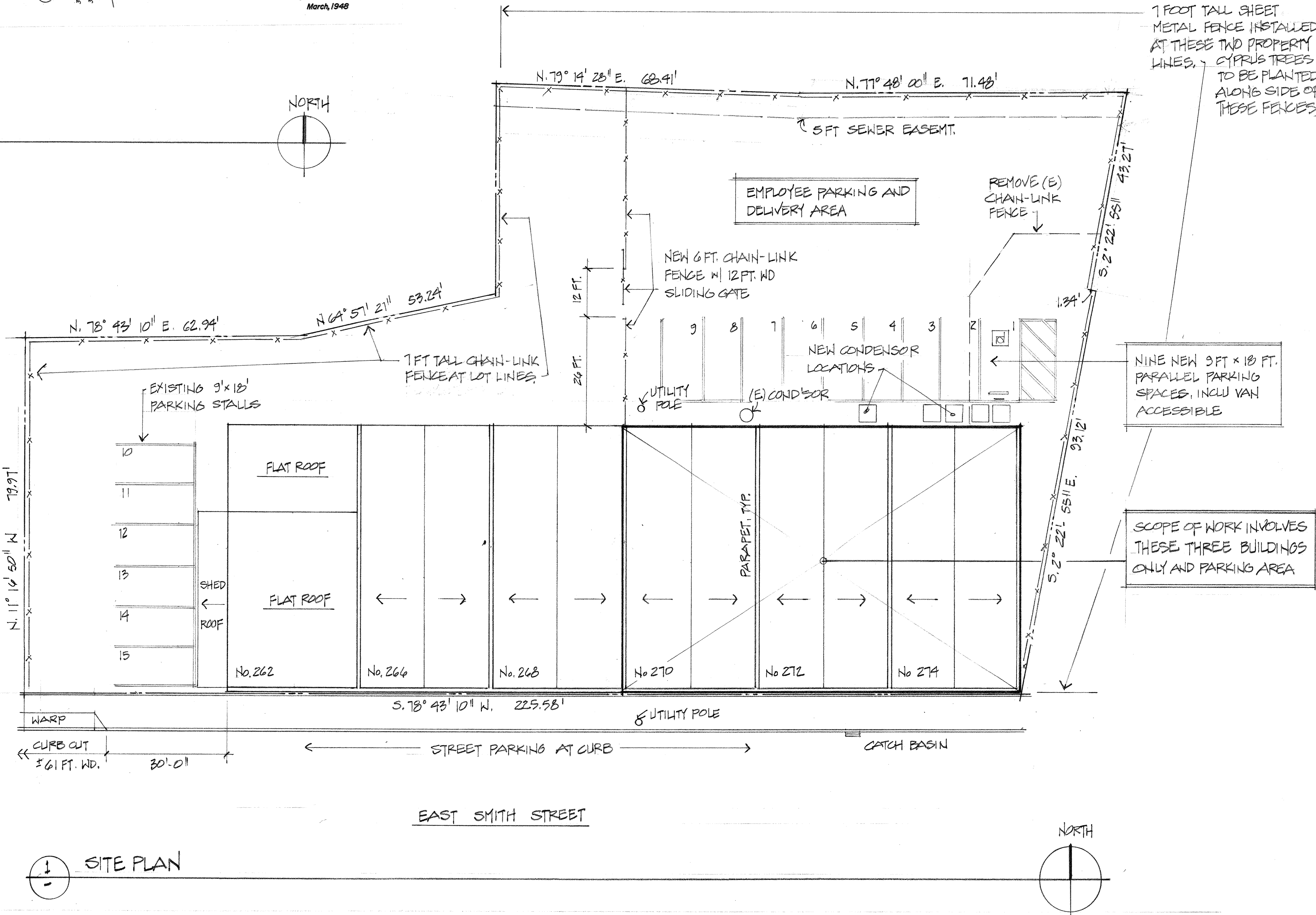
ALL THREE BUILDINGS WILL HAVE FULL TITLE 24- ADA COMPLIANCE AND PARKING COMPLIANCE.

BUILDINGS 272 AND 274 WILL HAVE FULL ELECTRICAL AND MECHANICAL UPGRADES AND NEW SPRINKLER INSTALLATION. (270 COMPLIES)

THERE WILL BE COSMETIC UPGRADES TO THE EXTERIOR FACADES AND REMOVAL OF EXISTING SIGNAGE AND THE ADDITION OF NEW LIGHTING.



VICINITY MAP



CONTACT DATA

PROP. OWNER: ROB GITLIN
201 E. CLAY STREET
UKIAH, CA 95482
707-671-4395

TENANT: WINE COUNTRY CANNASSEURS
JAY DONNELLAN
274 E. SMITH STREET
UKIAH, CA 95428
707-889-3987
JAYDONNELLANBR@GMAIL.COM

ARCHITECT: WALTERS ARCHITECTURE
739 HUMBOLDT STREET
SANTA ROSA, CA 95404
WILLIAM WALTERS C-20271
415-412-2219
WILLIAM@WALTERSARCHITECTS.NET

STRUCT. ENG. MARL LEVEL
LEVEL STRUCTURAL ENGINEERING
7106 BODEGA AVENUE
P. O. BOX 1302
SEBASTOPOL, CA 95473
LEVELSE@SONIC.NET

CALGREEN
TITLE-24

SPRINKLER ENG.

HVAC ENG. CARL BEACH
CARL BEACH HEATING AND AIR
2314 WEST AVENUE
SANTA ROSA, CA 95407
707-478-9189

BLDG. SECURITY: MARTIN WOLFE
WOLFE COMMUNICATIONS
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707-387-1140
MARTIN@WOLFE.COM.NET

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270 AND 272 ARE OCCUPIED CURRENTLY WITH RETAIL USE, 274 IS VACANT.

THE PROPOSED USE IS A CANNIBIS OPERATION THAT WILL INCORPORATE 274 FOR CULTIVATION PURPOSES, 272 FOR THE DISTRIBUTION AND 270 FOR RETAIL.

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BUILDING 270 WILL BE USED AS-IS EXCEPT FOR THE ADDITION OF A NEW WALL AND DOOR AT THE FRONT AREA TO CREATE A RECEPTION AND WAITING AREA. ADDITION OF A NEW DOOR TO SEPARATE THE REAR AREA THAT WILL INCLUDE AN OFFICE (E), A STORAGE ROOM (E) AN EMPLOYEE AREA AND THE REMOVAL OF THE EXISTING SKYLIGHT AND UPGRADE OF THE RESTROOM.

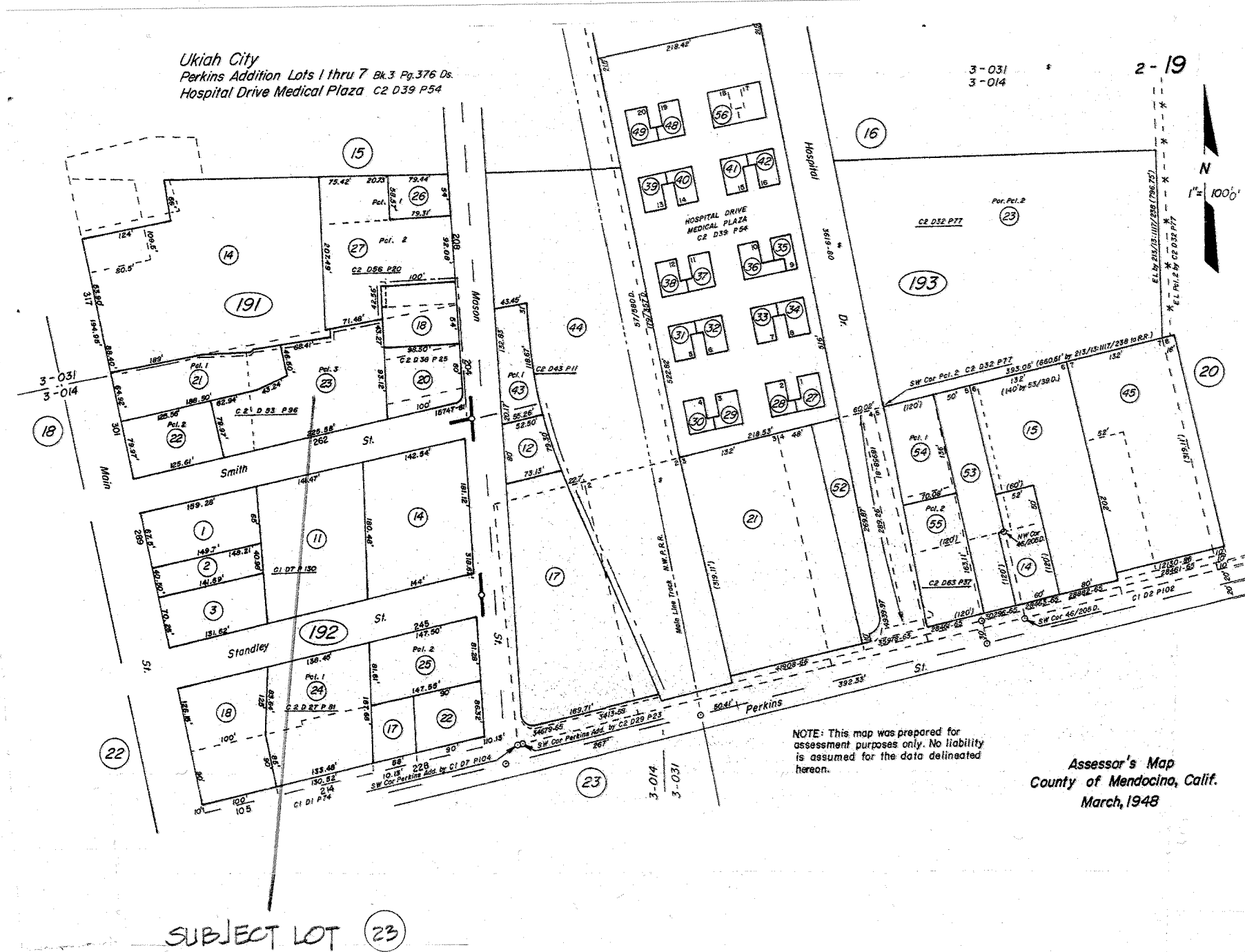
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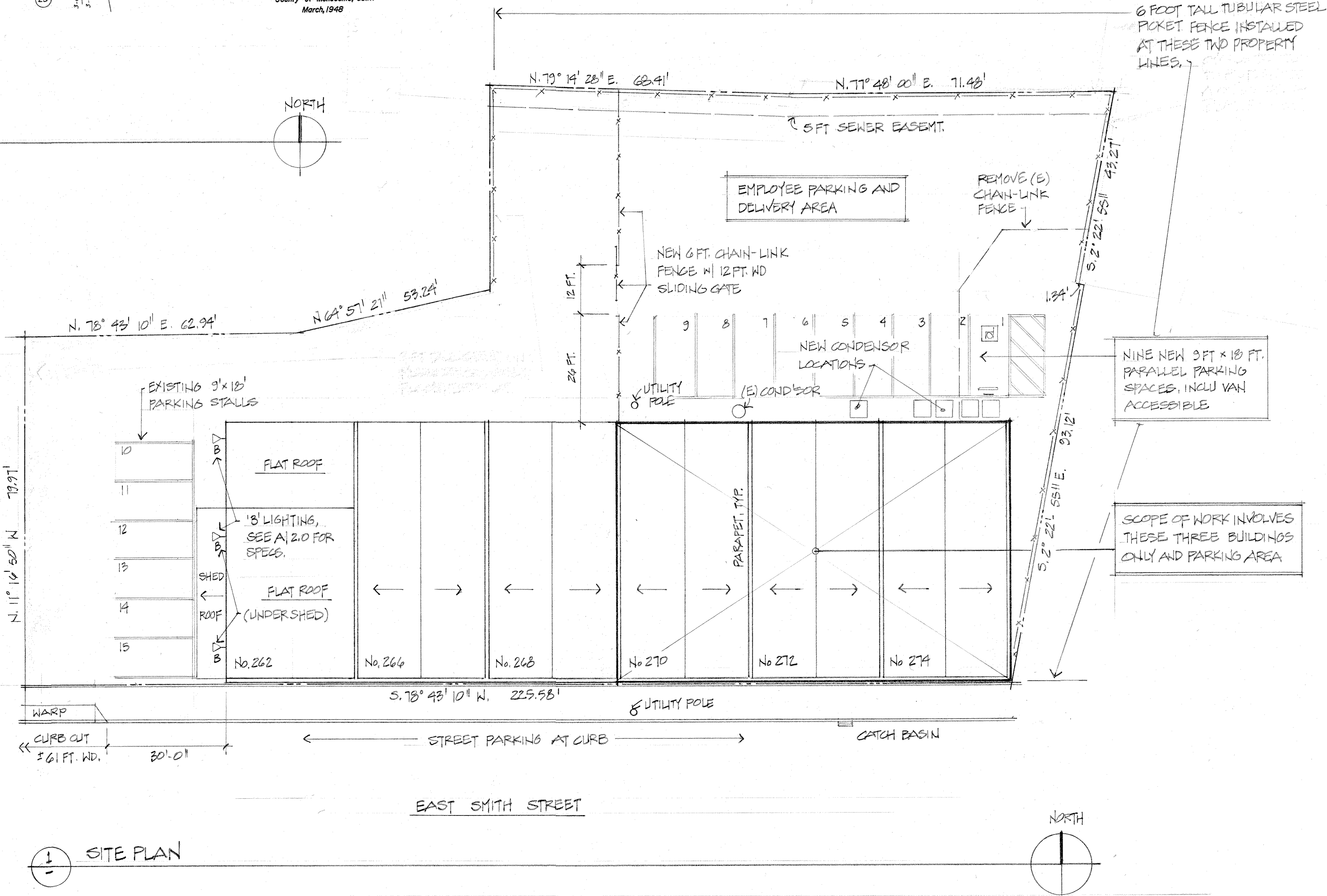
STRUCTURAL WORK WILL ALSO REQUIRE THE REMOVAL OF A CENTRAL POST, EXISTING KNEE BRACING AND THE ADDITION OF LVL'S AT THE CEILING TO SUPPORT MECHANICAL EQUIPMENT.

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THERE WILL BE COSMETIC UPGRADES TO THE EXTERIOR FACADES AND REMOVAL OF EXISTING SIGNAGE AND THE ADDITION OF NEW LIGHTING.



VICINITY MAP



SITE PLAN

BUILDING 270

BLDG TYPE: SNR
BLDG. HEIGHT: APPROX. 16'-0"
ZONING: GU
EXISTING USES: RETAIL HAIR SALON
PROPOSED USE: RETAIL SALES
OCCUPANCY: M
OCCUPANT LOAD:
FULLY-SPRINKLERED

BUILDING 272

BLDG TYPE: SNR
BLDG. HEIGHT: APPROX. 16'-0"
ZONING: GU
EXISTING USES: RETAIL UPHOLSTERY SHOP
PROPOSED USE: DISTRIBUTION
OCCUPANCY: M
OCCUPANT LOAD:
FULLY-SPRINKLERED

BUILDING 274

BLDG TYPE: SNR
BLDG. HEIGHT: APPROX. 16'-0"
ZONING: GU
EXISTING USES: VACANT RETAIL
PROPOSED USE: CULTIVATION
OCCUPANCY: M
OCCUPANT LOAD:
FULLY-SPRINKLERED

WINE COUNTRY CANNASSEURS

270, 272 & 274 E. SMITH STREET

UKIAH, CA 95428

APN: 002-191-023

WALTERS ARCHITECTURE
739 HUMBOLDT STREET
SANTA ROSA, CA 95404
415-412-2219

WINE COUNTRY CANNASSEURS
270, 272 & 274 EAST SMITH STREET
UKIAH, CA 95428
APN: 002-191-023

Date 20 APRIL 10
Scale 1/16" = 1'-0"
Drawn WALTERS
Job
Sheet
A-O.O
Of Sheets

WALTERS ARCHITECTURE
739 HUMBOLDT STREET
SANTA ROSA, CA 95404
415-412-2219

Date	1 APRIL '19
Scale	1/4" = 1'-0"
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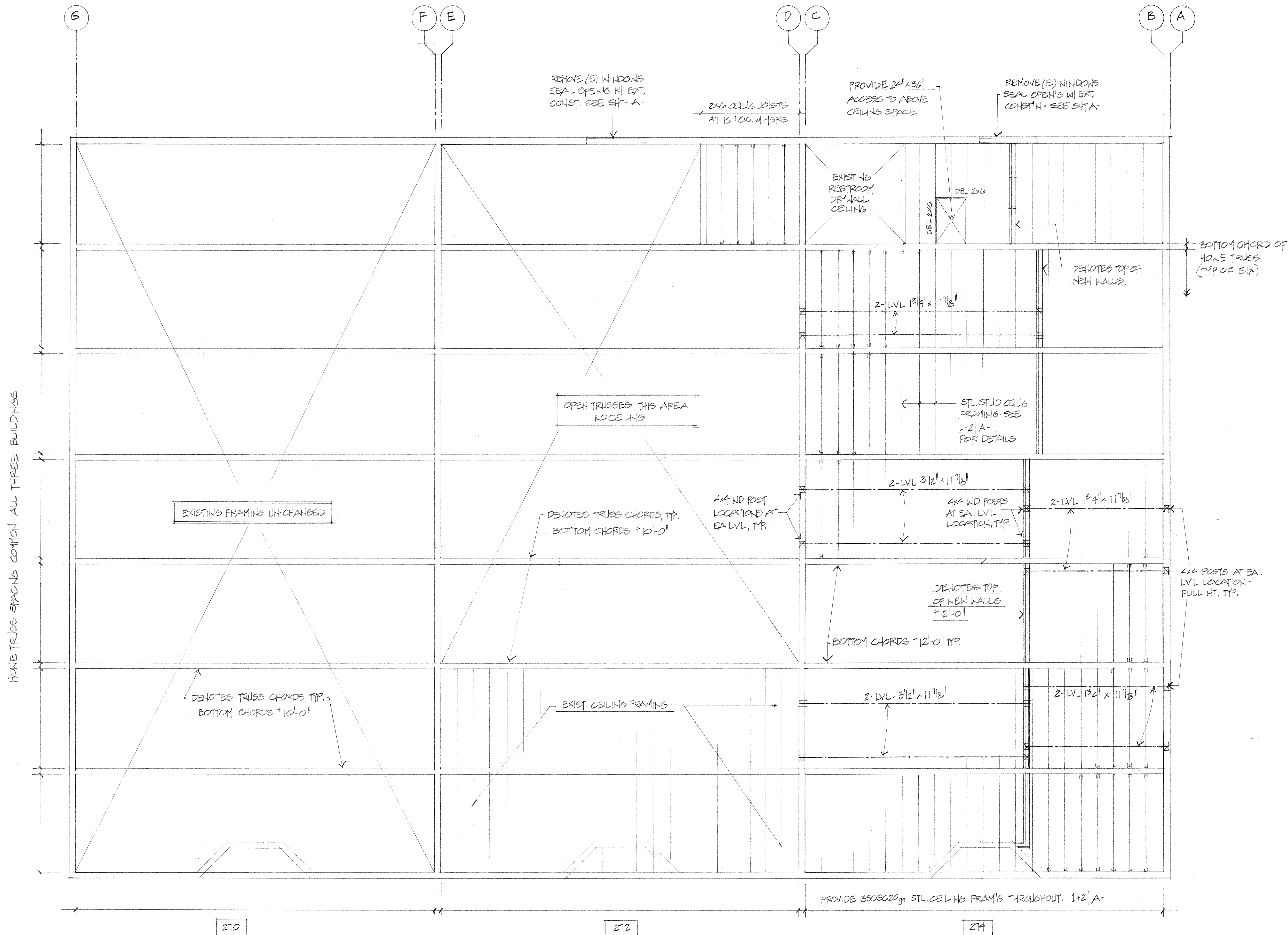


REVISIONS	BY
25 APRIL 19	MM
4 JUNE 2009	MM

WALTERS ARCHITECTURE
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WINE COUNTRY CANNASSEURS
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Date	23 MAR 10
Scale	1/4" = 1'-0"
Drawn	WALTERS
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Of	Sheets



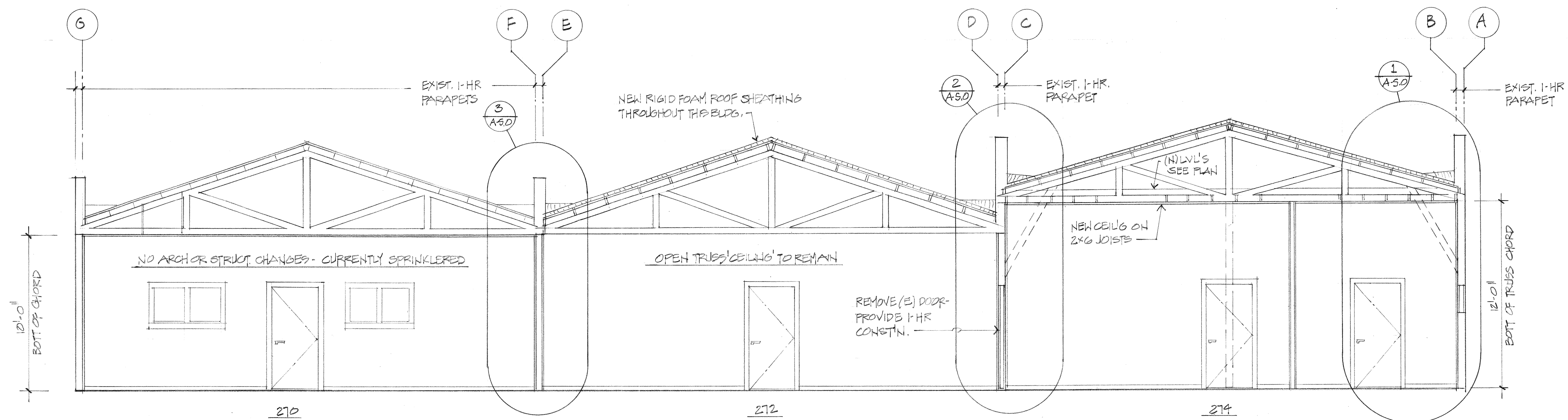
COLD FORMED STEEL (LIGHT GAUGE) FRAMING

- MATERIAL
1. TABLES, SCHEDULES, AND CALLOUTS ON THESE DRAWINGS ARE BASED ON PRODUCTS FROM THE STEEL STUD MANUFACTURING ASSOCIATION (SSMA) SPECIFICATION BOOKLET CORRESPONDING TO I.C.B.O. ER NO. 443P. ALL SUBSTITUTIONS SHALL HAVE AT LEAST THE SAME STRUCTURAL PROPERTIES AND BE SUBMITTED TO THE ARCHITECT FOR APPROVAL.
- FRAMING MEMBERS AND ALL ACCESSORIES SHALL CONFORM TO THE FOLLOWING, U.N.O.:
A. 16 GA. AND HEAVIER, ASTM A444, F_y = 50 K.S.I. MIN.
B. 18 GA. AND LIGHTER, ASTM A444, F_y = 33 K.S.I. MIN.
C. DOUBLE L HEADERS SHALL HAVE A YIELD STRENGTH OF 50 K.S.I. REGARDLESS OF THE GAUGE SPECIFIED.
- ALL STEEL FRAMING COMPONENTS SHALL BE GRADE STAMPED OR BE CERTIFIED IN WRITING BY THE MANUFACTURER TO ASSURE CORRECT STEEL GRADE AND SHALL HAVE A GALVANIZED FINISH CONFORMING TO ASTM A525, G40 COATING.

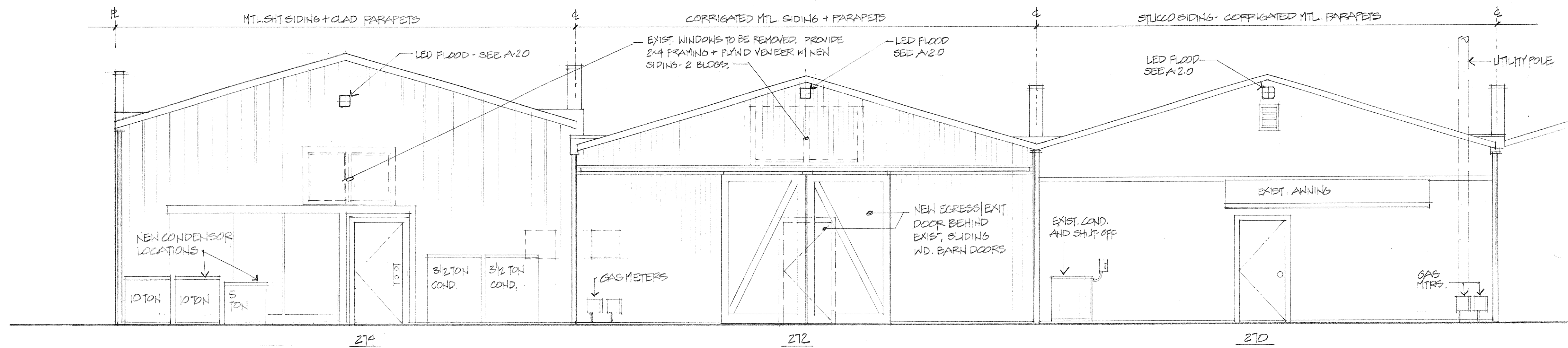
- CONNECTIONS TO FRAMING SHALL BE SCREWED, BOLTED, WELDED, OR PINNED AS INDICATED ON THE DRAWINGS.
- WELDED CONNECTIONS SHALL BE MADE USING ARC WELDING OR RESISTANCE WELDING METHODS. ALL WELDING SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST RECOMMENDATIONS OF THE AWS C13 AND AWS D13. PROTECTION OF THE WELD AREA AFTER WELDING SHALL BE ACCOMPLISHED USING A ZINC BASED GALVANIZING REPAIR PAINT.
- ALL LIGHT GAUGE TO LIGHT GAUGE MEMBER CONNECTIONS SHALL BE MADE WITH NO. 10-14 SELF-TAPPING OR SELF-DRILLING GALVANIZED SCREWS. SCREW POINTS SHALL CONFORM TO ASTM C-154. SCREW LENGTHS SHALL BE A MINIMUM OF 1/2" LONGER THAN THE SUM OF THE STEEL THICKNESSES BEING CONNECTED. A MINIMUM OF 3 STEEL THREADS SHALL BE EXPOSED BEYOND THE CONNECTED STEEL MEMBERS. SCREW HEADS SHALL BE EITHER PAN HEAD, WAFER HEAD, OR HEX WASHER HEAD. SCREWS SHALL BE DRIVEN AT 90 DEGREES TO THE CONNECTION SURFACE. THE UNDERSIDE OF THE SCREW HEAD SHALL BE IN FULL CONTACT WITH AND FLUSH TO THE THINNER MEMBER BEING CONNECTED. SCREWS SHALL NOT BE SPACED CLOSER THAN (3) THREE NOMINAL SCREW DIAMETERS (I.E. 3/4" FOR NO. 10 SCREWS) TO EACH OTHER OR TO ANY EDGE OF A STEEL SHEET OR ACCESSORY BEING CONNECTED.

- ALL PLYWOOD TO STEEL MEMBER CONNECTIONS SHALL BE MADE WITH 0.120" DIA. PNEUMATICALLY DRIVEN, HARDENED AND KNULED STEEL PINS. STEEL PINS SHALL BE I.C.B.O. APPROVED AND HAVE A MINIMUM HEAD DIA. OF 1/4" AND SHALL PENETRATE THE STEEL FRAMING A MINIMUM OF 1/4". FASTENERS SHALL BE PLACED IN (1) ONE SHOT SUCH THAT THE HEAD OF THE PIN IS FLUSH WITH THE SURFACE OF THE PLYWOOD. FASTENERS SHALL BE DRIVEN WITH (1) ONE SHOT. HAMMERING AN ALREADY PLACED PIN IS NOT ALLOWED. UNDERDRIVEN PINS SHALL BE REMOVED AND ANOTHER FASTENER INSTALLED. OVERDRIVEN FASTENERS SHALL REQUIRE ANOTHER REPLACEMENT FASTENER LOCATED AT A MINIMUM (3) THREE DIAMETER DISTANCE.
- METAL FRAMING CONNECTORS SHOWN ON THE DRAWINGS ARE BY SIMPSON STRONG-TIE U.N.O. SCREWS SHALL BE PLACED IN EVERY PUNCHED CONNECTOR HOLE PER MANUFACTURER'S SPECIFICATIONS, U.N.O.
- ALL PLYWOOD DIAPHRAGM CONNECTIONS TO LIGHT GAUGE STEEL FRAMING SHALL BE MADE WITH EITHER OF THE FOLLOWING:
A. NO. 10-14 SCREWS.
B. 0.120" DIA. PNEUMATICALLY DRIVEN STEEL PINS.

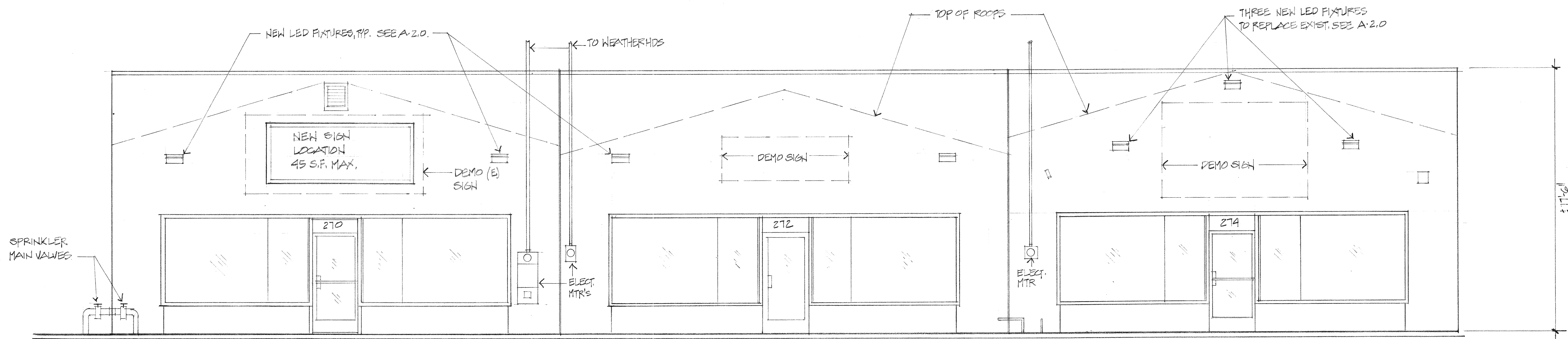
1
- CEILING FRAMING PLAN



3 BUILDING CROSS SECTIONS



2 NORTH ELEVATIONS - REAR FACADES



1 SOUTH ELEVATIONS - STREET FACADES

REVISIONS	BY
25 APRIL '19	WN
4 JUNE 2019	WN

WALTERS ARCHITECTURE
739 HUMBOLDT STREET
SANTA ROSA, CA 95404
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WINE COUNTRY CANNASSEURS
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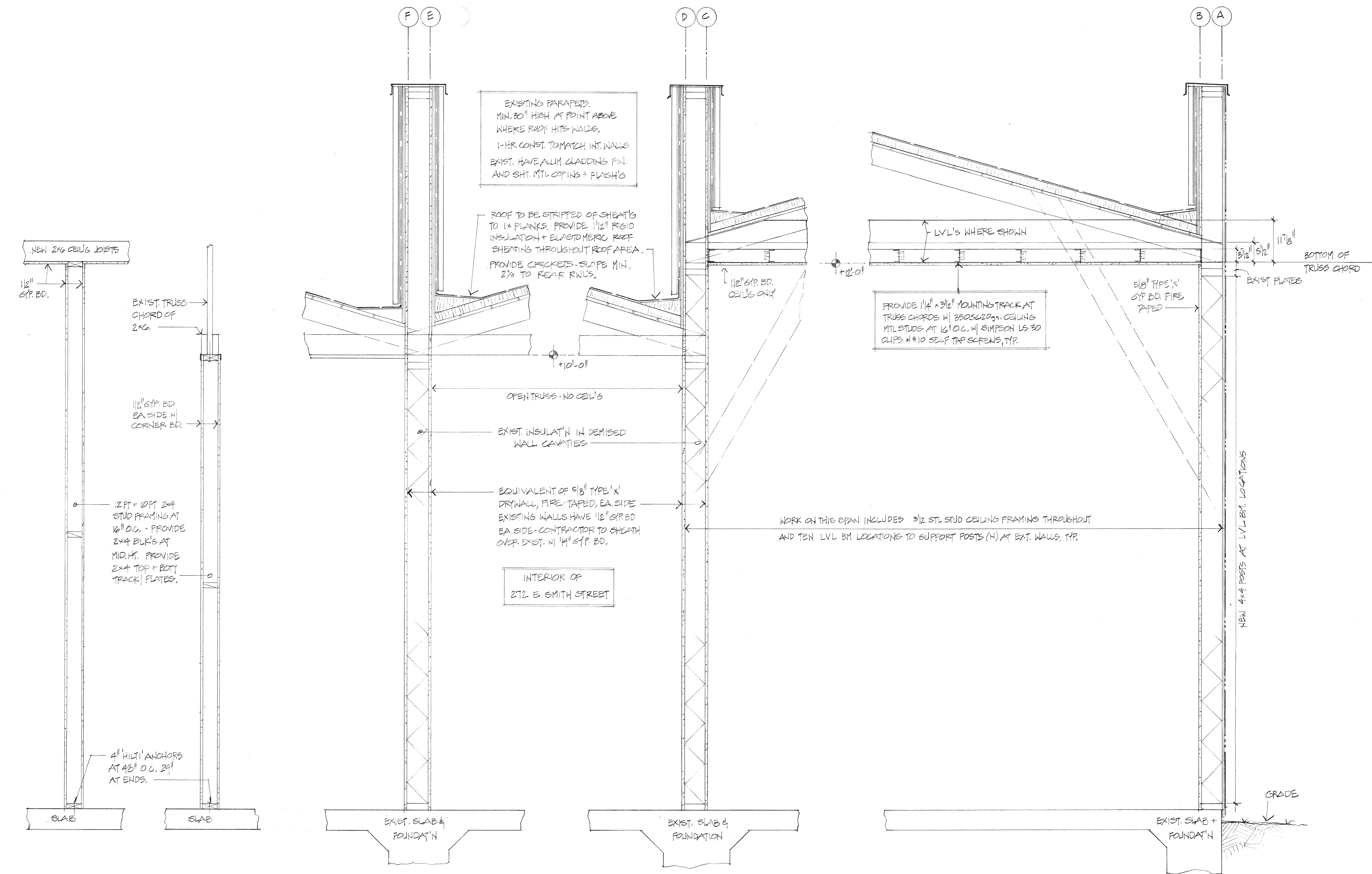
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Job	
Sheet	A-4.0
Of	Sheets

REVISIONS	BY
25 APRIL '19	WNL
4 JUNE 2019	WNL

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APN: 002-191-023

Date	7 APRIL '19
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Of	Sheets



5 FULL HEIGHT WALL SECT

4 CEILING HT. WALL SECT

3 COMMON WALL SECT - 1 HR.

2 COMMON WALL SECT 1-HR.

1 EXT. WALL SECTION - 1 HR.

REVISIONS	BY
25 APRIL '19	WJ
4 JUNE 2019	WJ

Attachment 3c

WALTERS ARCHITECTURE
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SANTA ROSA, CA 95404
415-412-2219

WINE COUNTRY CANNASSEURS
270, 272 & 274 EAST SMITH STREET
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APN: 002-191-023

Date 26 MAR '19
Scale 1/4" = 1'-0"
Drawn WALTERS
Job
Sheet
A-2.0
Of Sheets

MECHANICAL EQUIPMENT SPEC LIST

- INDOOR AIR HANDLER 10 TON AMERICAN STANDARD TWE12044AAA (430 LBS) WITH AMERICAN STANDARD CONDENSOR 4A7A4018L1000A
- INDOOR 5 TON AIR HANDLER AMERICAN STANDARD MODEL TEM 4AOC60S51SB (138 LBS) WITH 4A7A661J1000A OUTDOOR CONDENSOR.
- INDOOR 3-1/2 TON AIR HANDLER MITSUBISHI ELECTRIC MODEL PCA-A4ZKA7 (86LBS) WITH MODEL PUY-A4ZKA7 OUTDOOR CONDENSOR. (TWO)
- INDOOR AIR HANDLER 1-1/2 TON AMERICAN STANDARD TEM4AOC60S51SB (138 LBS) WITH OUTDOOR CONDENSOR 4A7A606J1000A
- INDOOR EVAPORATOR TRENTON TPLP320MAS1BR2 (106 LBS) WITH TEZA020H8-HS2C OUTDOOR CONDENSOR
- INDOOR DEHUMIDIFIER 5 TON UNIT SUBCOOLED 705, FLOOR MOUNTED.

LIGHTING FIXTURE SPEC. LIST

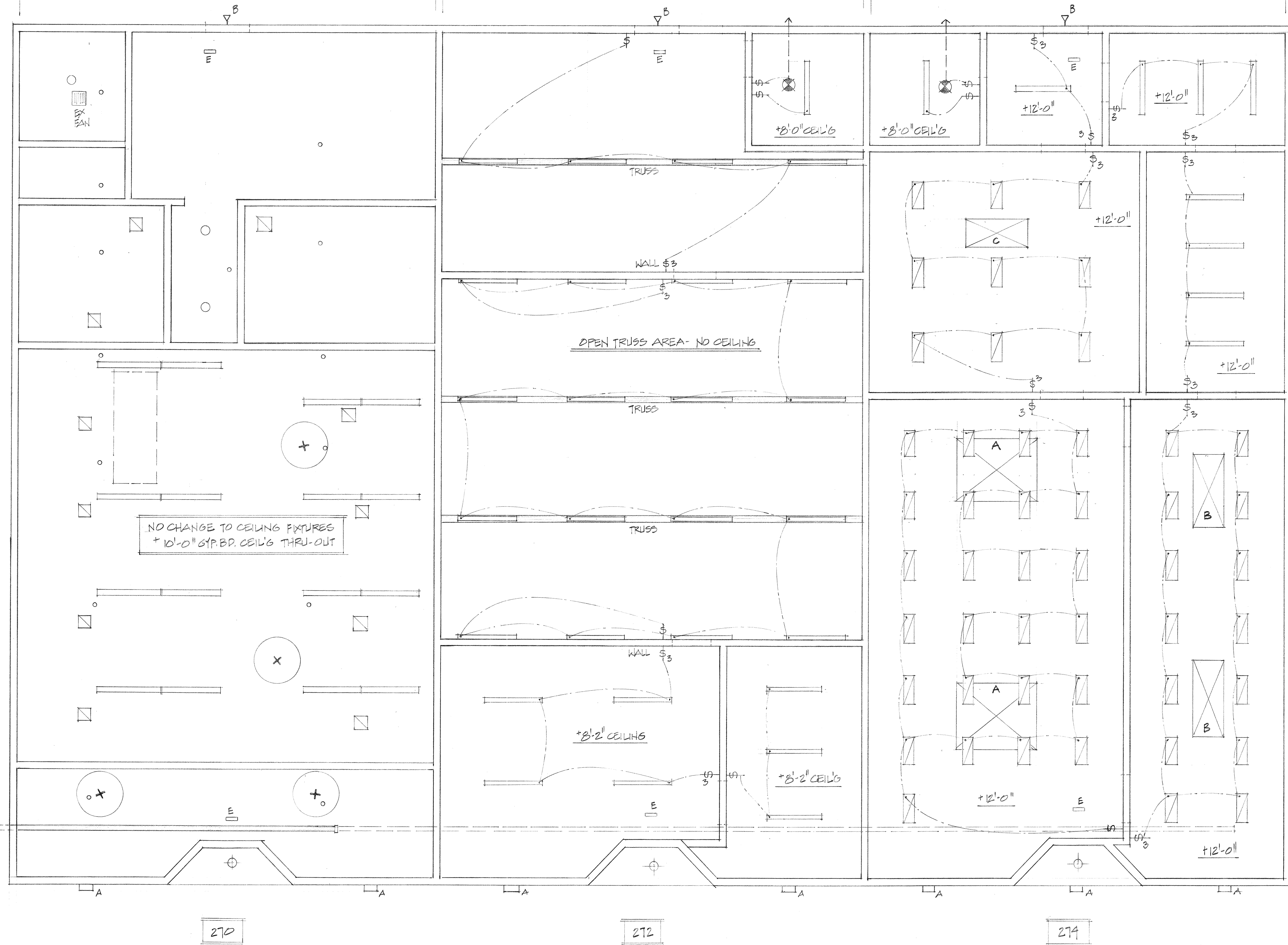
INDOOR

- WAREHOUSE LIGHTING STLED 35W 4FDMK5 "THE EDGE" 4' STRIP LED FIXTURE - SURFACE MOUNTED
- GAVITA PRO 1000DE W/ BALLAST 240V - PENDANT MOUNTED

OUTDOOR

- HYPERIKON 90W JKU-552001003 130LM/W IP-65
- UNI-BOND LW-4442 LED 12 X 5 W WIDE FLOOD 3.5 AMP 12V ADJUSTABLE BOLT MOUNTED IP-68

SWITCHING AND PLACEMENT FOR OUTDOOR FIXTURES TO BE COORDINATED WITH OWNER/TENANT AND WITH SECURITY CONSULTANTS FOR PERFORMANCE PRIOR TO INSTALLATION.



CONTACT DATA

PROP. OWNER: ROB GITLIN
201 E. CLAY STREET
UKIAH, CA 95482
707-671-4395

TENANT: WINE COUNTRY CANNASSEURS
JAY DONNELLAN
274 E. SMITH STREET
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EXIST BUILDINGS FOOTPRINT FOOTPRINT: 10,800 SF

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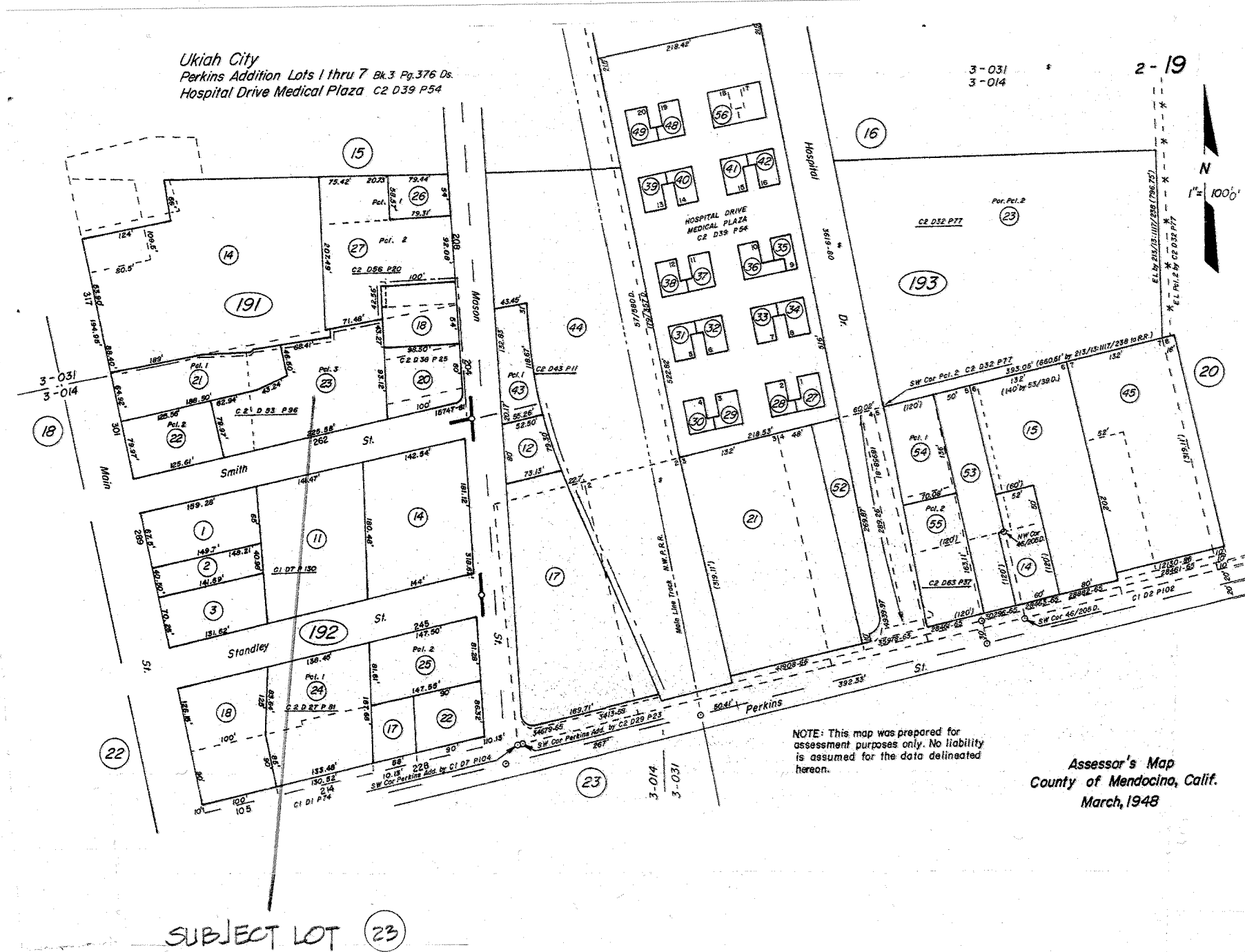
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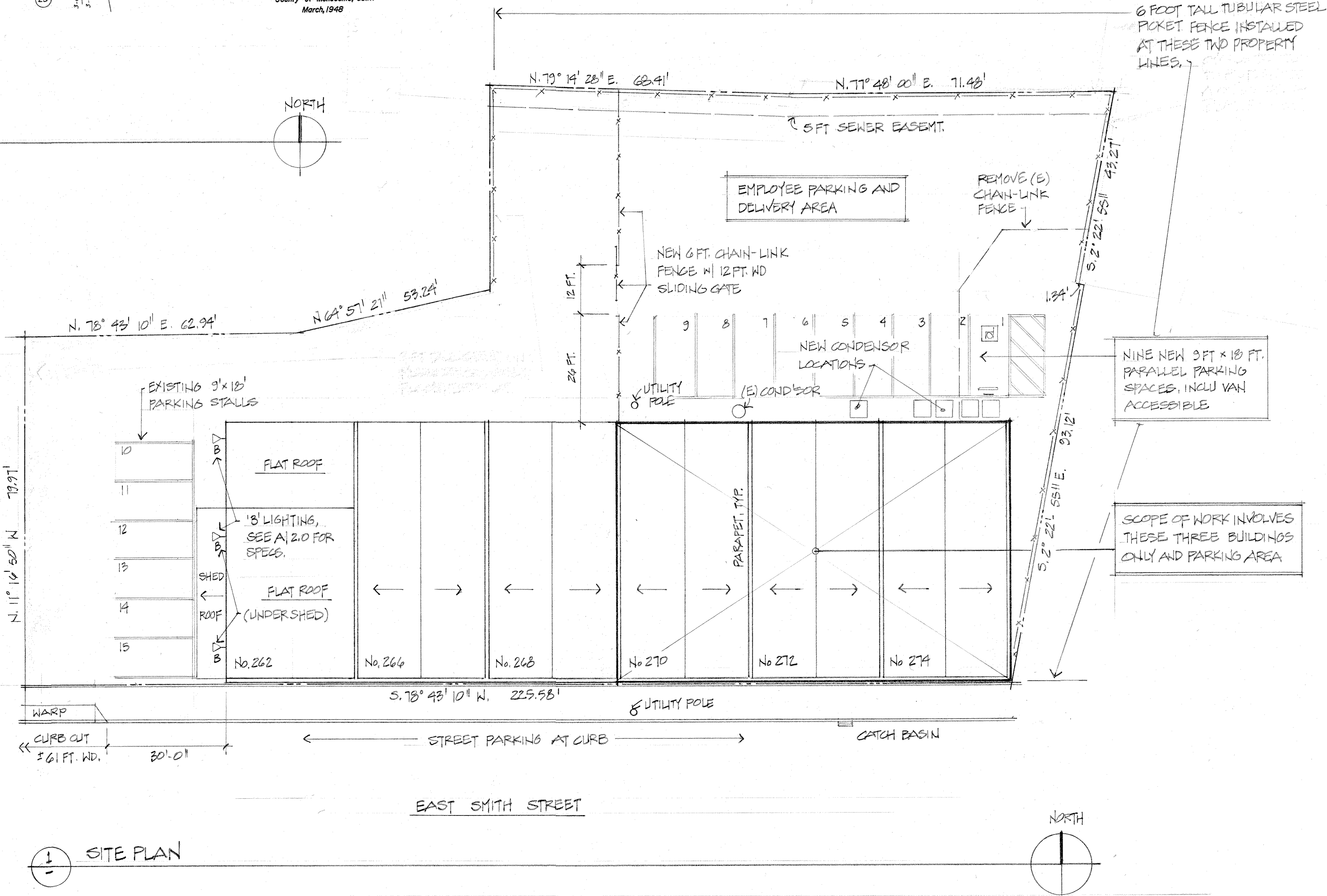
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THERE WILL BE COSMETIC UPGRADES TO THE EXTERIOR FACADES AND REMOVAL OF EXISTING SIGNAGE AND THE ADDITION OF NEW LIGHTING.



VICINITY MAP



SITE PLAN

WINE COUNTRY CANNASSEURS

270, 272 & 274 E. SMITH STREET

UKIAH, CA 95428

APN: 002-191-023

BUILDING 270

BLDG TYPE: SNR
BLDG. HEIGHT: APPROX. 16'-0"
ZONING: GU
EXISTING USES: RETAIL HAIR SALON
PROPOSED USE: RETAIL SALES
OCCUPANCY: M
OCCUPANT LOAD:
FULLY-SPRINKLERED

BUILDING 272

BLDG TYPE: SNR
BLDG. HEIGHT: APPROX. 16'-0"
ZONING: GU
EXISTING USES: RETAIL UPHOLSTERY SHOP
PROPOSED USE: DISTRIBUTION
OCCUPANCY: M
OCCUPANT LOAD:
FULLY-SPRINKLERED

BUILDING 274

BLDG TYPE: SNR
BLDG. HEIGHT: APPROX. 16'-0"
ZONING: GU
EXISTING USES: VACANT RETAIL
PROPOSED USE: CULTIVATION
OCCUPANCY: M
OCCUPANT LOAD:
FULLY-SPRINKLERED

REVISIONS	BY
5 JUNE 2017	WJW
20 AUG-19	WJW
10 SEPT 19	WJW

WALTERS ARCHITECTURE
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UKIAH, CA 95428
APN: 002-191-023

Date	20 APRIL 19
Scale	1/4" = 1'-0"
Drawn	WALTERS
Job	
Sheet	A-O.O
Of	Sheets

activities to cease unless it would threaten personal safety; in such cases, law enforcement will be notified promptly.³⁰ The behavior we will specifically be on the lookout for includes disturbances of the peace, consumption of cannabis or alcohol, harassing passersby, excessive littering/loitering/loud noises, illegal parking, lewd conduct, or excessive police detentions and arrests.³¹

Postings outside of our facilities will be minimal and comply with local regulations. We will also post the contact information for Jay Donnellan so that we can work to resolve any community concerns without the City or law enforcement. We will have appropriately lit address identifications, and a single sign to identify our business as laid out in our plans.³² We will be sure to comply with illuminated address signs requirement in addition to our single wall sign that will not obstruct the entrance or windows.³³

ODOR.

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We will be using Original Carbon Filters to make sure no odors escape the property. These Original Can-Filters are specifically designed for the control of VOCs (cannabis odors.) and other gaseous contaminants. Built with the same proven packed bed design and pelletized virgin activated carbon they have used for 30 years, this line of time-tested activated carbon air filters sets the standard for long life, consistent performance, and low pressure drop. Rated at a conservative 0.1 second contact time,

³⁰ CUMC § 5708(M)(1)(a).

³¹ CUMC § 5708(M)(2).

³² CUMC § 5708(I).

³³ CUMC § 9174.2(B)(6), CUMC § 5708(I).

³⁴ CUMC § 9174.2(B)(5)(b), CUMC § 5708(H)(4).

value and odor control. Ventilation plays a key role in the growth of indoor plants as the plants can exchange gases properly.

We will also be using The Max Fan 12in Inline Fan which are powerful fans, with their strong 12 inches blades, they can circulate the air in the grow rooms more efficiently than other fans of its size. These fans have a thick foam liner which helps the unit produce little noise. This liner suppresses all sounds during the ventilating operation of the fan. Not only can heat be dissipated with this fan-resulting in suitable environment for healthy plants, it can also help with pests and create clean healthy air for a great working environment. They are aerodynamically designed and made from galvanized aluminum that makes it very light and easy to handle. It functions remarkably due to the broader 12 inches blades and special inbuilt cooling reflectors. It can be fixed on the wall or ceiling without hassle. They are energy efficient and consume much less energy than other fans its size, while still maintaining smooth functionality. We will have more than enough of these fans and filters all around the facility, even in rooms that contain no cannabis to ensure 100% odor control.

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Wine Country Cannasseurs is dedicated to complying with both the City of Ukiah and the State of California regulations in all operations and works closely with a compliance attorney in staying up to date on all legal duties. Our commitment to compliance includes securing our corresponding state license, carefully screening our employees, preventing access or employment of minors, and complying with all operational requirements by both the state and city. To do so, we will create and

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Dear Ms. Irace,

We have been in regular contact with your office for months throughout this application process, and thank you for all of your patience and assistance with this process thus far. As you know, and this application shows, J.P.J. and Association LLC, doing business as (DBA) Wine Country Cannasseurs is seeking a permit from the City of Ukiah in order to establish a commercial cannabis microbusiness and promote a good working relationship with the city in which we want to establish ourselves.

In addition to being the first step to founding ourselves as a business and member of this community, it is also a preliminary step in acquiring a State license. Wine Country Cannasseurs is dedicated to working in compliance with the law and obtaining all applicable State and local licenses to do so.¹

Every effort will be taken by Wine Country Cannasseurs to comply with all applicable provisions of local and state regulations or orders, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders.² Through this application, we strive to show our dedication to transparency and collaboration with the City of Ukiah. With medicinal and adult-use cannabis now a regulated industry, we are excited to bring our experience into this industry.

We are mindful of and will comply with any federal regulations that apply to our business, despite the current conflict between federal and state law.³ We have retained legal counsel, Ashley Bargaquast, with Tully & Weiss Attorneys At Law, to assist us in determining the best way to remain in compliance with state and federal law. To facilitate our compliance and ongoing relationship with the City, Ashley may be reached at (925) 229-9700 or ashley@tully-weiss.com.

The planning permit application attached as Exhibit A and the application that follows is our presentation to the City of Ukiah, of our intent and desire, in accordance with the City of Ukiah's Ordinances as well as the State of California's Regulations. Feel free to reach out to us should you desire or need any further information or clarification.

¹ City of Ukiah Municipal Code (CUMC) § 9174.2(A)(3)(I).

² CUMC § 9174.2(B)(8), CUMC § 5708(N).

³ CUMC § 9174.2(B)(8), CUMC § 5708(N).

We wish to work with the City of Ukiah as we establish ourselves in this community. Such a relationship begins with transparency in the application process.

We look forward to working with you through this process and for many years to come.

Very Truly Yours,

Wine Country Cannasseurs

TABLE OF EXHIBITS

ITEM NAME	LOCATION
CITY OF UKIAH PLANNING PERMIT APPLICATION FORM	EXHIBIT A
INDEMNIFICATION AGREEMENT	EXHIBIT A
TAX HISTORY	EXHIBIT B
EMPLOYEE HANDBOOK	EXHIBIT C
LETTER OF REPRESENTATION	EXHIBIT D
COMMERCIAL PROPOSAL FOR SPRINKLER WORK	EXHIBIT E
SECURITY PLAN (NARRATIVE AND EQUIPMENT SPECS)	EXHIBIT F
INSURANCE OFFER	EXHIBIT G
SITE AND FLOOR PLAN	EXHIBIT H
ACCESSIBILITY EVALUATION	EXHIBIT I
SIGN PLAN	EXHIBIT J
LIGHTING PLAN	EXHIBIT K
DIRECTOR'S DETERMINATION SUBMISSION	EXHIBIT L
DIRECTOR'S DETERMINATION RESPONSE	EXHIBIT M

EMPLOYEE INFORMATION.

Wine Country Cannasseurs will have three different facilities operating as part of our microbusiness. Employees at each facility will have different responsibilities. However, certain employees will have responsibilities in multiple facilities. Managers will specialize in specific facility operations depending on their experience but will be expected to cater to various functions within microbusiness.

All Managers and Owners, including Jay Donnellan, Preston Bruner, Jamie Fimbres, and Matthew Sear, will be undergoing security training at Weinstein Security to obtain their Guard Cards. The training will include the Bureau of Security and Investigative Services application process, fingerprinting, and background check. Once this is complete, each manager can expect to be a licensed security officer in the State of California within 10-14 business days. Being licensed security officers will allow each of the managers to perform necessary security personnel duties at each facility to ensure ongoing safety at each facility operating as part of our microbusiness.

Managers will also receive initial and continuing education regarding the state's track and trace system.⁴ Jay Donnellan will be the designated track and trace system account manager and will be in charge of authorizing additional individuals to use the program.⁵

In addition to being a manager and the designated track and trace account manager, Jay Donnellan will be Wine Country Cannasseurs designated emergency contact. Mr. Donnellan will utilize the email address WineCountryCannasseurs@gmail.com and phone number (707) 889-3987, there is no fax number associated with Wine Country Cannasseurs.

Mr. Donnellan will also be Wine Country Cannasseurs's on-site community relations contact and can be reached if there are any operating problems.⁶ Mr. Donnellan contact information will be provided to the Chief of Police, the community via a postcard, and hand-delivered to Wine Country Cannasseurs's neighbors in order to make every reasonable effort to encourage neighborhood residents to call Mr.

⁴ California Code of Regulations Title 16, Division 42. Bureau of Cannabis Control (BCC) § 5048(a).

⁵ BCC § 5048(b).

⁶ CUMC § 9174.2(B)(5)(h), CUMC § 5708(H)(9).

Donnellan, and try and resolve any operating problems that may arise, before any calls or complaints are made to the City.⁷ Making Mr. Donnellan's contact information so available will allow the community to feel more comfortable with Wine Country Cannasseurs and will enable the city to remain at ease by eliminating unnecessary complaints and issues.

Beyond our managers, Wine Country Cannasseurs is committed to hiring the best local talent available for the jobs created by our retail storefront, delivery service, cultivation facility, and distribution facility, including the positions of budtender/delivery personnel, security personnel, and eventually cultivator. This additional staff will ensure that we maintain minimum staffing levels and always have at least one person present during hours of operation that is not responsible for dispensing cannabis.⁸ Everyone hired will have to prove by clear-and-convincing evidence⁹ that they are over twenty-one years old¹⁰ and undergo a background check.¹¹ No agent, employee, volunteer, or person exercising managerial authority at Wine Country Cannasseurs will have a prior conviction as listed in Business and Professions Code section 26057(b)(4).¹²

Once they are otherwise shown to be qualified, they must complete dispensary training. dispensary training will include the appropriate instruction for their intended duties, such as those outlined in the operations of each facility.

Additionally, each qualified employee or volunteer will receive training in understanding the rules and procedures regarding dispensing in compliance with state and local laws.¹³ Wine Country Cannasseurs will maintain a current register of the names of all volunteers and employees currently working at or employed by us.¹⁴ This registration will be available upon request for inspection by any City officer or official for purposes of determining compliance.¹⁵

⁷ CUMC § 9174.2(B)(5)(h), CUMC § 5708(H)(9).

⁸ CUMC § 5708(H)(3).

⁹ CUMC § 9174.2(B)(2)(b).

¹⁰ CUMC § 9174.2(B)(2)(a), CUMC § 5708(B)(1).

¹¹ CUMC § 9174.2(B)(1), CUMC § 5708(A.)

¹² CUMC § 91742.2(B)(1).

¹³ CUMC § 5708(L).

¹⁴ CUMC § 9174.2(B)(7).

¹⁵ CUMC § 9174.2(B)(7), CUMC § 5708(J).

Mandatory training will be a two-week course, specially designed by management, to cover job duties¹⁶, rules and procedures required to follow state and local law, diversion prevention¹⁷, track-and-trace¹⁸, usage impact, possession and use limits, rules and procedures required to be in compliance with state and local law¹⁹, and other pertinent information.

For non-managerial security personnel, this will include the same guard card training discussed above. The rules and procedures that will be carefully reviewed with employees will include, but not be limited to:

- Procedures surrounding the provision of access, during regular business hours, to City officials, officers or consultants hired by the City to inspect and verify compliance with this article.²⁰
- Track-and-trace, and notifying the applicable State authorities and the Ukiah Police Department within twenty-four (24) hours of the discovery of any theft, loss, or criminal activity.²¹ Such notification training shall include instruction that notification must be in writing, include the date and time of occurrence of the theft, loss, or criminal activity, and a description of the incident including, where applicable, the item(s) that were taken or lost.²²

This reporting protocol shall go into effect upon the discovery of a significant discrepancy in the business's inventory²³, if Wine Country Cannasseurs becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity pertaining to the operations of the business ²⁴, including if by an agent or employee of the business pertaining to the operations of the business.²⁵

The above protocol will also be activated if Wine Country Cannasseurs becomes aware of or has reason to suspect the loss or unauthorized alteration of records related to

¹⁶ CUMC § 5708(L).

¹⁷ CUMC § 9174.2(B)(3).

¹⁸ CUMC § 9174.2(B)(3).

¹⁹ CUMC § 5708(L).

²⁰ CUMC § 9174.2(B)(11), CUMC § 5708(S).

²¹ CUMC § 9174.2(B)(12), CUMC § 5708(T).

²² CUMC § 9174.2(B)(12), CUMC § 5708(T).

²³ CUMC § 9174.2(B)(12)(a), CUMC § 5708(T)(1).

²⁴ CUMC § 9174.2(B)(12)(b), CUMC § 5708(T)(2).

²⁵ CUMC § 9174.2(B)(12)(c), CUMC § 5708(T)(3).

cannabis goods, customers or clients, or the business's employees or agents²⁶, or if we become aware of or has reason to suspect any other breach of security.²⁷

All agents, officers, employees, and others acting for Wine Country Cannasseurs will have a laminated or plastic-coated identification badge issued by us upon the completion of training. The badges will be labeled with our name, Wine Country Cannasseurs, and license number, the employee's first name, the employee's unique employee number, as well as a color photograph at least one inch in width and one and a half inches in height.²⁸

The only way that our employees can meet Wine Country Cannasseurs high standards is by understanding their duties. Therefore, in addition to the training mentioned above, each employee will be provided a copy of an employee handbook. A copy of the handbook is attached here as Exhibit C. Through training, education, and communications, we seek to build and maintain a cohesive, effective, and happy team.

The breakdown of positions, and how they will be shared between the facilities, will occur as laid out below.

The Dispensary.

Manager(s), Jay Donnellan, and Preston Bruner will primarily manage the dispensary. In addition, the dispensary will employ between ten and twelve individuals who will serve as budtenders/delivery personnel. Each employee will be at least 21 years of age, will provide proof of their age via government issued identification. Each employee will also undergo a LiveScan criminal background check as required by the City of Ukiah.

The dispensary will also have two or three security personnel assigned to assuring the facilities safety. By hiring security personnel who are not also managers, Wine Country Cannasseurs will ensure that access to the storefront dispensary is sufficiently secured and provide extra safety to both workers and customers

Duties of budtenders/delivery personnel are explained in detail under the business operation plan, included in this application.

²⁶ CUMC § 9174.2(B)(12)(d), CUMC, § 5708(T)(4).

²⁷ CUMC § 9174.2(B)(12)(e), CUMC, § 5708(T)(5).

²⁸ BCC § 5043.

There will always be at least one manager on duty at the dispensary to perform any necessary both managerial and security duties.

The Distribution Facility.

Jay Donnellan, Preston Bruner, and Jamie Fimbres will primarily manage the distribution facility. These Managers will also perform many everyday operations, including product intake, packaging, trimming, outgoing product, and movement of product to the dispensary.

The number of managers present is outlined under the business operation plan, included in this application.

Some actions in the distribution facility will require work from individuals in addition to managers. Such duties include, but are not limited to, trimming, weighing, packaging, and labeling cannabis from the cultivation facility of the microbusiness. These duties are seasonal and will be scheduled in advanced. These duties will be performed by budtenders, cultivators, and seasonal staff as necessary.

There will always be at least one manager on duty at the distribution facility during operating hours. to perform both managerial and security duties when security duties overlap with other managerial requirements/or responsibilities.

The Cultivation Facility.

The cultivation facility will be run by the two Lead Cultivators, Jamie Fimbres, and Matthew Sear. At our current contemplated size, Mr. Fimbres and Mr. Sear will be able to complete the cultivation duties themselves, but eventually, hope to expand our cultivation team. Trimming and processing is a job that cannot entirely be handled by Mr. Fimbres and Mr. Sear. As such, budtenders may be utilized to perform this work during slow hours, or seasonal workers will be hired and scheduled in advanced. Both of our managers are over 21 years of age and will undergo a LiveScan criminal background check as required by the City of Ukiah.

The specific duties of these cultivators are detailed in the business operations plan, included in this application.

There will always be at least one manager on duty at the cultivation facility to perform both managerial and security duties when security duties overlap with other managerial requirements/or responsibilities.

BUSINESS OPERATIONS PLAN.

MISSION STATEMENT.

“Humbly serving people with excellence, gratitude, and passion.”

Wine Country Cannasseurs is a collaborative entity that brings together a small group of experienced cannabis entrepreneurs who, together, are dedicated to providing patients with consistent quality medicine and to broadening the medicinal and adult-use market.

To survive in the growing regulated market, and to provide the quality that we pride ourselves on, Wine Country Cannasseurs seeks to be vertically integrated. Becoming vertically integrated will enable Wine Country Cannasseurs to grow cannabis and handle the distributor's responsibilities, such as packaging and quality assurance, thus allowing the company to keep the cost of the products lower for the consumer. By operating as a microbusiness, we are not only able to vertically integrate to keep our prices lower for the consumer but will also be able to bring the members of SureFire Selections, experienced pre-regulated industry cultivators, onto our team and allow them to enter the legally regulated market.

In order to successfully operate a microbusiness, we will operate from three adjacent units that we are currently renting on East Street, all of which are correctly zoned for commercial cannabis operations. One unit will be used for cultivation, one for distribution, and the other for retail. This will ensure safety and compliance with local and state regulations by eliminating any public access to the distribution or cultivation facility.

Our goals begin with those that have been pursued and practiced by our cultivators for years, and are simple:

1. To cultivate the BEST grade cannabis in the world.

2. To give our consumers/members a direct insight of how their product is developed.
3. To educate the broader public as a whole and raise awareness of the best AND the worst that is happening in cannabis culture today.
4. To be a responsible and productive member of our local community and a leader in our industry.

“The Best.”

But what does this mean? When we say that we aim to produce “the best” product, “The best” **does not** mean the most potent THC content; it **does not** indicate the largest quantity; and it **does not** mean the shiniest packaging. “The best,” to us, means the healthiest. From this objective, everything else follows.

“The best” means that our cultivation does not use any petroleum-based nutrients with heavy metals. Any synthetics we use are pharmaceutical grade, clean, and non-chemical based. Most of what we use is approved for use in organic farming. It means we do not use chemical pesticides of any sort, nor do we use chemical insecticides, miticides, fungicides, or ovicides. It means we care about our consumer and make sure to do thorough research on any products we use on our/your plants. It means we focus on the PLANT and its health. We focus on growing plants that are nutrient dense, in soils that are LIVING and teeming with microbial activity. We thrive on coming into a workplace of beautiful, healthy plants. We won’t settle for anything less because we believe that plant health and human health go hand in hand. And whether the cannabis is for a patient or an adult recreational user, everybody deserves to be healthy.

“Direct View - Know Your Farmer.”

Wine Country Cannasseurs believes in the Farm-to-Table model. This is primarily why we want to be vertically integrated. Vertical integration is becoming more of a staple, especially in Northern California. Wine Country Cannasseurs believes in knowing your farmer and forming relationships with the people who grow our produce. Such a philosophy creates confidence in the consumer and integrity in the farmer.

Similarly, we believe that you should have that same relationship with your cannabis farmers. Wine Country Cannasseurs believes that when it comes to cannabis, there is

nothing better than seeing your plants grow, and knowing what is going into them. We believe that this ideal will create confidence in our consumers that the utmost care has gone into the products that they consume.

This ideal is one of the reasons we document on social media and create content of our gardens to explain all of the things we do so that you can see firsthand what exactly we use at the root zone and on the leaf surface of the plant and why. It transforms cannabis from an intimidating and unknown drug to a rather beneficial plant.

[“Education, Education, Education.”](#)

Most of the general public have preconceived notions and opinions on cannabis because they are misinformed and uneducated on the subject. Cannabis consumers, growers, distributors, and also the general public who don’t consume cannabis at all, need more education. We strongly believe that education is the key to the future of the cannabis industry.

We are always seeking further our knowledge by taking various education courses, doing our own research and development, as well as learning from other members of the industry. We are the innovators, and we look to other innovators to help inspire and educate us. We believe that collaboration is the key to future development in the cannabis industry.

Wine Country Cannasseurs’ team has been working in the industry for years. Our members have observed as cannabis has gone from just legal medicinally in California, to now being both medicinally and recreationally legal in over half the country. As the trend of more and more people becoming aware of cannabis continues, we think one of the best things that we can do is HELP others understand the plant and all that surrounds it. We want to be able to teach people how to grow their own healthy cannabis. This is one of the many reasons why we document our gardens and explain in detail how and why we do what we do. The more people we can educate as to what healthy cannabis is and how to achieve healthy cannabis, the more successful we will consider our efforts to be.

[“Community.”](#)

Cannabis cultivation has a bad reputation because it continues to be criminalized federally and in some states. Even in states where it has been legalized, there are still

many ways for individuals to be prosecuted. With so many uncertainties and very few entities becoming licensed, the reputation of cannabis cultivation and cultivators has become tainted.

In some communities, gardeners have had a positive and welcomed influence and role. However, this has not been the case in all communities. We understand this, and we know why this is so. As such, we have mirrored our best-in-class approach to cultivation with a best-in-class approach to community relations and the cannabis industry as a whole.

We plan to have a strong presence at local cannabis events as well as use our dispensary storefront and delivery service to share information about our cultivation and what we do. We will meet with other select industry actors and exchange ideas, experiences, and knowledge. It is important for us to maintain a strong network and excellent reputation in the cannabis community online and in person.

We understand that, given our mission, we have a responsibility to lead and to lead by example. We are proud of what we do and the way we do it. We are different, we are involved, and we are current. We have an obligation to all of the people we interact with to earn their trust. We have been successful in that so far and are excited to see what the future holds for cannabis and our place in the industry. We understand that this will take hard work, time, and consistency in action. We are happy to do it!

FACILITY.

A big part about who we are and how the community will interact with us is our facility. As a microbusiness, we will have three separate units as part of our facility; a dispensary, a distribution facility, and a cultivation facility. Only the dispensary will be open to the public.

In taking care of our facility, we take care of our community. To do so, we will institute a strict managerial policy to ensure that all reasonable steps are taken to discourage and correct any conditions that are objectionable to our neighbors. This includes the elimination of nuisances in the parking areas, sidewalks, alleys, and areas around our premises and adjacent properties during business hours that may be created by our patrons.²⁹ Our policies will include requesting those engaging in objectionable

²⁹ CUMC § 5708(M)(1).

activities to cease unless it would threaten personal safety; in such cases, law enforcement will be notified promptly.³⁰ The behavior we will specifically be on the lookout for includes disturbances of the peace, consumption of cannabis or alcohol, harassing passersby, excessive littering/loitering/loud noises, illegal parking, lewd conduct, or excessive police detentions and arrests.³¹

Postings outside of our facilities will be minimal and comply with local regulations. We will also post the contact information for Jay Donnellan so that we can work to resolve any community concerns without the City or law enforcement. We will have appropriately lit address identifications, and a single sign to identify our business as laid out in our plans.³² We will be sure to comply with illuminated address signs requirement in addition to our single wall sign that will not obstruct the entrance or windows.³³

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We understand that one of the aspects of cannabis that can bother neighbors is the odor, and even though we enjoy the scent, not everybody does. In order to be a good neighbor and comply with local and state regulations, we will be installing odor control units in all three buildings. Additional units will be added to the cultivation and dry/trim room as necessary. This will prevent odors generated from any storage and cultivation from being detected outside the premises by a person of normal sensitivity.³⁴

We will be using Original Carbon Filters to make sure no odors escape the property. These Original Can-Filters are specifically designed for the control of VOCs (cannabis odors.) and other gaseous contaminants. Built with the same proven packed bed design and pelletized virgin activated carbon they have used for 30 years, this line of time-tested activated carbon air filters sets the standard for long life, consistent performance, and low pressure drop. Rated at a conservative 0.1 second contact time,

³⁰ CUMC § 5708(M)(1)(a).

³¹ CUMC § 5708(M)(2).

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Wine Country Cannasseurs is dedicated to complying with both the City of Ukiah and the State of California regulations in all operations and works closely with a compliance attorney in staying up to date on all legal duties. Our commitment to compliance includes securing our corresponding state license, carefully screening our employees, preventing access or employment of minors, and complying with all operational requirements by both the state and city. To do so, we will create and

implement policies to prevent access to the dispensary or sales that violate the law, such as sales to anybody other than qualified patients, caregivers, or eligible adult use patrons.

Wine Country Cannasseurs will have its dispensary storefront open to the public and offer home delivery services between the hours of 9:00 a.m. and 9:00 p.m. Monday through Saturday.³⁵ We currently only plan to engage in the sale of cannabis and other items permitted by the city of Ukiah regulations. If we ever wish to expand our inventory, we will seek approval of the Planning Commission. No more than 150 square feet of the storefront will be used to display and sell devices necessary for administering cannabis, such as papers, pipes, and other devices.³⁶ We will never provide cannabis or cannabis products through a drive-through window. On Sundays, our hours of operation shall be limited to 1:00 p.m. to 9:00 p.m., to avoid any conflict with the services times of our neighboring church. Limiting our hours will also enable us to prevent parking congestion, illegal parking, and any other adverse impacts on the church.

Our dispensary team will be composed of two categories of employees: Managers and budtenders/delivery Persons (BT/DP). Managers will be considered multi-purpose employees who can perform both managerial and regular employee services depending on need. All managers will receive guard card training and certification. The training program is offered by Weinstein Security and ensures that all participants are licensed by the Bureau of Security and Investigative Services and undergo training that complies with Chapters 11.4 and 11.5 of Division 3 of the Business and Professions Code.

During the hours that the dispensary is open to the public, there will be at least two BT/DP present at the dispensary building. BT/DP employees will work 8 hours shifts that are staggered to overlap with one another. There will always be at least one manager on duty at all times.

While each day will bring its specific actions and requirements, the average dispensary schedule will follow the general outline below:

³⁵ CUMC § 5708(E).

³⁶ CUMC § 5708(G)(2)-(3).

1. A security guard arrives at 8:30 a.m. Upon arrival, they will log in and put on their employee badge. At that point, they will prepare their desk station at the front of the building in the lobby. From this location, they will be able to access both the first computer for customer check-ins and monitor the second computer set up for security purposes. Before the 9:00 a.m. door open, they will perform a perimeter check on all three facilities (i.e., dispensary, cultivation, distribution).
2. The manager arrives at 8:30 a.m., and unlocks the gate to the back employee parking lot to allow for employees to park. The manager will also verify that there has been no disturbance of the facility, which would be marked by broken windows, forced doors, or other signs of entry. Upon confirmation of security, the manager will login and collect their badge. They will then turn on the dispensary computers and lights and check the dispensary floor displays. The Manager will then lay out badges for the employees who are scheduled to arrive at 9:00 a.m.
3. The manager will then go to the vault at 8:45 a.m., to retrieve product samples for the displays and \$100 in change for the register. The manager will then log into the vault (recording the time of entry), will retrieve the samples and cash, and will ensure the vault is locked behind before logging the time of closure of the vault.
4. The budtenders/delivery persons (BT/DP) will arrive on a staggered schedule. BT/DP #1 will arrive at 8:30 a.m., with the Manager. They will login and retrieve their badge and wait as the manager confirms there are no signs of disturbance. Upon completion, BT/DP #1 will sign into one of the computers and checks dispensary emails. Depending on the number of emails, BT/DP #1 will also help prepare displays. BT/DP #2 will arrive at 9:00 a.m., and park in the back lot. They will also login and retrieve their badge.
5. At 9:00 a.m., the dispensary storefront will open to the public. The patient and customer check-in desk will be prepped and manned by a security guard to receive customers, confirming age and/or patient status using government identification and recommendations or medical marijuana program identification cards, and buzz them into the dispensary. The security guard will also monitor the security cameras on their computer.

6. Between 10:00 a.m. and 4:00 p.m., distributors are welcomed to come by and deliver the pre-ordered product. (See Distribution Plan.)
7. During open hours, the dispensary will receive customers throughout the day. The Bud Tenders will concentrate on helping customers, showcasing products, and replying to emails with the retail floor computers. Email review will include staying updated on the OnFleet software that will be used by Wine Country Cannasseurs. OnFleet will allow BT/DP to check for orders coming in by computer and phone. When an order comes in, and a BT is not actively helping a customer, and there is no line for in-store customers, they will perform delivery services. (See Delivery Plan.) Deliveries are scheduled to occur at 10:00 a.m., 2:00 p.m., and 6:00 p.m.

BT/DP's have the option to take two ten-minute breaks throughout the day. Breaks will occur at appropriate times, based on delivery and customer needs

1. Throughout the day, the manager will access the vault to stock product for retail and delivery, and to deposit money from sales and delivery. The manager will go to store cash in the vault anytime the cash register exceeds \$1,000. The default schedule for this will be every two hours.
2. At 1:00 p.m., the security guard will have an option to take a break but will not be permitted to leave the premises without coverage. During this break, the manager will take over the front check-in desk. During their shift, security guards will always remain on premises, either the monitoring security computer or walking the premises.
3. At 1:00 p.m., BT/DP #3 will arrive, login, get their badge from manager #1, and relieve BT #1 for their 30-minute unpaid lunch break. BT #3 will check the retail floor to ensure it is correctly displayed and stocked and will work the dispensary front.
4. When BT #1 returns from lunch break, they will relieve BT #2 for their 30-minute lunch break. When the BTs leave for lunch and return from break, they shall logout and log back in. This logout process will include removing their badge if they leave the micro-business premises.
5. 8:30 a.m. to 4:30 p.m., is the shift for BT/DP #1. 9:00 a.m. to 5:00 p.m., is the shift for BT/DP #2.

6. At 2:00 p.m., security guard #2 will arrive. They will check in, retrieve their badge, and then take over duties at the front desk checking customers in and buzzing them back to retail. Upon the arrival of security guard #2, security guard #1 will be free to leave. They will logout, remove their badge, and exit the premises.
7. At 4:00 p.m., manager #2 will arrive. They will log in, retrieve and put on their badge, and have a meeting with manager #1 to get information on the day. Manager #2 will then take responsibility for checking the retail floor and the 2-hour vault deposits. The manager will also assist BT/DP in all retain activity and assign out tasks as necessary.
8. At 4:15 p.m., BT/DP #4 will arrive, login, retrieve their badge, and go out to the retail floor.
9. Manager #1 will leave at 4:30 p.m. once they have passed along information to manager #2. At that time, both managers will go to the vault and ensure that manager #1 collects the money to be deposited. This process will prevent too much cash from accumulating on site and attracting criminal activity. Manager #1 will have the amount of cash verified by manager #2 and will be let out of the locked parking lot by manager #2.
10. At 4:45 p.m., BT #2 will print out an end of the day report, meet with the on-duty manager, and turn in their cash drawer. They will then clock out, logout, and turn in their badge at 5:00 p.m.
11. At 5:30 p.m., BT #3 will take a 30-minute break, checking in with the manager on duty. When they return from break, they will continue assisting on the retail floor, taking delivery orders, and preparing orders for delivery.
12. From 5:30 p.m. to 9:00 p.m., retail operations and delivery operations will continue.
13. At 8:45 p.m., BT #3 will report to the manager, turn in their cash drawer, clock out, logout, turn in their badge, and exit through the back parking lot.
14. At 9:00 p.m., the dispensary floor will close. Once the last customers have left, all product inventory remaining on the shelves will be collected by the manager and remaining BTs and will go in the vault.
15. At 9:15 p.m., BT #4 will report to the manager, turn in their drawer, and help with closing up procedure. This will include verifying reports, putting cash in

the vault, and assisting in any other area as needed. BT #4 will leave at 9:30 p.m., after logging out and turning in their badge.

16. The manager secures will then lock the building with security guard #2 and exit through the back door, arming the alarm as they go.

While outlined above, there are specific policies that we believe need to be emphasized in training and repeated in this application. It is these policies that make it clear that we will meet all the operating criteria for both the city of Ukiah and the State of California as required by law.

The entrance to the Wine Country Cannasseurs dispensary will be manned by a security employee making sure to prevent access to underaged individuals and monitor site activity to control loitering and site access. Specifically, anybody under the age of eighteen (18) will not be given access unless they are a qualified patient or a primary caregiver and are in the presence of their parent or guardian³⁷. At our entrance, there will be a clearly and legibly posted notice indicating that persons under the age of eighteen (18) are precluded from entering the premises unless they are a qualified patient or a primary caregiver, and they are in the presence of their parent or guardian.³⁸ Because we will also serve adult-use clients, we will have a clearly and legibly posted notice indicating that non-patients under the age of twenty-one (21) are precluded from entering the premises. Also, prominently and conspicuously displayed will be our use permit so that all persons entering the business will easily see it.³⁹

We understand that the burden of proof in showing that we prevent underaged access is ours and that we must do so by clear and convincing evidence.⁴⁰ Our policies on checking identification and the highly surveilled nature of the dispensary will make such a burden of proof easily met.

In addition to having the entrance to the dispensary carefully screen for minors, we will also keep the building locked with entry carefully watched by security personnel. Security personnel will verify age and/or patient status upon entry to the dispensary

³⁷ CUMC § 5708(B)(2).

³⁸ CUMC § 5708(B)(3).

³⁹ CUMC § 5708(P).

⁴⁰ CUMC § 5708(B)(4).

lobby and carefully and strictly control entry to the dispensary floor.⁴¹ The setup of the lobby prevents anybody from entering the dispensary without being seen by the security personnel at the front desk.

Security personnel will also monitor activity on the site and control site access while being in communication with other staff to control loitering and further site access.⁴² Wine Country Cannasseurs will service both medicinal and adult-use cannabis users. As such access to our site will be limited to dispensary staff, primary caregivers, qualified patients, persons the age of twenty-one (21) and over, and persons with bona fide purposes for visiting the site.⁴³

Patients and primary caregivers will only be permitted to visit the dispensary once they have a valid written recommendation.⁴⁴ Only a primary caregiver and qualified patient or persons the age of twenty-one (21) and over will be permitted within the dispensing area with dispensary personnel. All other authorized visitors shall remain in the designated waiting area in the front entrance/lobby.⁴⁵ Restrooms shall remain locked and under the control of management.⁴⁶

While we will provide dispensing services and educational materials for medicinal cannabis patients, we will not have a physician on site to evaluate patients and provide a recommendation for medical cannabis.⁴⁷

Further, we will maintain and verify patient records as needed, and at least annually verified with the qualifying patient's medical doctor or doctor of osteopathy unless the patient has provided a California Medical Marijuana Identification Card or a Patient ID Center Identification Card.⁴⁸

We understand that documentation identifying the names of patients, their medical conditions, or the names of their primary caregivers are confidential documents and that disclosure of such documentation is prohibited pursuant to the Federal Health Insurance Portability and Accountability Act of 1996 and the Confidentiality of Medical

⁴¹ CUMC § 5708(C)(1).

⁴² CUMC § 5708(C)(2).

⁴³ CUMC § 5708(C)(3).

⁴⁴ CUMC § 5708(C)(4).

⁴⁵ CUMC § 5708(C)(5).

⁴⁶ CUMC § 5708(C)(6).

⁴⁷ CUMC § 5708(D)(4).

⁴⁸ CUMC § 5708(D)(2)(b).

Information Act. As such, we will maintain records of all qualified patients with valid identification cards and primary caregivers with valid identification cards using only the identification card numbers issued by the state, or its agents, pursuant to California Health and Safety Code section 11362.⁴⁹ The records will be maintained electronically and be readily available to any authorized agents of the city or state requesting them.

Inventory control and storage of cannabis and cannabis products is outlined in our storage and inventory plan, as described in this application.

[Product Recalls](#)

If we are notified of a product recall, we will immediately pull all items off the shelf and store them in a disposal bin labeled recall, inside of our safe room. Any products that have been sold to a customer are stored into our computer system. In the event of a recall, we will be able to track each product back to each customer and will inform them of the recall. We will keep all recalled products stored until we receive further instructions from the distributor.

We may allow a customer to return cannabis goods previously sold to them, but no such returned item will be resold.⁵⁰ Any cannabis goods abandoned on our premises will be considered the same as a return.⁵¹

[DELIVERY.](#)

Delivery activities will be operated from the dispensary space, behind storefront retail activity and designated and accessible only to budtender/delivery Persons (BT/DP), managers, and security personnel. No public entry is permitted in the dispensary space.

Deliveries will go out based on a daily schedule, Monday through Sunday. The delivery schedule will include deliveries at 10:00 a.m., 2:00 p.m., and 6:00 p.m., with a possible last delivery at 8:00 p.m.; based on demand. On Sunday's deliveries will only take place at 2:00 p.m. and 6:00 p.m., with an optional 8:00 p.m., delivery based on demand.

⁴⁹ CUMC § 5708(K).

⁵⁰ BCC § 5410(b)-(c).

⁵¹ BCC § 5410(d).

Wine Country Cannasseurs will utilize OnFleet software as the platform for delivery. OnFleet will sync with our Point of Sale (POS) system TREEZ and will facilitate communication between managers and delivery persons. The software will provide efficient driving routes, real-time driver tracking, and provide updated information to the patient or customer. OnFleet software is an app downloaded on work phones and made available to employees. These phones will only be accessible to employees during business hours for specific job functions.⁵² OnFleet also collects data as it goes, allowing for information to be carefully tracked and used to make Wine Country Cannasseurs more responsive to the needs of the individuals we serve and to keep accurate records to prevent diversion and other crimes.

When an online order or phone order comes in, a budtender will enter the order into the computer system and print an inventory invoice of the order. Using this invoice, the budtender will then select the ordered inventory from the retail space or retail storage. This order will then be double checked against the invoice as it is packaged in an exit bag. This verified order and the corresponding receipt will then be taken to the back room where it will be stored on the timed shelves according to the arranged delivery schedule. OnFleet helps us to facilitate our delivery, but do not perform any of the delivery services.⁵³ Wine Country Cannasseurs delivers all cannabis and cannabis products.

Further, while we pay for the services provided by OnFleet, the price of the services is not based upon our sales, so there is no prohibited profit sharing or percentage portion paid⁵⁴. When placing orders, patients and adult-users will be informed that they are being served by Wine Country Cannasseurs and have our license number available to them.⁵⁵ All receipts will have our name and license number on them so that no customer is confused by who is providing the delivery service.⁵⁶ We will not advertise our cannabis or cannabis goods in conjunction with OnFleet, and we will not allow them to advertise using Wine Country Cannasseurs.⁵⁷

⁵² BCC § 5417(d).

⁵³ BCC § 5415.1(b).

⁵⁴ BCC § 5415.1(b)(2).

⁵⁵ BCC § 5415.1(b)(4)(A).

⁵⁶ BCC § 5415.1(b)(4)(B).

⁵⁷ BCC § 5415.1(b)(3).

Wine Country Cannasseurs will strictly enforce purchase limits. Adult-use cannabis users will not be provided with cannabis in excess of 28.5 grams of non-concentrated cannabis, eight(8) grams of cannabis concentrates, and six immature cannabis plants per day.⁵⁸ The same adult-user will not be permitted to exceed these daily limits whether they place their order in a single transaction or multiple transactions. We will ensure this through the use of track-and-trace.

Medicinal users will also have daily limits imposed, in the amount of eight(8) ounces of cannabis flower, 12 immature plants,⁵⁹ or the amount indicated on their physician recommendation.⁶⁰ Customers may not combine their status as both an adult-user and medicinal cannabis patient to exceed these limits.⁶¹

No delivery driver will deliver an order while in an intoxicated condition or under the influence of a narcotic drug. All delivery will occur only in compliance with all applicable local and state laws. Delivery will only be made to qualified patients and caregivers and persons eligible for adult use at their residence in the City or to the same groups of people outside the city.

The delivery space in the facility will be located within the dispensary building but shall be separate from the retail floor and vault room. The delivery space will only be accessible to employees. These employees will enter exit the space to bring in packaged orders and exit thereafter. The delivery space is located within the same building as the dispensary. Outside of the retail floor, is an employee only designated area. A wall separates the retail floor with a door that opens into the employee only area. This space includes the following:

- An employee lounge.
- An employee only restroom.
- The safe room.
- The manager's office/product intake room/outgoing delivery storage

In the managers office there will be a wall of shelves that hold all the outgoing delivery packages. The shelves will coordinate with the delivery timed schedules. Like all other

⁵⁸ BCC § 5409(a), CUMC § 5708(D)(1).

⁵⁹ BCC § 5409(b).

⁶⁰ BCC § 5409(b).

⁶¹ BCC § 5409(d).

areas, this area will be equipped with security cameras. All individuals performing delivery order preparation or delivery will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

1. Upon receipt of a delivery order, a budtender will prepare a delivery request receipt/manifest of the order by entering it into our track and trace equipped POS system (TREEZ) and print it out. This delivery receipt/manifest will include Wine Country Cannasseurs's name and address, the delivery employee's name and badge number, the name of the employee who prepared the order, the name of the customer, the order number, the date and time the delivery was entered into the system, the delivery address, a detailed description of the products requested for delivery (including weight, volume, or other applicable measurement), the total amount paid or to be paid for the delivery (including taxes, fees, cost of goods, and other charges), and a location to write in the date and time the delivery was made, and finally, a place for the customer to sign.⁶²
2. Using this manifest, the budtender will then collect the order from the dispensary floor inventory. If product is not in stock on dispensary floor, the budtender will inform the manager the item needs to be restocked and will ask to retrieve the product from the storage room.
3. The budtender will then verify that the manifest and the order are identical, before packing the order into an exit bag. This fully contained order will be taken to the delivery area and placed on the shelf corresponding to the order's expected delivery. I.E., If it is 11:00 a.m. when the order comes in, it will go on the 2:00 p.m. delivery shelf, unless the patient or adult-user who ordered it requested later delivery time.
4. Thirty minutes before delivery, a manager will go to the delivery space to review the orders. They will then confirm that all items are ready and then reference our OnFleet program to create an appropriate delivery route. The route will be planned so that the driver travels only from the storefront to the delivery addresses, in the quickest and most efficient manner.⁶³

⁶² BCC § 5420(a).

⁶³ BCC § 5421.

5. The manager will then create a delivery inventory ledger for the orders, which will include the type of good, the brand, the retail value, the track and trace identifier, and the weight, volume or another accurate measure of the cannabis good.⁶⁴ This inventory ledger will identify all cannabis goods prepared for the order⁶⁵ The manager will also verify that the outgoing inventory cost to be carried within the vehicle does not exceed \$5,000.⁶⁶
6. The manager will then place each separately packaged delivery order in a transport lockbox and set the lockbox and corresponding inventory ledger near the exit door.
7. The manager will then meet with the driver to; verbally go over the route, provide them with the inventory ledger, and ensure that they have sufficient change/a credit card machine.
8. The manager will then send the route to the delivery driver via OnFleet and confirm that the delivery driver has received the route correctly. The driver and manager will then load the vehicle, ensuring that the cannabis goods are within the enclosed lockbox, secured on the inside of the vehicle, and are not visible to the public.⁶⁷
9. The manager will then confirm that the driver has the inventory ledger, a copy of Wine Country Cannasseurs's current license, a government-issued identification, and an employee identification badge.⁶⁸
10. The manager will then open the locked security gate to allow for the delivery vehicle to exit the premises. Immediately after the delivery vehicle has exited, the manager will lock the gate behind them.
11. The manager will then return to the delivery space and monitor the delivery route via OnFleet's GPS system, which every vehicle will be outfitted with.⁶⁹ The manager will also maintain contact with the driver.
12. During delivery, the driver will maintain a log that includes all stops from leaving the facility to returning.⁷⁰ No driver will consume any cannabis goods

⁶⁴ BCC § 5418(e).

⁶⁵ BCC § 5418(e).

⁶⁶ BCC § 5418(a) and (b).

⁶⁷ BCC § 5417(b).

⁶⁸ BCC § 5415(e).

⁶⁹ BCC § 5417(d).

⁷⁰ BCC § 5418(f).

while delivering goods to customers.⁷¹ Delivery will only take place at a physical address in California, will never utilize a route that leaves the State of California, and will not be delivered to an address located on publicly owned land, any address on land or in a building leased by a public agency⁷², or any school, day care center, or youth center.⁷³

13. At the time of delivery, the delivery employee will remove the specific order from the lockbox and then carefully re-secure the lockbox of the other orders. The vehicle will then be locked and armed behind the driver so that no cannabis goods are ever left in an unattended motor vehicle unless the vehicle is locked and equipped with an active vehicle alarm system, and all goods are secured in the enclosed lock box.⁷⁴
14. The delivery driver will begin the delivery by requesting the customer's identification and, if applicable, physician recommendation. Before any delivery may be made, the driver must verify the customer's identity, age, and (if applicable) physician's recommendation, using an acceptable form of identification as established by state law.⁷⁵
15. The employee will also complete the delivery request receipt, have the customer sign the appropriate line, and then provide the customer with a hard or electronic copy.⁷⁶ The delivery driver will thank the customer for their business and return to the vehicle.
16. After each delivery stop, the delivery driver will update the inventory ledger, marking each delivery as successful or not completed.⁷⁷ During the process of delivery, the delivery employee will not engage in any activities except for cannabis goods delivery and necessary rest, fuel, or vehicle repair stops.
17. Upon the driver's return, a manager will open the security gate to allow the vehicle to enter. The manager will then lock the security gate behind the vehicle.

⁷¹ BCC § 5419.

⁷² BCC § 5416(c).

⁷³ BCC § 5416(e).

⁷⁴ BCC § 5417(c).

⁷⁵ BCC § 5415(f).

⁷⁶ BCC § 5420(b).

⁷⁷ BCC § 5418(e).

18. The driver will then unload and log all undelivered cannabis products, money, and documentation. The delivery driver will provide the log to the manager, in which all stops were recorded as well as the final signed copies of all receipts.⁷⁸ The only non-planned stops permitted on the route log will be those necessary for rest, fuel, or vehicle repair stops, or because road conditions make continued use of the route unsafe, impossible, or impracticable.⁷⁹
19. The Manager will then enter all logs, delivery request receipts, and other logs into the database, place all cash in the safe room, and secure the CC swipe machine.⁸⁰ This protocol will be repeated for each delivery.

Vehicles.

To ensure safety and compliance, Wine Country Cannasseurs will have a company owned delivery vehicle used for delivery and distribution transportation.⁸¹ The GPS tracking of this vehicle will be done through the use of a company owned cellphone with the OnFleet App.⁸² Cannabis and cannabis products will be stored in the lock boxes described above for safe movement from facility to vehicle.⁸³

Ensuring that our vehicles meet local and state standards is of the utmost importance. Only our employees will operate our vehicles, and only employees will be present in the vehicle.⁸⁴ Each vehicle used will be a fully enclosed motor vehicle without any marking or indication that it is carrying cannabis goods for delivery on the outside.

Further, no cannabis or cannabis products will be visible from outside the vehicle to the public.⁸⁵ All cannabis or cannabis products will be locked in a fully enclosed container which shall be secured on the inside of the vehicle.⁸⁶ No part of the box will be comprised of any part of the body of the vehicle, including the trunk.⁸⁷ Cannabis and cannabis goods will only be left unattended in the vehicles if they are stored in the

⁷⁸ BCC § 5418(f).

⁷⁹ BCC § 5421.

⁸⁰ BCC § 5418(f).

⁸¹ BCC § 5311(a).

⁸² BCC § 5417(d).

⁸³ BCC § 5417(b).

⁸⁴ BCC § 5417(a).

⁸⁵ BCC § 5417(b).

⁸⁶ BCC § 5417(b).

⁸⁷ BCC § 5417(b).

locked container, and the vehicle is locked and equipped with an active vehicle alarm system⁸⁸.

Every vehicle will be equipped with a Global Position System (GPS) device while performing a delivery service. This GPS service will be provided through OnFleet and will track the geographic location of the vehicle as well as record a history of all locations traveled to by the delivery driver while engaged in delivery. OnFleet, as described in the Inventory section of this application, is an App. This App will be installed on work phones that will be owned by Wine Country Cannasseurs and used only for delivery services.⁸⁹ Each delivery phone will be temporarily affixed in the vehicle and remain on for the entire delivery, enabling a manager back at the dispensary to access the GPS information. All of this GPS information will be made available to the Bureau of Cannabis Control (BCC) upon request, and the GPS history will be maintained for a minimum of 90 days.⁹⁰

Beyond the GPS information, information regarding Wine Country Cannasseurs's vehicles, including the vehicle's make, model, color, vehicle identification number, license plate number, and California Department of Motor Vehicles registration information, will be made available to the Bureau of Cannabis Control (BCC) upon request.⁹¹ Every vehicle is subject to inspection by the BCC during delivery or at any facility, and drivers will be aware of this fact before beginning any delivery.⁹²

All items will be packaged and sealed in mandatory packaging that will cut down odors. The vehicle will have an air system for odor control, specifically a Blue Air, Blue Pure 411, 161-foot air purifier. This will prevent cannabis from being detected from outside the vehicle by scent, just as no cannabis will be visible from outside the vehicle.

DISTRIBUTION.

As a microbusiness, Wine Country Cannasseurs plans to provide in-house distribution so that we can take the cannabis we cultivate and lawfully have it available to the

⁸⁸ BCC § 5417(c).

⁸⁹ BCC § 5417(d).

⁹⁰ BCC § 5417(d).

⁹¹ BCC § 5417(e).

⁹² BCC § 5417(f).

patients and adults who we serve through our dispensary. We also plan on offering distribution services to other licensed commercial cannabis businesses, mainly as we grow.

The distribution portion of our facility will be open between 9:00 a.m. and 5:00 p.m., Monday through Friday. Distribution appointments will occur between opening and closing, and if processing time is required beyond our usually scheduled hours, we will arrange to accommodate that. Such an arrangement will be possible because all incoming vehicles and deliveries will be by appointment only and will require no less than 24-hours notice. Distribution appointments will be regularly scheduled a week in advance. Upon reservation, the other licensee will provide the license plate number and driver's identification so that a manager can check it upon entry into the gated parking lot.

Protocol:

1. The third-party licensee driver will pull up to back gate at the designated time, and a manager will check that their vehicle's license plates and driver's identification match the information on file. If the information does not match, the manager will contact the third-party licensee for confirmation of the driver's identity.
2. Once the driver's identity is verified, either against the information provided or by contacting the third-party, they will be let into the gated parking lot. As soon as they enter the gate will be closed and locked behind them.
3. They will be directed to park as close to the distribution building entrance as possible and will be escorted into the distribution building. At least one security trained individual will stay in the parking lot to ensure that the vehicle holding the cannabis or cannabis products is not left unattended.
4. The manager will have the driver sign in on an iPad and provide the manager with a copy of the shipping manifest.
5. The manager and the driver will then go back to the vehicle and unload the product. The product will be checked against the shipping manifest as it is unloaded under video surveillance.
6. Once the product is verified against the manifest, the manager will accept any necessary tax payments and provide payment to the third-party licensee driver.

7. The driver will then sign out on the iPad and return to their vehicle, escorted by the manager.
8. The driver will then be let out of the back compound, with an individual manually unlocking, opening, closing, and relocking the gate behind the driver.
9. The third individual, either another manager or a BTB, will stay in the secured distribution building to log the new product.
10. Once the third-party driver has left, the manager will go back to the distribution building and verify the work of the third individual.
11. After the inventory is verified, the manager will take the cannabis and cannabis products to be stored in the safe or take them to the retail building, depend on inventory needs in the dispensary. All product taken to the storage room will be logged in or will be logged out to the dispensary. If the third individual has the appropriate inventory software allowances, they will log the verified inventory into the computer. Otherwise, the manager will do so.

In addition to being a location for third-party deliveries to take place, the distribution facility will also be used as a location for testing samples to be obtained by a licensed testing laboratory. Wine Country Cannasseurs will partner with Anresco Testing Laboratory for our testing needs. If necessary, we will also partner with Sonoma Lab Works or another properly licensed testing laboratory facility. Additionally, the distribution facility will be where Wine Country Cannasseurs will process our in-house cannabis flower. This will include rolling flower into pre-rolls, packaging flower, and labeling packages.⁹³ Beyond curing our in-house flowers, the only processing and packaging steps that will be taken before sending our cannabis out to be tested will be bulk packaging for storage and pre-rolling all joints/pre-rolls.

Pre-Rolling.

All individuals performing work as part of Pre-Roll Protocol will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

1. Hygiene standards implemented by Wine Country Cannasseurs will require all employees to wear a lab coat, protective eye gear, gloves, and a hairnet. All of

⁹³ BCC § 5303(a).

these will be disposable, except for the glasses which will be wiped down with an alcohol cleaner before and after each use and kept in a closed plastic bin between use.

2. All rolling will be done on table three in the distribution building, which is the table measuring four feet long. The table will be equipped with rolling papers, grinders, a large rolling tray, and a rolling machine by rocketbox.
3. When rolling for pre-rolls, one employee with a weighmaster certification will bring a vacuum sealed flower bag to the table.
4. The employee will make sure the flower is ground up using a grinder so that the flower will fit inside of each rolling paper.
5. Depending on the type of pre-roll to be created, these units will be placed within reach of a rolling tray where the employee will begin to prepare the pre-rolls.
6. Each pre-roll will either contain approximately 0.6 grams or one gram per pre-roll and will be placed with other pre-rolls of the same size to be packaged either individually or in larger packs.
7. All pre-rolls will be prepared with cannabis flower that has already passed compliance testing.

Testing.

To ensure that all cannabis and cannabis products that pass through our facility are tested, we will implement a strict policy of distinguishing tested and untested cannabis and cannabis products. Details on this storage can be found in the Inventory/Storage portion application. Testing is not a service that we are permitted to provide. As such, we will be using the third-party licensed testing laboratory Anresco, Sonoma Lab Works, or another adequately licensed facility for all of our testing.

Protocol:

1. Upon completion of harvest, curing, trimming, pre-rolling and preparing bulk packaging, or after receipt of a cannabis or cannabis goods batch from a third-party producer, one of our distribution managers will contact the testing lab and arrange for them to come to the facility and select representative sample of each product.⁹⁴ All Wine Country Cannasseurs products will be tested before they are packaged.

⁹⁴ BCC § 5304.

2. When the appointment is set, the testing lab will provide the name of the individual coming to take the sample. This will allow the on-duty manager to verify their identity when they do come to the facility.
3. When the testing agent arrives at the facility, a manager will greet them at the gate and verify that the driver's identification matches the information on file. If the information does not match, the manager will contact the testing lab for confirmation of the driver's identity.
4. Once the driver's identity is verified, they will be allowed into the gated parking lot. As soon as they enter, the gate will be closed and locked behind them.
5. They will be directed to park as close to the distribution building entrance as possible and will be escorted into the distribution building.
6. The manager will have a third-party licensee driver sign in and then proceed to where the untested cannabis products are stored.
7. Wine Country Cannasseurs will have the batch size already prepared and laid out in an area with video recording.⁹⁵ Before sampling begins, the manager will show the camera a written copy of the batch number so that the video accurately and unambiguously records the sampling. This video will be maintained for at least 90 days.⁹⁶
8. The manager will stay with the testing agent while samples are taken to ensure that the increments are taken from throughout the batch.⁹⁷ The manager will not assist the testing agent, nor touch any sampling equipment during sampling.⁹⁸
9. Once the sample is taken, both the manager and the testing agent will sign and date the chain of custody form, attesting to the sample selection has occurred.⁹⁹
10. The testing employee will then sign out and return to their vehicle, escorted by the manager.
11. The driver will then be let out of the back compound, with an individual manually unlocking, opening, closing, and relocking the gate behind the driver.

⁹⁵ BCC § 5305(a).

⁹⁶ BCC § 5305(c).

⁹⁷ BCC § 5305(b).

⁹⁸ BCC § 5305(e).

⁹⁹ BCC § 5305(d).

Wine Country Cannasseurs will only consider testing to have been completed and the cannabis products eligible for packaging and quality assurance upon confirmation from the testing lab, and when we have received a certificate of analysis for regulatory compliance testing that shows the product batch has met specifications required by law.¹⁰⁰

Packaging.

To ensure that the quality of our product is not compromised, we will be sure to carefully package all of our cannabis to prevent it from going stale. This will include immediate packaging in bulk store-bags after drying and trimming. These bags will be stored at optimal temperatures in the distribution center. Once they are sampled and tested, the bulk packaging will be switched for the smaller retail packages described below. Packaging Protocol and activities will be scheduled in advanced based on need. The event of packaging will be recorded in the track and trace system.¹⁰¹

A designated area within the distribution building, which will be formed by two six' tables and one four-foot table, will be used for weighing and packaging. This area will contain shelves which will be used for storing necessary items such as rolling papers, packaging materials, and hygiene materials. All materials stored will be stored in closed plastic bins to prevent contamination. To package cannabis products correctly, Wine Country Cannasseurs will have the devices approved by weights and measures and will only allow individuals that are certified to use such devices. Wine Country Cannasseurs will have designated employees and managers receive the necessary training and will only perform any weighing responsibilities once they have their certification as Weighmasters.¹⁰² These careful steps will help ensure that all cannabis is accurately measured within plus or minus 3% of the labeled weight, as required by law.¹⁰³

All individuals performing work as part of the Packaging Protocol will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

¹⁰⁰ BCC § 5307(a).

¹⁰¹ California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation Chapter 1. Cannabis Cultivation Program (CCP) § 8405(C)(5).

¹⁰² BCC § 5307(f).

¹⁰³ BCC § 5303.1.

1. Hygiene standards implemented by Wine Country Cannasseurs will require all employees to wear a lab coat, protective eye gear, gloves, and a hairnet. All of these will be disposable, except for the glasses which will be wiped down with an alcohol cleaner before and after each use and kept in a closed plastic bin between uses.
2. One table will have the weigh station, with California regulated scales that will be permanently affixed to maintain compliance and calibration in accordance with the law. On this same table, an employee with a Weighmaster certification will weigh out cannabis and cannabis products in designated amounts and place the pre-measured amount into jars/bags equipped with childproof closures or lids.
 - a. Weight machines on table one will be approved by the BCC and quarterly tested for calibration by the California Department of Weights and Measures, or otherwise in compliance with the law.
 - b. Scales will be sterilized to prevent contamination both before and after any weighing of cannabis or cannabis products.
 - c. Calibration will be checked each day the scales are used.
3. We will be packaging flower into childproof packaging as required by the BCC.
4. On table two, labels are placed on the jar or mylar bag, and a safety seal is applied to the lid. The mylar bags will be pre-labeled while the jars will have a single label and a safety seal, which will be applied by hand at this step.
5. The labels will be prepared and printed in accordance with California regulations, including all necessary information and placed on packages with the corresponding product.
6. Labels will include, but not be limited to, brand name, weight, required cannabis prop 65 warning, required California warnings, the universal symbol for cannabis, strain name, and test results including terpenes and cannabinoids percentages.
7. The jar or package will then be moved to a storage plastic bin that will be used to store the product and eventually transport the product to retail, based on needs for products on shelves in the dispensary.

8. The units of packaged product will be logged into the track and trace system with the appropriate batch number to track the cannabis and prepare it for sale accurately.
9. Any remaining cannabis that hasn't been packaged will be sealed in a large odor proof bag marked with the batch number. This package will be hand sealed and placed in the safe room for storage until it can be appropriately packaged.

Our distribution facility will be a key location for storage of cannabis and cannabis products. To ensure safe and organized storage, we will have specific rules and protocols put in place. (See the Storage/Inventory portion of our application.)

Once all cannabis products pass laboratory testing, we will perform necessary quality assurance checks on all our products and any products from third-party licenses. All products will be checked and released within 12 months of receiving the certificate of analysis from the testing facility.¹⁰⁴ Our quality assurance check will be sure to verify all of the following:

- Labeled levels of cannabinoids, terpenoids, total THC, total CBD are all within 10.0% of test results.¹⁰⁵
- All labels shall have levels of cannabinoids, terpenoids, total THC, total CBD present.¹⁰⁶
- Packaging and labels comply with Business and Professions § 26120 and applicable California Code of Regulations sections.¹⁰⁷
- All cannabis and cannabis goods have not exceeded provided expiration or sell-by dates.¹⁰⁸
- The weight or count of the cannabis batch is accurately reflected in the track and trace system according to regulation scales.¹⁰⁹

¹⁰⁴ BCC § 5307(b).

¹⁰⁵ BCC § 5307(c)(1), BCC, § 5307.1(a)-(b).

¹⁰⁶ BCC § 5307(c)(2).

¹⁰⁷ BCC § 5307(d).

¹⁰⁸ BCC § 5307(e).

¹⁰⁹ BCC § 5307(f).

Before any product is transferred from our facility to a dispensary, we will ensure that the track and trace system accurately reflects all relevant events.¹¹⁰ All cannabis or cannabis products packaged for retail will only be transferred to a dispensary if their certificate of analysis shows testing was passed within the last 12 months.¹¹¹ Any products exceeding this 12-month window will either be destroyed or retested.

After all of the distribution services have been completed, all that is left is for product to be transferred to a dispensary. Our current plan is to have the majority of all of Wine Country Cannasseurs's in-house cannabis sold at our dispensary. Further, we plan on primarily only providing distribution services for products bound for our dispensary, though do plan on providing services to other licensees as we grow. Currently, our movement of product to a dispensary consists of a simple two-person process. All individuals performing distribution to dispensary delivery between our facilities will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

1. A manager will assess which products are necessary to move from distribution storage to dispensary storage. The manager will create and log a shipping manifest and invoice/receipt.¹¹² This manifest will follow track and trace requirements and include at minimum the name and type of the cannabis goods, unique identifier of the cannabis goods, amount of the cannabis goods, by weight or count, and total wholesale cost of the goods, date and time of the activity or transaction¹¹³, and the name and license number of other licensees involved in the activity or transaction. The invoice receipt will include name and address of the purchaser, date of sale, invoice number, kind, quantity, size, and capacity of packages of cannabis or cannabis products sold, the cost to the purchases, together with any discount applied, and any other necessary information.
2. The manager will then pack cannabis goods corresponding to the shipping manifest into a lockbox. This activity will take place in our distribution facility

¹¹⁰ BCC § 5307(g).

¹¹¹ BCC § 5307.2.

¹¹² BCC § 5311(n).

¹¹³ BCC § 5049(b).

which is surveilled by a security camera. The manager will double check their work before locking the box.

3. The manager will then get security personnel to come and accompany them while they move the lockbox via hand cart from the distribution facility to the dispensary.¹¹⁴
4. The products will then be passed off to another manager who will verify that the manifest and the products in the lockbox match. Once the amount of goods is verified, the security personnel will be free to leave. The products will then be logged into the dispensary safe room under video surveillance, entered into the track and trace system, and stored appropriately.

When we provide distribution services to a third-party licensee, we either provide transportation services ourselves or will allow a licensed distributor to pick up the cannabis products. This is because only state-licensed distributors may provide transportation services.

All vehicles used for transportation will be owned or leased by Wine Country Cannasseurs and will be the same vehicles used for the delivery services offered by our dispensary.¹¹⁵ Further, all vehicles used for transporting will have a motor carrier permit and will be equipped with a vehicle alarm system.¹¹⁶ No vehicle containing cannabis goods will be left unattended unless it is locked and secured.¹¹⁷ No vehicle being used for distribution transport will be left unattended or parked overnight in a residential area.¹¹⁸

When a distributor comes to our distribution facility to pick-up cannabis goods, they will set a distribution appointment. All pick-ups will be by appointment only and will require no less than 24-hours notice. Distribution appointments will be regularly scheduled a week in advance. The following protocol will be used. All individuals performing distribution to distribution product release will operate in accordance with the following plan, a copy of which will be made available to them.

¹¹⁴ BCC § 5311(n).

¹¹⁵ BCC § 5311(a).

¹¹⁶ BCC § 5311(c).

¹¹⁷ BCC § 5311(g).

¹¹⁸ BCC § 5311(h).

Protocol:

1. Upon either receipt of an order, or request for transport of cannabis goods provided by a third-party licensee, a sales invoice/manifest will be prepared listing all cannabis goods to be transported.¹¹⁹ This invoice/manifest will include the name and address of the purchaser, date of sale, invoice number, kind, quantity, size, and capacity of packages of cannabis or cannabis products sold, the cost to the purchases, together with any discount applied, the place from which transport was made, and any other necessary information.¹²⁰ This invoice/receipt will not be altered or changed once transportation begins and will be maintained electronically in a way that is readily accessible for examination upon request by authorized agencies.¹²¹
2. We will verify each retailer and distribution company's license status and maintain a copy for records. This information will be checked and verified with the Bureau of Cannabis Control prior to delivery.
3. A manager will then take this prepared invoice/receipt and collect the appropriate cannabis goods listed on the invoice/receipt. A shipping manifest will also be prepared before transport.¹²² This collection will then be verified as it is packed into a lockbox.¹²³ No non-cannabis goods, except for cannabis accessories and our branded merchandise or promotional materials, will be transported with cannabis goods.¹²⁴ The box will then be secured as no package or container holding cannabis goods will be tampered with or opened during transport.¹²⁵
4. Once verified, the packed order will be entered into the track and trace inventory system and set aside for transport. The manager who will be driving the order will then create a transport route which moves between licenses with no stops except for those necessary for rest, fuel, and vehicle repair.¹²⁶

¹¹⁹ BCC § 5311(b).

¹²⁰ Bus & Prof Code § 26161.

¹²¹ BCC § 5311(b).

¹²² BCC § 5314(a).

¹²³ BCC § 5311(f).

¹²⁴ BCC § 5311(l).

¹²⁵ BCC § 5311(j).

¹²⁶ BCC § 5311(k).

5. The third-party licensee distribution driver will pull up to back gate at the designated time, and a manager will check that their vehicle's license plates and driver's identification match the information on file. If the information does not match, the manager will contact the third-party licensee for confirmation of the driver's identity.
6. Once the driver's identity is verified, either against the information provided or by contacting the third-party, they will be let into the gated parking lot. As soon as they enter the gate will be closed and locked behind them.
7. They will be directed to park as close to the distribution building entrance as possible and will be escorted into the distribution building. At least one security trained individual will stay in the parking lot to ensure that the vehicle holding the cannabis or cannabis products is not left unattended.
8. The manager will have the third-party licensee driver sign in on an iPad. At this time, the manager and distribution driver will go over the invoice/receipt and shipping manifest. The third-party licensee will verify the cannabis goods against the invoice/receipt and shipping manifest.¹²⁷ The shipping manifest will then be transmitted to the Bureau of Cannabis Control.¹²⁸ A copy of the shipping manifest will accompany every transport of cannabis goods.¹²⁹
9. The manager and third-party licensee distribution driver will then go back to the vehicle. With the help of security personnel, the manager will then load the lockboxes into the distribution vehicle and secure them to the inside of the vehicle. All cannabis goods will be inside of the vehicle in a way that prevents them from being visible or identifiable from outside the vehicle.¹³⁰ This process will occur under video surveillance.
10. Finally, the manager will proceed to the security gate with the third-party licensee distribution driver. The manager will unlock and open the gate to let the third-party licensee distribution driver out and will immediately close and lock the gate behind them.

¹²⁷ BCC § 5314(c).

¹²⁸ BCC § 5314(b).

¹²⁹ BCC § 5314(d).

¹³⁰ BCC § 5311(e).

Should we be the distributor providing transportation services, the following protocol will be used. All individuals performing distribution to dispensary delivery will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

1. Upon either receipt of an order, or request for transport of cannabis goods provided by a third-party licensee, a sales invoice/receipt will be prepared listing all cannabis goods to be transported.¹³¹ This invoice/receipt will include the name and address of the purchaser, date of sale, invoice number, kind, quantity, size, and capacity of packages of cannabis or cannabis products sold, the cost to the purchases, together with any discount applied, the place from which transport was made, and any other necessary information.¹³² This invoice/manifest will not be altered or changed once transportation begins and will be maintained electronically in a way that is readily accessible for examination upon request by authorized agencies.¹³³
2. We will verify each retailer and distribution company's license status and maintain a copy for records. This information will be checked and verified with the Bureau of Cannabis Control prior to delivery.
3. A manager will then take this prepared invoice/receipt and collect the appropriate cannabis goods listed on the invoice/receipt. A shipping manifest will also be prepared before transport.¹³⁴ This collection will then be verified as it is packed into a lockbox.¹³⁵ No non-cannabis goods, except for cannabis accessories and our branded merchandise or promotional materials, will be transported with cannabis goods.¹³⁶ The box will then be secured as no package or container holding cannabis goods will be tampered with or opened during transport.¹³⁷
4. Once verified, the packed order will be entered into the track and trace inventory system and set aside for transport. At this time the manager who will

¹³¹ BCC § 5311(b).

¹³² Bus & Prof Code § 26161.

¹³³ BCC § 5311(b).

¹³⁴ BCC § 5314(a).

¹³⁵ BCC § 5311(f).

¹³⁶ BCC § 5311(l).

¹³⁷ BCC § 5311(j).

be driving the order will create a transport route using our OnFleet system which moves between licensees with no stops except for those necessary for rest, fuel, and vehicle repair stops.¹³⁸

5. All deliveries will be scheduled 1 week in advanced to ensure enough time to prepare delivery route and schedule a delivery manager. In some cases, we may hire a licensed third-party transportation company to fulfill distribution orders. All third-party transportation companies license status will be checked and verified with the Bureau of Cannabis Control.
6. Either a third-party licensee transportation driver, or our own in-house driver/manager will pull up to back gate at the designated time, and a manager will check that their vehicle's license plates and driver's identification match the information on file. If the information does not match, the manager will contact the third-party licensee for confirmation of the driver's identity.
7. Once the driver's identity is verified, either against the information provided or by contacting the third-party, they will be let into the gated parking lot. As soon as they enter the gate will be closed and locked behind them.
8. The driver will be directed to park as close to the distribution building entrance as possible and will be escorted into the distribution building. At least one security trained individual will stay in the parking lot to ensure that the vehicle holding the cannabis or cannabis products is not left unattended.
9. The manager will have the third-party licensee driver sign in on an iPad. At this time, the manager and distribution driver will go over the invoice/receipt and shipping manifest. The third-party licensee will verify the cannabis goods against the invoice/receipt and shipping manifest.¹³⁹ The shipping manifest will then be transmitted to the Bureau of Cannabis Control before transport.¹⁴⁰ A copy of the shipping manifest will accompany every transport.¹⁴¹
10. If our in-house manager will be driving, he will follow the same procedure and retrieve the product from the distribution building.
11. The manager or driver will go back to the vehicle. With the help of security personnel, they will then load products into the distribution vehicle and secure

¹³⁸ BCC § 5311(k).

¹³⁹ BCC § 5314(c).

¹⁴⁰ BCC § 5314(b).

¹⁴¹ BCC § 5314(d).

them to the inside of the vehicle. All cannabis goods will be inside of the vehicle in a way that prevents them from being visible or identifiable from outside the vehicle.¹⁴² This process will occur under video surveillance.

12. The driver or manager will then be let out of the back compound, with an individual manually unlocking, opening, closing, and relocking the gate behind the driver.

13. The driving manager will go directly to the licensee receiving the cannabis goods per the pre-created route.

14. Once the driving manager arrives at the receiving licensee's facility, they will follow protocol there, ensuring that the invoice receipt and shipping manifest is checked, signed off on and verified before they leave.¹⁴³

15. If a third-party transportation company is handling the drop off, they will follow the same procedure and send us the shipping manifest and invoice as soon as they are done with the delivery.

Returns.

If we are notified that a product that we distributed is defective, we will provide notice to all licensees involved. We will either issue a credit or exchange for the products, however, we may only exchange the product for a non-defective version of the same type and equal value.¹⁴⁴ No other returns of cannabis goods will be excepted at our distribution facility. All returns will be properly entered into the track and trace system.¹⁴⁵

CULTIVATION.

The cultivation facility is located on the opposite side of our distribution facility like the proposed dispensary. Just as with the distribution facility, the separation of cultivation from the dispensary will ensure that the public has no access to the cultivation or distribution facility, but that the facilities are still maintained on a single contiguous premise as required by state law for a microbusiness. The cultivation activities of the cannabis will take place within three rooms, labeled Cultivation A, Cultivation B, and Cultivation C on our proposed plans. All three rooms are equipped

¹⁴² BCC § 5311(e).

¹⁴³ BCC § 5314(c).

¹⁴⁴ BCC § 5053(a).

¹⁴⁵ BCC § 5049(a)(5).

with locking doors to prevent unauthorized access. The aggregate square footage of these rooms is 1,252 square feet. In accordance with the state regulations, all cultivation under a microbusiness license shall take place in less than 10,000 square feet.¹⁴⁶ Our current contemplated canopy consists of 900 square feet of flowering canopy, making our cultivation the equivalent of a specialty indoor cultivator. All flowering plants will be contained within the measured canopy. No cultivation will occur on the premises of our dispensary designated area, only in our cultivation facility.¹⁴⁷

The cultivation facility has its own storage area to ensure that storage complies with all applicable regulations. Only upon appropriate procedure will cannabis be transferred to the distribution and, ultimately, dispensary facilities. The cultivation services provided by Wine Country Cannasseurs are aimed at providing an opportunity to cultivators would otherwise be unable to enter the regulated market, and to providing the highest quality indoor cannabis flower at an affordable price point. We have previously worked with several craft farmers that produce some of the best flowers that we have seen, and these are the farmers we would have cultivating under our license. At first, the cultivation facility will require one master grower and one cultivator job positions. After a few grow cycles, our master cultivator may choose to allow more cultivator positions. By bringing in tried and true cultivators, we ensure that our dispensary will carry only the highest quality products at the best price.

This dedication to locally produced, high-quality indoor cannabis would bring positive attention and business to Ukiah. According to regulations released by the California Department of Food and Agriculture, labels on cannabis may only specify a county of origin if 100% of the cannabis in the packable was produced within that county. By producing cannabis in-house, we will be able to proudly label our cannabis as grown not only in Mendocino County but in the City of Ukiah. Our careful selection of talented cultivators will allow us to build Ukiah as a brand in addition to Wine Country Cannasseurs. Our operations will follow the policies, procedures, and daily operation plans provided below.

¹⁴⁶ CCP § 5502 (a).

¹⁴⁷ CUMC § 5708(G).

Wine Country Cannasseurs cultivation will be opened from 8:30 a.m. to 5:00 p.m., Monday through Saturday, and from 1:00 p.m. to 3:00 p.m. on Sundays. Our Lead Cultivator, Jaime Fimbres, will be in charge of our cultivation team.

Wine Country Cannasseurs will begin our cultivation from clones. This means that rather than raising our plants from seed, we will purchase and bring in baby plants that are cloned from known strains. To begin, our clones will be bought from and delivered by a licensed nursery in compliance with California law. As we expand and grow, we will take on the job of in-house cloning. Clones can be collected during routine pruning of plants in other stages of the cultivation process. All of our Mother plants and clones will be kept in Cultivation Room A, the Vegetative Room. An event will be recorded in the track and trace program whenever a planting of an immature plant lot occurs.¹⁴⁸

All individuals performing work in the propagation phase will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

Propagation will require two(2) to five(4) hours of work time.

Materials needed:

Gloves, Cloning gel, cloning solution, measuring shot glass, alcohol, scissors, scalpel, 5-gal bucket, a bin for plant matter, blue tape, sharpie, cloning trays, domes, Root riot cubes, paper towels.

Preparation:

- Put on gloves.
- Clean scissors and surfaces with alcohol.
- Fill measuring shot glass with Clonex gel.
- fill a bucket with 1-2 gallons of water (room temp).
- Mix cloning solution in water (10ml/gal).
- pH to 5.6-5.8.
- Mix again.
- Fill the bucket with Root plugs- mix around and allow root riots to saturate.

¹⁴⁸ CCP § 8405(C)(1).

Cuttings:

- Take cuttings from moms and prep them (prune nodes and cut stems longer) Use cloning solution in cutting storage cups.
- Place cuttings into a cup of water until the cup is full - use multiple cups if needed.

Fill Trays With Root Plugs:

- Allow excess water from plugs to run back into a bucket before placing them into the trays.
- Fill trays until the desired amount is reached.

Start Plugging Clones:

- Take cuttings one at a time, snip tips of leaves with scissors into the bin and cut the clone down to about three inches.
- For a fresh cut, cut clone at a 45-degree angle at the base of cutting. Then lightly graft off the first layer of plant tissue at base of cutting.
- Dip cutting into cloning gel.
- Plug cutting into root plug.
- Repeat until trays are full.

Date and Label:

- Using the sharpie and blue tape, mark each strain and date of propagation on clone trays.

Propagation Wrap Up:

- Domes are now placed on trays and confirmed sealed.
- Trays are now placed onto shelving with heating mats underneath lights.
- Clones should not require any attention for the next three to five days.
- Clones should not be touching the top of the shelving.
- There should be minimal clone to clone contact as this will cause plant rot.

Once clones have been proven to be viable through survival and growth, they will be transplanted to larger pots and transitioned to their next phase. They will stay in Cultivation Room A, the Vegetative Room. These still immature plants, all of the same strain or cultivar, will have a UID assigned to a lot of no more than 100 plants.¹⁴⁹

¹⁴⁹ CCP § 8403(b)(1).

These UUIDs will be attached to the plants in a way that positions the tag's visibility to an individual standing next to the lot. Immature plants will be moved from Cultivation Room A to Cultivation Room B or C, both of which are Flower Rooms, approximately every eight weeks.

All individuals transplanting the immature cannabis plants will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

Transplanting will require two(2) to four(4) hours of work time.

Materials Needed:

gloves, soil, mycorrhizae, pots, shop vac, clones, plant tags

Start by filling pots with soil.

Process:

- Each clone will be sprinkled with mycorrhizae directly onto roots and then planted into each pot.
- Once the plant is potted, it will be labeled right away.
- Once plants are placed on the table and sorted, Sweep and vacuum excess dirt off the tables and floor.
- Lightly water each plant at the root zone.
- Recycle soil bags.

After transplanting, the maturing plants will be kept in a carefully maintained environment and will be carefully tended to ensure proper health and growth. Cultivation Room A will be equipped with grow tables, where the potted plants will sit. The room itself will have Double Ended High-Pressure Sodium light fixtures and Fluorescent and LED lighting fixtures to provide the artificial light necessary for the plants to grow and mature. The environment will be maintained through the use of dehumidifiers, wall mounted fans, floor fans, and the light. The plants will be fertilized with a mixture of organic and synthetic fertilizer. The mixture will vary depending on the genetics of the plant. Our default recipe is 80% organic Nectar for the Gods Additives and 20% House and Garden A & B synthetic fertilizer. This mixture will be delivered using sprayers and pumps. Two or three cultivation employees will do the tending of the plants following the Cultivation Employee Plan of Operations (See Below).

Tending tasks for the plants will include, but not be limited to, the application of trellis netting, de-leafing, and pruning the plants. These activities will be executed in accordance with the following plan, a copy of which will be made available to employees.

Protocol:

Applying trellis netting will require one(1) to two(2) hours work time.

Materials Needed:

Trellis, scissors, measuring tape, zip ties.

Process:

- Cut trellis netting to size.
- Lay trellis over the canopy.
- Use zip ties to secure the trellis.
- Move trellis down onto plants.
- Weave if necessary.

Protocol:

Deleafing/pruning will require four(4) to six(6) hours of work time.

Materials Needed:

Gloves, scissors, a bin for plant debris, cup for cuttings.

Process:

- Deleaf plants to allow more light penetration into the canopy.
- “Lollipop” each plant taking off smaller branches that aren’t getting much light.
- Save quality cuttings to use as clones.
- Place plant debris into the bin for waste.

Once a plant begins to mature enough to enter the flowering stage, it will be transferred to the measured canopy area in Cultivation Rooms B and C.¹⁵⁰ Upon movement of the plants to the canopy area for flowering, each plant will be given a UID¹⁵¹, positioned in the same visible way and kept free of dirt and debris. These UIDs will not be removed from the plant until the plant is harvested, destroyed, or disposed

¹⁵⁰ CCP § 8300(a).

¹⁵¹ CCP § 8403(b)(3).

of.¹⁵² A track and trace event will be entered when immature plants are moved into designated canopy areas.¹⁵³

While the plants continue to mature and develop bud, cultivation employees will continue to carefully tend to the plants identically as was done in the veg room. The main difference between the tending in the veg and flower room will be the light cycle that the plants are exposed to. Because the Flowering stage requires that the plants be kept in darkness for extended periods, no tending will occur until the plants are being exposed to light. This will prevent accidental exposure of the plants to light and will ensure that employees only work in safe environments.

Once the plants are fully mature and ready to be harvested, additional employees will work with the plants. Between three and five individuals will work to hand harvest the plants. With more help, the plants can be tracked carefully and prepared for drying or freezing with focus and attention. Those plants that are uniform in strain or cultivar harvested, in whole or in part, will be assigned a harvest batch number at some point. This harvest batch will be associated with all the UIDs for each individual plant, or portion thereof, contained in the harvest batch.¹⁵⁴ The event of harvesting a plant will be recorded in the track and trace system.¹⁵⁵ Such an event will include the wet weight of each plant or portion thereof, the net weight of each harvest batch, the weight of cannabis waste associated with the batch, and the unique name of the harvest batch and the initiating date of the harvest, in the MM/DD/YYYY format.¹⁵⁶

All individuals harvesting cannabis will do so in accordance with the following plan, a copy of which will be made available to them.

Protocol:

Harvest/takedown is an all-day task.

Materials needed:

Gloves, scissors, pruning shears, hangers, hanger cart.

¹⁵² CCP § 8403(C).

¹⁵³ CCP § 8405(C)(2).

¹⁵⁴ CCP § 8403(b)(1).

¹⁵⁵ CCP § 8405(C)(4).

¹⁵⁶ CCP § 8405(C)(4)(A)-(D).

Process:

- Cut trellis around each plant (Use shears to chop plant at the base of the pot.
- Hang the whole plant upside down on hangers.
- Transfer hanging plants to dry room.
- Collect used soil pots.
- Empty all pots and prep for soil recycling.
- Clean the flower room.
- Place all hangers full of flower in the drying racks in the dry room.

Once harvest is complete, the flowering room will be sanitized using the following plan, a copy of which will be made available to all employees involved.

Protocol:

Cleanup/sanitizing will require four(4) to six(6) hours work time.

Materials needed:

H2O2, gloves, sprayer, wash rags, sponge, dawn soap, vacuum, broom

Process:

- Clean all surface areas including but not limited to: pots, tables, trays, floors, walls, fans, and pumps.
- Change all filters.
- Clean the AC unit.
- Fog room with H2O2.
- Let dry.
- Repeat.

The curing process will require that the portions of the cannabis plants containing bud and flower to be hung in the designated dry/trim room. The temperature and humidity of the room will be carefully monitored and kept at optimal levels until the process is complete. This process takes approximately two weeks. Once the cannabis is properly cured, it will need to be trimmed. Despite the availability of trimming equipment on the market, here at Wine Country Cannasseurs we believe in hand trimming all of our flower. This ensures quality, as well as another built-in layer of quality control as trimmers, will have close contact with the flower.

All individuals performing trimming work will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

Trimming is an all-day task.

Materials needed:

Scissors, trim trays, alcohol, gloves, paper bags, five gal buckets, turkey bags, paper towels, Humboldt's hands.

Process:

- Take down hangers from rack and transport to trim room.
- Take branches off hangers and de-leaf branches.
- Trim off of branches.
- Shuck into bags as you go.
- Collect trim and separate.
- Log in weight.
- Clean scissors with alcohol.
- The trimmed flower will sit in paper bag for 24 hours.
- When trimming is complete, all trimmed pounds must go through a sifting phase.
- Bags are then double checked for weight and then stored for packaging.

The cannabis will then be transferred from the cultivation portion of our microbusiness facility to the distribution portion. It is in this distribution area that the cannabis will be packaged in appropriately child-resistant jars, labeled in accordance with the law, tested, and quality-assurance checked. This process is more fully outlined in the distribution plan.

The cannabis that we cultivate, package, and label will be distributed primarily to our dispensary but will also be available to other licensed dispensaries through either a third-party distribution company or through our distribution services. Distribution beyond Wine Country Cannasseurs will increase as we grow.

An average day in the cultivation facility will look like the following:

1. The lead cultivator, assistant cultivator, harvest/trim staff (when necessary), and security arrive at 8:30 a.m. The facility will be preliminarily checked for any

sign of break-in by the lead cultivator and security staff. Once the facility is verified as secured, it will be unlocked, and the staff will be allowed in. All employees will mark their attendance on the Sign-in sheet. The lead cultivator will also sign in and grab his badge. As the rest of the employees sign in, store their personal items, clip on their employee badges, and make sure to comply with hygiene policy, the lead cultivator will check control devices, water tank levels, and the nutrient shelves inventory.

2. The lead cultivator and his main assistant will then go over the plan of action for the day. This will include providing a task list to staff and discussing work to be completed and any specific instructions for the cultivation phase. Meanwhile, one security team member will login, put on their badge, check the perimeter, and then take up their station outside of the cultivation area near point of entry. Another security team member will also be present in the dispensary.
3. 9:00 a.m. to 12:00 p.m., the cultivators will then complete an initial walk-through inspection of the entire cultivation building. This will allow for the early detection of any diversion, theft, or other crime, and will allow for careful observation of the plants. Next, depending on the task list, work will begin in either room A, B, or C. Cultivators will execute the work outlined on the task list and check off the tasks as they are completed. Tasks may include, but are not limited to: watering, cleaning, de-leafing, foliar feeding, mixing nutrients, propagating clones, transplanting, harvesting, trimming, etc., depending on the time of the plants' life cycle.
4. 12:00 p.m. to 1:00 p.m., the cultivators and staff (when necessary) will take a one-hour lunch break and are encouraged to complete some sort of exercise and stretching for 20-30 minutes in that time. Security personnel can take an optional break but will not leave the premises without being relieved by another security team member.
5. 1:00 p.m. to 4:30 p.m., the lead cultivator and assistant will continue on the task list until complete. If trim/harvest staff is present, they will wrap up trim work by cleaning, bagging, and logging in final trim weight before reporting back to the lead cultivator. The final count will be determined and logged by the lead Cultivator after it is double checked by an assistant or an otherwise

trusted cultivator. Employees will then put away/secure/clean their work station as necessary. Meanwhile, the lead cultivator will then do a final walk-through and inspection of the entire cultivation building before returning to the front. The cultivation team will discuss the plan of action for the next day before employees leave.

6. 4:45 p.m. to 5:00 p.m., once the plan of action is written down and strategized, the lead cultivator will make sure staff is properly signed off for the day and then excuse them from the facility. Security will then logout and sign off the Guest sheet (if there were any guests). The facility will then be closed down, including having non-cultivation lights turned off, doors will be locked and secured upon exiting the building.

Disposal of cannabis waste is also critical to Wine Country Cannasseurs. We do not want to attract bad actors to the site by having cannabis waste accessible, nor do we wish to violate any regulations regarding waste disposal. To address this, we have created a disposal plan, outlined below for all of our facilities.

INVENTORY AND STORAGE.

Maintaining an accurate record of our inventory is crucial to preventing any crime, such as diversion to unlawful markets. Our inventory will be carefully tracked using our POS and record keeping software TREEZ. TREEZ is compatible with the State of California system of METRC.

Each cannabis good will have the following information carefully documented and retained for review by the City or State:

- A description of each item such that the cannabis goods can easily be identified.
- An accurate measurement of the quantity of the item.
- The date and time the licensed retailer received the cannabis goods.
- The sell-by or expiration date provided on the package of cannabis goods.
- The name and license number of the licensed distributor or licensed microbusiness that transported the cannabis goods to the licensed retailer.

- The price the licensed retailer paid for the cannabis goods, including taxes, delivery costs, and any other costs.¹⁵⁷

We will also maintain the status of all batches held by us in our duties as a distributor, including whether a batch, is being stored for another licensee, is awaiting sampling for testing, is awaiting testing results, has passed or failed testing, is being stored or held for destruction or for any other lawful purpose.¹⁵⁸ All of these records will be stored through TREEZ online.

We understand that we must be able to account for all of our inventory and must perform inventory reconciliations to prevent bad actors and crimes from going undetected.¹⁵⁹ We will verify that our records are consistent with our physical inventory and keep results of our reconciliations for review by City and State authorities.¹⁶⁰ Such reconciliations will take place at least once every 30 calendar days.¹⁶¹ Should any evidence of theft, division, loss, or theft, or any other significant discrepancy be found, we will ensure that the Bureau and law enforcement are appropriately informed.¹⁶²

Organized and consistent storage of cannabis goods is necessary for us to keep accurate records, as well as to prevent crime. As such, all inventory will be secured in indoor limited-access areas, separate from any employee break room, changing facility, or bathroom.¹⁶³ All storage locations will be within our licensed microbusiness premises.¹⁶⁴ Each premise will have its own storage set up, each of which is described below. Each storage set up will have suitable locked storage on the premises for after-hours storage of cannabis and cannabis products.¹⁶⁵

¹⁵⁷ BCC § 5423.

¹⁵⁸ BCC § 5309.

¹⁵⁹ BCC § 5424(a).

¹⁶⁰ BCC § 5424(b) – (c).

¹⁶¹ BCC § 5051.

¹⁶² BCC § 5424(d) – (e).

¹⁶³ BCC § 5033(a)-(c).

¹⁶⁴ BCC § 5033(d).

¹⁶⁵ CUMC § 9174.2(B)(5)(a).

Dispensary Facility Storage.

The Dispensary storage room is a safe room that is an enclosed 106 square feet located behind the Dispensary Floor. This part of the dispensary is not accessible to the public and will only be accessed by employees and logged accompanied non-employees with the appropriate keys and access cards.¹⁶⁶ The safe room will remain locked at all times and will be equipped with a 5-foot Mesa Safe. This safe will be used for storing cash and other important financial documents. Only managers will have the ability to access the safes.

The rest of the Safe Room will be equipped with shelving units. Products will be stored in labeled display boxes to allow for ease of organization and location of cannabis goods. All products will be labeled and organized by unique identifies (UIDs) and will include a bar code on each product that matches the display boxes.

Only products that are in their retail form (i.e., with compliant labeling and packaging, proof of test passage, quality assurance complete) will be stored in the Dispensary safe room.

Delivery Storage will be located within the manager's office/ product intake room. This office is located behind the Dispensary floor and is not accessible to the public. Further, employees do not have automatic access to this room. The office is only accessible to managers and specifically designated employees, who will have the appropriate key to access the space. This area will only be used to store prepared orders awaiting delivery. The shelf will be labeled with proposed delivery times (i.e., 10:00 a.m. shelf, 2:00 p.m. shelf, 6:00 p.m. shelf, and 8:00 p.m. shelf) so that orders are easily accessible to the manager preparing the delivery boxes, and so that throughout the day, managers can keep an eye on the progress of deliveries.

Distribution Facility Storage.

The Distribution facility has two storage areas, both a 285 square foot storage room and a 110 square foot safe room. The storage room will contain our security equipment and data storage equipment as well as non-cannabis good supplies. This will include labels, packaging, and other supplies. All of these supplies will be organized by task on shelves, via stacked totes, or by area for equipment too large for

¹⁶⁶ BCC § 5042.

shelves. The only cannabis that will be stored in this room will be that held in designated disposal barrels. Only employees and logged accompanied non-employees with the appropriate keys and access cards will be able to access this area.¹⁶⁷

The safe room is an enclosed 110 square foot room located through the distribution storage room. This space will only be accessible to employees and logged accompanied non-employees with the appropriate keys and access cards, and at all times will not be in active use.¹⁶⁸ The safe room will remain locked at all times and will be equipped with a five-foot Mesa Safe. This safe will be used for storing cash and other important financial documents. Only managers will have the ability to access the safes. Anyone entering or leaving the safe room will sign in and out on a log sheet.

The rest of the Safe Room will be equipped with shelving units. Products will be stored in labeled display boxes to allow for ease of organization and location of cannabis goods. All products will be labeled and organized by unique identifies (UIDs) and will include a bar code on each product that matches the display boxes. Organization of the shelves will keep untested and tested products separate and distinct from one another.¹⁶⁹ The tested versus untested products will be clearly labeled as such, stored separated, and packaged to prevent any contamination. Goods with passing test results will be stored on designated shelves and in appropriately labeled bins. Goods that have failed testing will be immediately placed into disposal buckets. Every batch will be carefully labeled with:

- The name, license number, and licensed premises address of the licensed manufacturer or licensed cultivator who provided the batch.
- The date of entry into the licensed distributor's storage area.
- The unique identifiers and batch number associated with the batch.
- A description of the cannabis goods with enough detail to quickly identify the batch.
- The weight of or quantity of units in the batch.
- And the best-by, sell-by, or expiration date of the batch, if any.¹⁷⁰

¹⁶⁷ BCC § 5042.

¹⁶⁸ BCC § 5042.

¹⁶⁹ BCC § 5301(a).

¹⁷⁰ BCC § 5302(b).

Cultivation Facility Storage.

The cultivation facility will not store its product beyond the curing process. Once the cannabis is appropriately trimmed and cured, it will be placed into sterile bulk packaging and transferred to the distribution facility per distribution protocol.

DISPOSAL PLAN.

Cannabis waste can be attractive to bad actors, and we at Wine Country Cannasseurs are dedicated to ensuring that no cannabis waste is accessible to the public. Because of our vertically integrated model, green waste makes up the vast majority, if not the entirety, of our cannabis waste.

All green waste, which includes stalks, leaf, and any other plant material, will be disposed of through the properly licensed cannabis waste company GAIACA. GAIACA is committed to providing sustainable eco-driven compliant waste management solutions. Their dedication to disposing of cannabis waste in ecologically responsible ways, and even creating reusable materials, attract us to their services. GAIACA already serves the Mendocino area and will prepare a site-specific plan for us upon request. They are licensed to handle hazardous and non-hazardous materials. We will be able to post a certification of compliance to show city and state inspectors that we have a compliant waste management program in place.

When the City of Ukiah approves our permit, or upon request by the city, we will have them prepare a specific plan tailored to our needs and goals. This plan will incorporate standard GAIACA practices, including sustainable waste disposal methods and tracking the chain of custody of waste from our facility to its final disposal. As part of their service, certificates of destruction will be provided to both Wine Country Cannasseurs and the State of California.

Even without a tailored plan yet prepared, GAIACA offers a service where they provide specially marked 55-gallon barrels. These barrels are delivered to a facility and picked up once a week, or upon request. We will keep these barrels within the locked storage room in the cultivation facility. Doing so will prevent any access to cannabis waste that is waiting to be picked up. This storage room has an odor filter, which will be paired with the non-reactive and air-tight barrels provided by GAIACA. We currently contemplate producing no more than one barrel per week on non-harvest weeks.

During harvest weeks, we will probably need two barrels a week but will arrange for all cannabis waste to be properly and safely hauled away based on our needs.

Upon destruction or disposal of any cannabis, the applicable UIDs will be retired in the track-and-trace system within three(3) calendar days.¹⁷¹

Cannabis stems take up a considerable amount of space in waste removal. While GAIACA will take care of all of our waste in the immediate future, we are aware that some companies are researching how to process stems for fiber, rolling papers, etc. If we can find a company who is appropriately licensed and permitted to pick the stems up, we would like to use their services. This reuse of cannabis waste is an area of continuous innovation that we hope to be a part of. It is our understanding that commercial facilities all over the state of California are currently using these methods to handle cannabis waste and believe it is the best industry practice to do so.

PATIENT AND CUSTOMER EDUCATIONAL MATERIALS.

Education is an essential aspect of our goals here at Wine Country Cannasseurs. This education is about cannabis and about how to be a safe and courteous cannabis user. There are lots of stereotypes out there about individuals who use cannabis either medicinally or recreationally, and we are dedicated to destroying those uninformed views by providing information to and an opportunity for our customers and surrounding community to have a chance to interact with cannabis industry participants.

To begin the education process, we provide every new customer with an informational pamphlet upon their first visit to our dispensary. When their identification and/or physician recommendation is checked, verified, and entered into our system, we will provide them with an informational booklet on cannabis. In addition to some basic information regarding cannabis, how it interacts with the body, potential effects, and some fun facts, we will also include our code of conduct. This code of conduct will make it clear that certain activities are strictly prohibited at the facility and in the surrounding areas. The code of conduct will be, clearly and legibly posted, in the dispensary and will be in both English and Spanish.¹⁷² The code of conduct will

¹⁷¹ CCP § 8403(e).

¹⁷² CUMC § 5708(l)(1).

include a list of rules and regulations governing cannabis use and consumption within the city of Ukiah and recommendations on sensible cannabis etiquette.¹⁷³

Wine Country Cannasseurs is particularly dedicated to preventing any of our operations from resulting in the illegal redistribution of the cannabis or cannabis products we provide, or the use of them in any manner that violates local, state, or city law.¹⁷⁴ By making our code of conduct available to all who enter, providing information upon request, imposing state limits on daily purchases, training our staff to recognize inappropriate buying behavior, and notifying law enforcement of any suspicious behavior. Below, please find a copy of our code of conduct.

WINE COUNTRY CANNASSEURS CODE OF CONDUCT.

Here at Wine Country Cannasseurs, we are dedicated to being good neighbors and responsible community members. In order to accomplish this, we need you to do your part.

By entering Wine Country Cannasseurs, you agree to abide by the following rules:

1. **Be of Age** – To enter this Dispensary, you must be at least twenty-one years of age and have a government-issued identification showing this to be the case.
2. **Be Respectful** – We share this community and ask that you do not disturb or interfere with the operations of any of our neighbors. This includes vandalizing, loitering, clogging up traffic or the parking lot, or creating any other public or private nuisance.
3. **No Alcohol Consumption** – You are not permitted to use alcohol on our premises. Wine Country Cannasseurs does not sell, dispense, or allow the consumption of any alcohol on our property, including in the parking lot.
4. **No Onsite Cannabis Use** – While we are glad to provide you with medicinal or adult-use cannabis, **Wine Country Cannasseurs cannot and does not have any space available for consumption of cannabis.** You are not permitted to inhale, smoke, eat, or otherwise consume cannabis or cannabis products on our property, including in the parking lot, or anywhere within 200 feet of our premises.

¹⁷³ CUMC § 5708(M)(3).

¹⁷⁴ CUMC § 5708(F)(2).

5. **Be Responsible** – We encourage you to enjoy the products you purchase from Wine Country Cannasseurs. However, remember that you are not permitted to smoke cannabis in any place where smoking is prohibited by law, in or within 1,000 feet of a school, recreation center, or youth center (unless within a residence) on a school bus, in a motor vehicle that is being operated, while operating a boat, or in any other location that violates the law. In our home city of Ukiah, the places you can't ingest cannabis include, but aren't limited to; city-owned parks, nonsmoking area, streets, sidewalks, alleys, highways, public parking lots, enclosed places and places of employment, and other City property.¹⁷⁵ Be sure to do your research and get advice on your legal rights and responsibilities.
6. **Be Courteous** – When visiting Wine Country Cannasseurs understand that you and other visitors are present for either medicinal or adult-use cannabis. Visiting the storefront may be an anxiety-inducing activity to some, respect each other's personal space, and be polite to one another. We at Wine Country Cannasseurs will maintain crowd control inside our dispensary but depend on you to prevent crowding and loitering outside or within 200 feet of the dispensary. Please be mindful of those around you and remember that they may be experiencing something you cannot see. If you ever have any concerns, please do not hesitate to speak with our staff.
7. **We Are Here to Serve You** – Wine Country Cannasseurs is committed to providing you with the best dispensary experience possible. If you ever have any questions, concerns, or feedback, please feel free to speak with any of our employees, ask to speak with a manager, or leave an anonymous comment in our comment box, located in our lobby. We know that there is always room for improvement, and we look forward to serving you better through collaboration moving forward. Please feel free to reach out to Jay Donnellan at WineCountryCannasseurs@gmail.com or (707) 889-3987.

If you are unable to follow these rules, you will be asked to leave the premises. If you see anybody violating these rules, please inform our security personnel, present in the lobby of the Dispensary.

¹⁷⁵ CUMU § 5708(F)(3).

Educational materials are available in the lobby and upon request.

WRITTEN PROJECT DESCRIPTION.¹⁷⁶

Wine Country Cannasseurs is a collaborative entity that brings together a small group of experienced medicinal cannabis entrepreneurs who, together, hope to bring that same dedication to providing patients with consistent quality medicine to the larger medicinal and adult-use market. We intend to operate a microbusiness, state license type 12, consisting of a Dispensary with storefront and delivery services, a Distribution Facility, and a Cultivation facility.¹⁷⁷

In accordance with the state regulations, all cultivation under a microbusiness license shall take place in less than 10,000 square feet. Our contemplated canopy consists of 900 square feet of flowering space. All of these activities will occur on the same licensed premises, comprised of the adjacent units 270, 272, and 274 East Smith Street, which create a single contiguous area.¹⁷⁸

We hope to serve the City of Ukiah and its visitors. Upon our successful establishment in the City of Ukiah, Wine Country Cannasseurs will pursue the appropriate permissions with the surrounding unincorporated county and cities to expand our delivery services.

In order to provide the best cannabis and related services, the three adjacent units will have to be renovated and customized to create a comprehensive and functional microbusiness premise.

Each of the three units is approximately 30 feet wide by 60 feet long. They share a common firewall and are equipped with equally spaced howe trusses. Each unit has both a front and rear access door.

The units all require certain upgrades. This includes the following:

- Upgraded restrooms that are T-24 (ADA) compliant.
- New 5/8" type 'x' drywall on the common demising walls.
- Fire rating extended to the roof and parapets as well.

¹⁷⁶ CUMC § 5709(F)(14).

¹⁷⁷ BCC § 5500(a).

¹⁷⁸ Bus. & Prof. Code § 26001(a)-(p).

- The addition of rigid insulation on the roof surface and re-roofing of the same.
- Fire sprinklers throughout.
- Upgrades to the electrical panel and/or sub-panels.
- Upgrades to electrical throughout the space.
- Upgrades to lighting throughout the space.
- Upgrades to HVAC throughout the space.
- Full Security System with Cameras installed.

In addition to the above upgrades, each unit requires specific work to be done. The breakdown is as follows:

Building One – Cultivation (274 East State Street).

Structural Changes Include:

- The dismantling of the support knees at the bottom of all six trusses.
- Removal of the 4x4 post at the center of the space.
- Addition of two LVL support beams for HVAC equip.
- Addition of 2x6 ceiling joists throughout the space.

Interior Modifications Will Include:

- The build-out of three cultivation rooms, a dry & trim room, a storage area, and an upgraded bathroom. All these rooms require the assembly of new full height walls and doors.
- The addition of drywall on the new ceiling joists throughout the space.
- Sealing of two windows on the rear elevation of the building.

Building Two – Distribution (272 East State Street).

Interior Modifications Will Include:

- Construction of a new wall and door to separate the weighing and packaging area from the product intake area.
- Sealing of two windows on the rear elevation of the building.

Building Three – Retail (270 East State Street).

Interior Modifications Will Include:

- Construction of new wall and door to create a new reception and waiting area at the front of the building.

- Construction of a new wall and door to section off employee only area behind the retail floor.
- Sealing of an interior skylight.

Walters architecture created the plans for the building and prepared a scope of work summary. While this is noted in the plans, we have also included it below.

SCOPE OF WORK.

The new tenant will occupy three existing buildings for this project. Current addresses are 270, 272, and 274 East Smith Street. 270 and 272 are occupied currently with retail use, 274 is vacant.

The proposed use is a cannabis operation that will incorporate 274 for cultivation purposes, 272 for the distribution and 270 for retail.

As the buildings share common demising walls, they will be upgraded to suit one-hour construction from existing slabs through existing parapets. In addition, the roofs of 272 and 274 will provide for new rigid insulation and roof sheathing.

Building 270 will be used as is except for the addition of a new wall and door at the front area to create a reception and waiting area. Addition of a new door to separate the rear area, that will include an office, a storage room, and an employee area. The existing skylight will also be removed and the restroom upgraded.

Building 272 will provide for the addition of one new wall and door to separate the rear area and upgrade of the restroom. New areas provided will include a safe room, distribution/storage area, weighing and packaging area, and sign-in area; the open truss “ceiling” will remain.

Building 274 will provide for new rooms including rooms for cultivation, drying and trimming and storage. There will be a new ceiling applied to the underside of the open trusses throughout the space and the upgraded restroom.

Structural work will also require the removal of a central post and existing knee bracing, and the addition of lvl's at the ceiling to support mechanical equipment.

All three buildings will have full title 24 ADA compliance and parking compliance.

Buildings 272 and 274 will have full electrical and mechanical upgrades and new sprinkler installation. (See Exhibit E for Commercial Proposal for Sprinkler Work.) There will be cosmetic upgrades to the exterior facades and removal of existing signage and the addition of new lighting.

REGULATORY COMPLIANCE PLAN.

Compliance with local and state regulations and law is the main priority of Wine Country Cannasseurs. Our team is comprised of members who worked and volunteered in the strict medicinal cannabis system that California had in place before the passage of Prop 64 and the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). We know how unclear and complicated the industry was and are excited to begin our participation in the regulated market.

In order to do so, we have retained a Compliance Attorney to help us with this process and to advise us moving forward. Ashley J. Bargenquast, Esq., has worked in the cannabis industry as an advocate for seven years and an attorney since 2015. Her work has spread over multiple states, including Nevada, Hawaii, and California. In addition to working in compliance, she also practices criminal defense. This outlook allows her to understand and help us address the concerns of law enforcement and the community. We have attached her Letter of Representation to this Application as Exhibit D.

Throughout this application, you can see citations to various code sections including the Ukiah Municipal Code, the State of California Regulations formed by the Bureau of Cannabis Control and other regulatory agencies. This indicates that we have tailored our policies with the law in mind. Further, we have created a guide to where regulations of the City of Ukiah Municipal Code can be found in our application.

[LOCATION OF INFORMATION FOR REQUIREMENTS UNDER SECTION 5710.](#)¹⁷⁹

CRITERIA	LOCATION
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¹⁷⁹ CUMC § 5709(F)(16).

• That the dispensary use permit is consistent with the intent of the Compassionate Use Act of 1996. • The AUMA, the MAUCRSA, and related State law, the provisions of this chapter and the City Code, including the application submittal and operating requirements herein.	Mission Statement.
• That the dispensary location is not identified as having significant crime issues (e.g., based upon crime reporting statistics as maintained by the Police Department).	N/A – provided by the Ukiah Police Department.
• That there have not been significant numbers of calls for police service, crimes or arrests in the area or to an existing dispensary location.	N/A – provided by the Ukiah Police Department.
• That an applicant or employee is not under twenty-one (21) years of age.	Management/Owner Information and Employee Information.
• That all required application materials have been provided and/or the dispensary has operated successfully in a manner that shows it would comply with the operating requirements and standards specified in this chapter.	Microbusiness has not yet begun operations. All application materials were sent both by email to Michelle Irace as well as submitted in physical binders.
• That all required application or annual renewal fees have been paid and reporting requirements have been satisfied in a timely manner.	Microbusiness is not yet operational but has paid all required fees up until this point.
• 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	Neighborhood Context Plan.

anticipated or have resulted from dispensary operations.	
• 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. ○ limiting furnishings and features that encourage loitering and nuisance behavior.	Security Plan Business Operations Plans.
• That no dispensary use, owner, operator, permittee, agent, or employee has violated any provision of this chapter including grounds for suspension, modification or revocation of a permit.	Owner/Manager Information.
• 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	Code of Conduct Patient and Customer Educational Materials.

creation of a public or private nuisance, or interference with the operation of another business.	
• That the dispensary would not adversely affect the health, peace, or safety of persons living or working in the surrounding area. • Overly burden a specific neighborhood with special needs or high impact uses, or contribute to a public nuisance. • 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, excessively loud noises (especially late at night or early in the morning hours), lewd conduct, or police detentions or arrests.	Code of Conduct Patient and Customer Educational Materials Employee Handbook.
• 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.	LiveScan Results.
• That the applicant has not violated any local or State law, statute, rule, or regulation respecting the distribution, possession, or consumption of marijuana.	LiveScan Results.
• That the applicant has not knowingly made a false statement of a material fact or has not knowingly omitted a material fact in the application for a permit.	Planning 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 Ukiah Police Department will provide live Scan Results upon completion.
• That the applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.	LiveScan Results.
• That adequate parking for medical cannabis dispensaries will be provided at a rate of one space for every two hundred (200) gross square feet of retail space, office space, and similar floor areas. • That adequate parking for cannabis retailers generally will be provided at a rate of one space for every two hundred fifty (250) square feet of gross, leasable space. • However, if the dispensary to be operated by the applicant does not dispense cannabis to patients or eligible adult use patrons on site but services qualified patients and patrons through deliveries in compliance with the law, then adequate parking will be provided at a rate of one space for every four hundred (400) square feet of gross leasable space.	Floor and Site Plans.

Wine Country Cannasseurs understands that as a prerequisite to obtaining a permit from the city, we will also be required to apply for and obtain a business license or exemption from the City of Ukiah and obtain a seller's permit or exemption from the State Board of Equalization pursuant to Division 2, Part 2, Chapter 2, Article 2 of the

California Revenue and Taxation Code, commencing with section 6066e.¹⁸⁰ We understand that our dispensary sales shall be subject to sales tax consistent with State law.¹⁸¹

Further, should we be granted our business license, local permit, and state permit, we will maintain these permissions to stay in compliance. For the local level, we understand that applications for renewal must be made at least forty-five(45) days before the expiration date, but that those submitted with less than forty-five(45) days shall be processed in the same manner as a timely renewal application but shall not stay the expiration date of the permit.¹⁸²

Wine Country Cannasseurs also understand that regulations continue to change and evolve as the City and State address new issues. We are always open to communication from our regulators and hope to work closely with the city to provide not only all the necessary application materials but also all information desired on an ongoing basis. This includes providing the planning department with an annual statement containing the number of patients and/or adult-users served by the dispensary within the previous calendar year, if requested, the continuing accuracy of the information in the prior year's dispensary use permit application, documenting any changes or additions to that information as of the date for renewal of the permit, any citizen complaints, city code violations, and calls for law enforcement during the prior year, the applicant's compliance with applicable city and state law governing the operation of dispensaries, and including any additional information the planning department deems necessary, and pay all annual permit fees.¹⁸³

Further, we acknowledge and dedicate ourselves to showing that we are good actors who take compliance seriously. We would never operate a cannabis-business without a use permit or at any place other than the address that we are approved¹⁸⁴. Once we have our permit, we will not transfer control of our business, either by transferring a controlling interest in Wine Country Cannasseurs or by transferring the permit to

¹⁸⁰ CUMC § 5705.

¹⁸¹ CUMC § 5705.

¹⁸² CUMC § 5704(D).

¹⁸³ CUMC § 5708(Q).

¹⁸⁴ CUMC § 5715(A).

Our Site and Floor plans show scale drawings of both the exterior and interior of our premises. If there are any questions, they should be directed to us to retrieve from our contact at Walters Architecture or applicable contractor.

Our Sign Plan outlines our single wall sign that we intend to have for our microbusiness facility. We plan only to have a single sign on all three units, the other two units will have the necessary lit address markings. All of our signage complies with section 3227 of the City of Ukiah Municipal Code.

Our Lighting Plan shows both existing and proposed exterior and interior lighting. This lighting covers not only those lights necessary to provide adequate security lighting, but also that lighting to be used in our cultivation facility. All lighting will comply with City lighting design and installation standards.

NEIGHBORHOOD CONTEXT PLAN.

Wine Country Cannasseurs hopes to operate our microbusiness from 270, 272, and 274 East Smith Street in Ukiah. This location has a fully enclosed secure structure¹⁹⁵ and is properly zoned for commercial cannabis businesses as a General Urban zone in the City's Downtown Zoning Code. Our dispensary facility, which will include both medicinal cannabis and adult use services, may be located in zoning districts as outlined in Division 9, Chapter 2 of the City of Ukiah Municipal Code, which our location complies with. ¹⁹⁶ The parcel is not residentially zoned, nor is there any resident or mobile-home use on it.¹⁹⁷ is directly adjacent to a C-1 district, which is permitted by the Municipal Code. (See Fig A on Page 83 of this Application.)

There is no school within 600 feet of our proposed facility¹⁹⁸. However, we are keenly aware that the location is within 250 feet of a church and is adjacent to a parcel that, while not residentially zoned, contains a mobile-home park¹⁹⁹. Wine Country Cannasseurs recognizes these complications and is dedicated to showing that this should not be grounds to deny our application. Other than the church and the mobile-

¹⁹⁵ CUMC § 9174.2(F)(1).

¹⁹⁶ CUMC § 5707(A).

¹⁹⁷ CUMC § 9174.2(F)(1)(d), CUMC § 5707(C)(4).

¹⁹⁸ CUMC § 9174.2(F)(1)(a), CUMC § 5707(C)(1).

¹⁹⁹ CUMC § 9174.2(F)(1)(b) and (e), CUMC § 5707(C)(5).

home park, there are no other youth-oriented facilities within 250 feet²⁰⁰, schools within 600 feet, or abutting dispensaries, youth-oriented facilities, or schools²⁰¹.

We began our exploration of what these conflicting uses might mean for our application in 2018 when we opened up communication with the church and sought clarification from city officials regarding the mobile-home park. Beyond simply communicating, we prepared and submitted a Director Determination and received a response regarding these two uses. (See Exhibits L and M.)

To begin, we would like to address the concerns about the church. City Ordinance section 9173.7 A.2 specifies that no cannabis related business may operate within two hundred fifty feet (250') of a youth-oriented facility. Under City Ordinance No. 118 section 5702AA, the definition of a youth-oriented facility includes a church. Our proposed location has a church as a neighbor, which is not compliant with the code. However, we would request that the City of Ukiah grant a waiver in this case for several reasons. First, the church has no objection to the presence of a cannabis business as their neighbor. The owner of the church, Salomon Flores, wrote a letter to the City of Ukiah, supporting the dispensary's operations there. They have no negative feelings towards cannabis, believe in safe access for patients, and believe that our business would benefit the neighborhood. They feel so strongly about this that they wrote a letter to the same effect that we submitted with our Director's Determination and have attached here. See Exhibit L. Second; we have arranged our work schedule to be limited on Sundays to ensure that our facilities do not interfere with church services. There will be no competition for parking, nor any commercial foot traffic while the church is active. Third, the landlord of the church is also our landlord and has indicated that should the church prevent the establishment of our business, that the landlord would not elect to renew the church's lease after the current lease expires. Wine Country Cannasseurs does not want to see the church have to find a new location and would prefer that the City grant the waiver rather than the church has to move. Since there are no issues between the church and Wine Country Cannasseurs personally, and the church will not be permitted to stay if they prevent us from working, we believe a waiver is the best for all involved.

²⁰⁰ CUMC § 9174.2(F)(1)(b)-(c), CUMC § 5707(C)(2).

²⁰¹ CUMC § 5707(C)(3).

Next, we would like to address the mobile-home park. City Ordinance section 9173.7 A.5 specifies that a commercial cannabis business cannot be located on a parcel having a residential unit or on a parcel abutting a residentially zoned property unless there are intervening nonresidential uses between the business and the unit or residentially zoned parcel. The parcel that abuts our proposed facility is C-1, Community Commercial. This means that the parcel is not residentially zoned, as the ordinance prohibits, but it does contain a mobile-home park. The space between the proposed cannabis facility and the park itself is filled with a parking lot and a six-foot fence. The closest entrance to the mobile-home park is more than 600 feet from the microbusiness entrance. This shows that despite the proximity, the closeness does not interfere nor endanger the mobile-home park at all. If anything, the heightened security along the back fence of the park will benefit the residents.

Further, we have reached out to the mobile-home park regarding our proposed use. We did this by meeting with the owner Mr. Bruce Ledford in person and discussing any concerns he might have. We assured him that we appreciate any feedback he would like to give to us or the city. Further, we plan to implement a “friendly neighbor” discount of 10 % on dispensary purchases for any individual who can show proof of residence in the mobile-home park.

Wine Country Cannasseurs believes that we will improve the neighborhood and provide benefit to those uses around us, despite these minor concerns. For these reasons, we request that the appropriate waivers be granted and operation be approved for the proposed location.

Fig A:

Proposed Location of Wine Country Cannasseurs.



CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
October 2, 2019
6:00 p.m.

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

Ukiah City Council met at a Regular Meeting on October 2, 2019, having been legally noticed on September 27, 2019. Mayor Mulheren called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Juan V. Orozco, Jim O. Brown, Stephen G. Scalmanini, Douglas F. Crane, and Maureen Mulheren. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR MULHEREN PRESIDING.

The Pledge of Allegiance was led by Dina Polkinghorne, Project Sanctuary.

3. **PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS**

a. Proclamation Recognizing the Month of October as Domestic Violence Awareness Month in the City of Ukiah

Presenter: Mayor Mulheren.

Proclamation was received by Lydia Lopez, Project Sanctuary.

b. Proclamation of the Ukiah City Council Recognizing California Clean Air Day as October 2, 2019.

Presenter: Mayor Mulheren.

Proclamation was received by Eileen Mitro and Judy Lyria, Climate Action Mendocino representatives.

4. **PETITIONS AND COMMUNICATIONS**

5. **APPROVAL OF MINUTES**

a. Approval of the Minutes for the September 18, 2019, Regular Meeting.

Motion/Second: Brown/Crane to approve Minutes of September 18, 2019, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

6. **RIGHT TO APPEAL DECISION**

7. **CONSENT CALENDAR**

a. Adoption of Resolution (2019-46) to Extend the Declaration of a Local Emergency Related to the 2019 Winter Storm Event – Community Services.

- b. Authorize City Manager to Execute Construction Administration Services Agreement (COU No. 1920-163) with Mead and Hunt Inc. for Runway 15-33 Pavement Rehabilitation Phase 1 Construction and Approve Corresponding Budget Amendment – *Airport*.

Motion/Second: Crane/Brown to approve Consent Calendar Items 7a-7b, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

8. **AUDIENCE COMMENTS ON NON-AGENDA ITEMS**

9. **COUNCIL REPORTS**

Presenter:

10. **CITY MANAGER/CITY CLERK REPORTS**

Presenters:

- Upcoming activities and events – Sage Sangiacomo, City Manager.
- Construction Updates – Tim Eriksen, Public Works Director / City Engineer.
- Sales Agreement for Gobbi St Property – Sage Sangiacomo.

11. **PUBLIC HEARINGS (6:15 PM)**

a. Annual Review and Possible Approval of the Fee Schedule for the Ukiah Police Department.

Presenter: Justin Wyatt, Police Chief.

PUBLIC HEARING OPENED AT 6:20 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:21 P.M.

Motion/Second: Crane/Scalmanini to approve the Fee Schedule for the Ukiah Police Department. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 6:22 – 6:23 P.M. (to address technical issues)

b. Appeal of Planning Commission Decision to Deny a Request for Waiver from Location Limitations for Proposed Cannabis Microbusiness Located at 270, 272, and 274 East Smith Street.

Presenters: Craig Schlatter, Community Development Director and Mireya Turner, Associate Planner.

PUBLIC HEARING OPENED AT 6:39 P.M.

Applicant Comment: Jay Donnellan and Ashley Bargaenquast, Legal Counsel.

Public Comment: Ron Meaux, Eloisa Gonzalez, Rod Phillips, and Rob Gitlin,

Additional Applicant Comment: Ashley Bargaenquast, Legal Counsel and Jay Donnellan.

PUBLIC HEARING CLOSED AT 7:06 P.M.

Motion/Second: Scalmanini/Mulheren to overturn the Planning Commission's denial of the Request for Waiver from Location Limitations for a proposed cannabis microbusiness at 270, 272 and 274 East Smith Street, granting the waiver and allowing the proposed Major Use Permit application to proceed with the following Findings:

1. The powers of operation for the two respective organizations – the proposed business and the church - are appropriate to meet the requirements of the code, without interfering with each other.
2. The distance of entrances to the mobilehome park and the proposed mitigations of the 7 ft. wall, with separate trees on two sides of the property, including the property line between the mobilehome park and the subject business property, do therefore meet the requirements for separation from the residential usage.

Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, and Mulheren. NOES: Orozco and Brown. ABSENT: None. ABSTAIN: None.

RECESS: 7:25 – 7:32 P.M.

12. **UNFINISHED BUSINESS**

a. Receive Report Regarding Review of Ordinance for Marijuana Dispensaries and Provide Direction as Necessary.

Presenters: Craig Schlatter, Community Development Director and Michelle Irace, Planning Manager.

Council Consensus directs staff to agendize an item for discussion, education, and to provide some alternatives and clarification regarding policy choices.

Council Consensus to bring this item back annually for Council's review.

b. Determination of Notification of Intent to Adjust Curbside Collection and Transfer Station Service Rates.

Presenter: Dan Buffalo, Finance Director.

Motion/Second: Brown/Scalmanini to confirm the determination of the City Manager of compliance with the provisions of the agreements between the City of Ukiah and Ukiah Waste Solutions, Inc. and Solid Waste Systems, Inc. regarding the company's notice of intent to adjust curbside collection and transfer station rates. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: Crane.

c. Approval of Notice of Completion for Recycled Water Project, Phases 1 - 3, Specification No. 17-08.

Presenter: Sean White, Water Resources Director.

Motion/Second: Crane/Scalmanini to approval of Notice of Completion for Recycled Water Project, Phases 1 - 3, Specification No. 17-08. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

d. Authorize Execution of Amendment to the Agreement with GHD in an Amount not to Exceed \$13,930 for Additional Services for the Traffic Analysis for Ukiah Schools and Surrounding Area.

Presenter: Tim Eriksen, Public Works Director / City Engineer.

Motion/Second: Crane/Brown to authorize execution of amendment to the agreement (1718-214-A1) with GHD in an amount not to exceed \$13,930 for additional services for the Traffic Analysis for Ukiah Schools and Surrounding Area. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. Receive and Approve Report of Citywide Engineering and Traffic Survey.

Presenter: Tim Eriksen, Public Works Director / City Engineer.

Motion/Second: Crane/Brown to approve report of citywide engineering and traffic survey. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

b. Nomination and Possible Adoption of Resolution Making an Appointment to the Planning Commission to Fill the Remaining Term of Christopher Watt.

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Brown/Scalmanini to accept the nomination of Ruth Louise Van Antwerp, and adopt the resolution (2019-47) making the appointment to the Planning Commission to filling the remaining term of Christopher Watt, expiring in December 2022. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

c. Discussion and Possible Action Regarding the Cancellation of the October 16, 2019, City Council Regular Meeting, with the Option for the Mayor and/or City Manager to Call for a Special Meeting on an Alternate Date if Time Sensitive Business Arises.

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Crane/Orozco to approve the cancellation of the October 16, 2019, Regular City Council Meeting with the option for the Mayor and/or City Manager to call for a special meeting on an alternate date if time sensitive business arises. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

d. Receive Updates on City Council Committee and Ad Hoc Assignments and, if Necessary, Consider Modifications to Assignments and/or the Creation/Elimination of Ad hoc(s).

Presenters: Sage Sangiacomo, City Manager; Councilmembers Orozco and Brown; and Mayor Mulheren.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:22 P.M.

14. CLOSED SESSION

a. Conference with Legal Counsel—Anticipated Litigation

(Government Code Section 54956.9(d))

A. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (Number of potential cases: 1.)

B. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Number of potential cases: 1)

b. Conference with Legal Counsel—Anticipated Litigation

Government Code Section 54956.9(d)(2)

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (Number of potential cases: 1)

c. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9(d)(1))

Name of case: *Vichy Springs Resort v. City of Ukiah, Et Al*; Case No. SCUK-CVPT-2018-70200

d. Conference with Legal Counsel – Existing Litigation

(Cal. Gov't Code Section 54956.9(d)(1))

Name of case: *City of Ukiah v. Questex, LTD, et al, Mendocino County Superior Court, Case No. SCUK- CVPT-15-66036*

e. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-273-19-00 and 002-273-30-00

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Bank of America

Under Negotiation: Price & Terms of Payment

f. Conference with Real Property Negotiators

(Cal. Gov't Code Section 54956.8)

Property: APN Nos: 002-192-14-00 (280 E. Standley)

Negotiator: Sage Sangiacomo, City Manager;

Negotiating Parties: Onetogether Solutions

Under Negotiation: Price & Terms of Payment

g. Conference with Labor Negotiator (54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: Fire Unit

No report out was received.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:35 p.m.



Kristine Lawler, City Clerk



PROJECT REVIEW REFERRAL

Please provide comments by: July 22, 2019

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. You are invited to comment on any aspect of the proposed project, including information required before you can finalize your comments and recommended conditions of approval for the project.

TO:

Craig Schlatter, Director X Michelle Irace, Planning Manager X Matt Keiser, City Building Official X Rick Seanor, City Public Works Dept. X Kevin Jennings, Fire Marshall X Sean Kaeser, Ukiah Police Dept. X Nancy Sawyer, Community Service Officer X Jimmy Lozano & Scott Bozzoli, Electrical Ukiah Municipal Airport Operations Manager, Greg Owen Airport Land Use Commission Mendocino County Air Quality	Mendocino County Planning and Building Mendocino County Public Health Mendocino Transit Authority US Army Corps of Engineers Regional Water Quality Control Board CA Dept. of Fish and Wildlife CA Dept. of Transportation Sonoma State Northwest Information Center AT & T PG & E (gas) PG & E (Land Rights)
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FROM PROJECT PLANNER:

Mireya G. Turner, Associate Planner
Mturner@cityofukiah.com

PROJECT INFORMATION:

Date Filed:	7/1/2019	Date Referred:	7/8/2019
Prev. Projects on Site:	Retail shops and Salon	Resubmittal:	N/A
File #(s)	18-4635	Agent:	JPJ & Associates, LLC
Project Name:	Wine Country Cannasseurs	Address:	2727 Beecham Street
Site Location:	270, 272 & 274 E. Smith St.		Napa, CA 94558
APN:	002-191-23	Phone:	(707) 671-4335
Zoning:	General Urban	Email:	winecountrycannasseurs@gmail.com
General Plan:	Commercial (C)		

DESCRIPTION: Minor Use Permit to allow cannabis microbusiness, consisting of cultivation, distribution, and retail in three adjacent storefronts. The applicant proposes no building additions to the existing building.

ATTACHMENTS: Application, Project Description, Site Plan, Floor Plans, Zoning and Location Maps, Lighting Plan, Security Plan, Accessibility Plan and Employee Handbook

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)

Public Works Management Analyst



No Comment



Comments / Conditions of Approval Attached

Signature

Garrod Thiel

Date

8/5/19

PROJECT REVIEW REFERRAL

Please provide comments by: July 22, 2019

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. You are invited to comment on any aspect of the proposed project, including information required before you can finalize your comments and recommended conditions of approval for the project.

TO:

Craig Schlatter, Director	Mendocino County Planning and Building
X Michelle Irace, Planning Manager	Mendocino County Public Health
X Matt Keiser, City Building Official	Mendocino Transit Authority
X Rick Seanor, City Public Works Dept.	US Army Corps of Engineers
X Kevin Jennings, Fire Marshall	Regional Water Quality Control Board
X Sean Kaeser, Ukiah Police Dept.	CA Dept. of Fish and Wildlife
X Nancy Sawyer, Community Service Officer	CA Dept. of Transportation
X Jimmy Lozano & Scott Bozzoli, Electrical	Sonoma State Northwest Information Center
Ukiah Municipal Airport Operations Manager,	AT & T
Greg Owen	
Airport Land Use Commission	PG & E (gas)
Mendocino County Air Quality	PG & E (Land Rights)

FROM PROJECT PLANNER:

Mireya G. Turner, Associate Planner
Mturner@cityofukiah.com

PROJECT INFORMATION:

Date Filed:	7/1/2019	Date Referred:	7/8/2019
Prev. Projects on Site:	Retail shops and Salon	Resubmittal:	N/A
File #(s)	18-4635	Agent:	JPJ & Associates, LLC
Project Name:	Wine Country Cannasseurs	Address:	2727 Beecham Street
Site Location:	270, 272 & 274 E. Smith St.		Napa, CA 94558
APN:	002-191-23	Phone:	(707) 671-4335
Zoning:	General Urban	Email:	winecountrycannasseurs@gmail.com
General Plan:	Commercial (C)		

DESCRIPTION: Minor Use Permit to allow cannabis microbusiness, consisting of cultivation, distribution, and retail in three adjacent storefronts. The applicant proposes no building additions to the existing building.

ATTACHMENTS: Application, Project Description, Site Plan, Floor Plans, Zoning and Location Maps, Lighting Plan, Security Plan, Accessibility Plan and Employee Handbook

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)

Capt. Sean Kaeser, CSO Ukiah Police Dept.
Nancy Sawyer

- ☐ No Comment
☒ Comments / Conditions of Approval Attached

Signature

Date

[Signature]
Wendy J. Sawyer

7/16/19



Ukiah Police Department

Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

To: Mireya Turner, Associate Planner
CC: Chief J. Wyatt, Lt. D. McQueary, Michelle Irace
From: CSO N. Sawyer, Capt. S. Kaeser
Project Name: Wine County Cannasseurs – Minor Use Permit
Site Location: 270, 272, 274 E. Smith St.
Date: 7/16/19

On 7/15/19, I conducted a site visit per Captain Kaeser's request. During this initial visit, I identified two concerns. The first being to the proximity of a senior mobile home residential park located to the north of the site, which is an abutting property. Secondly, the Primera Iglesias Church located west and adjacent to the site, also abutting the property. This Minor Use Permit and site plan is requesting to allow applicant to use three existing adjacent storefronts for a cannabis microbusiness w/cultivation, distribution, and dispensary, including parking lot north of site. Per Ukiah City Code and California Business and Professions Code, sections indicated below, a dispensary shall not be allowed within the specified distance.

For the above reasons the Ukiah Police Department did no further evaluation of the site or the submitted security plan. The Police Department is aware of Section 9174.2(F)(2) which allows for the granting of a waiver to the setbacks by the Zoning Administrator or the Planning Commission. The department's concern is that this waiver does not waive established state law as indicated under 26054 (b) B&P.

See Ukiah City Code: **§5707 LIMITATION ON LOCATION OF DISPENSARIES**

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

1. Within six hundred feet (600') of a school, with that distance measured as the horizontal distance in a straight line from the property line of the school to the closest property line of the lot on which the dispensary is to be located without regard to intervening structures, pursuant to California Health and Safety Code section 11362.768; or
2. Within two hundred fifty feet (250') of a youth-oriented facility other than a school, or another dispensary, with that distance measured by street frontage from the property line of the youth-oriented facility to the closest property line of the lot on which the dispensary is to be located, and not radial distance; or
3. Abutting, on any side of the parcel upon which the dispensary is located, a parcel occupied by a youth-oriented facility, a school, or another dispensary; or



Ukiah Police Department

Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

4. Within any residentially zoned parcel or primary land use, or any property with an underlying residential or mobile homes general plan land use designation; or
5. On a parcel having a residential unit, or on a parcel directly abutting a residentially zoned property, unless there are intervening nonresidential uses between the dispensary and the residential unit or the residentially zoned property that the Planning Commission or, on appeal, the City Council determines sufficient to provide an appropriate separation.

5702 DEFINITIONS

AA. "Youth-oriented facility" means a public park, church, museum, library, or licensed daycare facility.

California Business and Professions Code

Sec. 26054

(b) No licensee under this division shall be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license is issued, unless a licensing authority or a local jurisdiction specifies a different radius. The distance specified in this section shall be measured in the same manner as provided in subdivision (c) of Section 11362.768 of the Health and Safety Code unless otherwise provided by law.

Nancy Sawyer, ICPS, CPD
Community Service Officer
Ukiah Police Department
Phone: (707)-467-5708
Email Address: nsawyer@cityofukiah.com

Sean Kaeser
Captain
Ukiah Police Department
Office: (707) 463-6254
Email Address: skaeser@cityofukiah.com

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



Ukiah Police Department

Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

Project Review Address: **270/272/274 E. Smith St.** (Based on plan provided & site visit)

File # 18-4635

Project Name: **Wine Country Cannasseurs**

Description: Cannabis microbusiness, consisting of cultivation, distribution and dispensary(etail)

Conditions, Crime Prevention through Environmental Design (CPTED) and Site Plan Review:

November 5, 2019

Disclaimer

This survey is intended to assist you in improving the overall level of security and includes opportunities to reduce potential crime, improve safety and security measures. The information contained herein is based on guidelines set by the California Crime Prevention Training Institute and the observations of the individual officer(s) conducting the survey. It is not intended to imply the existing security measures, or proposed security measures are absolute or perfect.

All new construction or retrofits should comply with existing building codes, zoning laws and fire codes. Prior to installation or modifications, the proper licenses and variances should be obtained and inspections should be conducted by the appropriate agency. It is the responsibility of the owner/operator to ensure compliance with all Federal, State, and Local laws.

Confidentiality

Portions of this CPTED report may contain confidential information that may be privileged pursuant to California Evidence Code section 1040. Such privileged information may be potentially withheld pursuant to California Government Code section 6255

Introduction

270/272/274 E. Smith St., site is an existing storefront building with 3 connecting units. The three units at 270/272/274 have connecting walls. A paved parking lot borders the back and is north of building adjoined by a senior mobile home park. The other two connecting storefronts, (not related to this applicant), housing a Church, is attached to the west side of the building. An office building housing a retail office supply/services and parking lot borders the east side. To the south is the City Parks storage parking lot.

E. Smith St. is south of the location running east and west. E. Smith St. connects to Mason St. on the east and N. Main St. to the west. Both Mason St. and N. Main St. connect to main artery Perkins St. which runs north and south.



Ukiah Police Department

Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

CPTED Principles/Key Concepts

Crime Prevention through Environmental Design (CPTED) is a proactive crime-fighting technique in which the proper design and effective use of parks, open spaces, building(s) and their surroundings lead to a reduction in crime as well as an improvement in the quality of life for citizens of the community.

Access Control:

Properly located entrances, exits, fencing, landscaping and lighting to direct foot and motor traffic in ways that discourage crime.

Surveillance:

Generally, criminals do not want to be seen. Placing physical features, activities and people in ways that minimize the ability to see what is going on discourages crime. Landscaping and lighting are two methods used to provide natural surveillance. The three main types of surveillance are natural, organized (security), and mechanical (alarms, video surveillance).

Territorial Reinforcement:

Define the boundary between private and public areas to send a message to illegitimate users that they are not to be there and provide a sense of ownership to legitimate users.

Lighting:

Minimum maintained lighting standards providing nighttime illumination of parking lots, walkways, entrances, exits and related areas to promote a safe environment.

Maintenance:

Well maintained landscaping, lighting and property cleanliness shows a property is well-cared for and someone is responsible for the upkeep. A property that is not maintained may indicate the management is not concerned about the property and be willing to overlook criminal activity. See the "broken window theory".

RECOMMENDS the following conditions for 270/272/274 E. Smith St.:

Access Control:

- Place address numbers displayed in accordance with building and zoning codes to facilitate/expedite public safety responses.
- Keep current chain link fencing in good repair.
- Fences shall be a minimum of 6', constructed of decorative tubular steel, no climb type. This shall apply to newly constructed fencing w/gate for west side of property. (Security Plan site diagram)
- All solid core exterior doors be equipped with a 180 degree viewing device to screen persons before allowing entry. Doors shall remain locked at all times, except for emergencies and deliveries. (Security Plan)
- The applicant is responsible for reasonably controlling the conduct of persons on the site and shall immediately disperse loiterers. (Security Plan)
- Have Security arrive ½ hr. before opening and stay ½ hour past closing hours.
- Applicant to install a "Knox Box" for Fire access to the exterior areas of the property after hours.
- Keep loading dock doors locked at all times. (Security Plan)
- Interior of building could not be accessed during this Audit.

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



Ukiah Police Department

Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

Territorial Reinforcement:

- Install signage at entrance to define location with designation and address.
- Post no trespassing and authorized personnel only signs for fenced/gated areas.
- Keep dumpsters locked or in locked enclosures to limit unauthorized dumping or scavenging.

Lighting:

- Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. Color temperature shall be between 2700K and 4100K with a color rendering index of 80 or better and a light loss factor of .95 or better. When choosing lamps, the applicant should look for efficiency of 110 lumens per watt or better.
- Light poles shall be no higher than 16'.
- Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.
- Exterior lighting shall be designed in coordination with the landscaping plan to minimize interference between the light standards and required illumination and the landscape trees and required shading.
- Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.
- All building exterior lighting and parking lot lighting should be functioning and kept in good repair. (Consult with Planning Department to meet Illumination Engineering Society (IES) minimum standard for open parking and buildings.)
- Site not viewed during night time hours.
- Interior of building not accessible during Audit.

Maintenance:

- Report any graffiti to UPD @ 463-6262. After reporting, clean-up/paint over as soon as possible. Spray on graffiti remover can be purchased at hardware supply stores.
- Keep property free of debris/garbage.
- Weekly inspection of exterior building and property to limit unauthorized usage of property.
- If any rooftop entrances to building, place locking mechanism to limit illegal entrance from rooftop.
- Any exterior electrical outlets can have locking plates or decommission for non-use to limit illegal usage.
- Any exterior water faucets should have a locking box cover or decommission for non-use to limit illegal usage.

Landscaping:

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

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Chief of Police

Surveillance:

-Install height markers on the interior doorways of retail location.

The following conditions SHALL be included in the Security Plan:

- Plan must be prepared by a qualified professional.
- Install interior video camera surveillance and exterior surveillance.
- Install audible security alarm and monitoring.
- Business equipped with a UL compliant security system including:
 - Video Assessment and Surveillance System (VASS)
VASS must provide comprehensive coverage of:
 - safe(s)
 - areas of ingress and egress,
 - parking lot, loading areas,
 - coverage of all four (4) exterior sides of the property,
 - adjacent public rights of way.
 - VASS storage must be:
 - kept off-site or in a secured area accessible only to management
 - capable of storing no less than 90 days' worth of activity
 - capable of exporting footage to common media in a standard viewing format
 - shall not require proprietary software for third party viewing.
 - The manager with access to the VASS storage shall be able to respond to any activation within one hour.
 - Cameras shall be day/night capable with a resolution of no less than two (2) megapixels and a minimum frame rate of 15 frames per second.
 - Intrusion Detection System with private security response
 - Emergency (panic) Alarm
- Security system monitored by a UL listed monitoring company.
- Security system installed by a UL certified installer.
- Holdup/Distress(panic) alarm system shall be employed near the:
Transport area, manager's office, employee entrance, lobby, safe(s)
- Security system shall be equipped with at least 24 hours of continued operation time in case of power failure.
- Security system shall be equipped with cellular back-up in case of phone line disruption.
- Monitors displaying the employee parking area and property perimeter shall be mounted in a visible location near the door from which employees will arrive and depart so that employees may monitor the outside environment prior to departing the facility.
- A log shall be maintained that shows when the alarm system was armed and disarmed, and by whom.
- Post signage stating location is under active video surveillance monitoring and alarm/monitoring.



Ukiah Police Department

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Chief of Police

- Staff trained in Security and Safety policies and procedures for interior and exterior of site and following same at all times.
- All crimes occurring on the premises shall be reported to the Ukiah Police Department with 24 hours.
- Train and encourage employees re: "active surveillance". They are the best defense against suspicious people.
- Have protocols in place for reporting suspicious individuals.
- Interior of building could not be accessed during this Audit.

Other:

- No manufacturing of Butane Honey Oil (BHO) or other, similar substances on the premises.
- Storage containers and non-operational vehicles shall not be allowed in the parking area of the property.
Will the storage containers on site be removed from location?
- No public pay phones/telephones allowed on the premises.

Site Plans:

Site plans and floor plans for the business shall be completed to the satisfaction of the Ukiah Police Department prior to the issuance of a building permit, including:

- Secure Lobby
- Manufacturing area
- Secure transport and shipping area for transferring cannabis or cash to or from VEHICLES.
- Secure storage (safe[s])

Additional questions to be answered by Applicant:

- Physical measures to prevent vehicle penetration area (5708. G (1b) UCC (Growing areas only))
Is this in site plans?
- Will roll up door and roof hatch contacts re: Security, be added to the scope of work, along with glass break detection?
- Will there be outdoor beam alarmed security in the back gated/fenced area?
- Will additional light standards be installed in the back parking lot area for additional lighting coverage?
- Have all the backgrounds for current employees been run?

Respectfully submitted,

Nancy Sawyer, ICPS, CPD
Community Service Officer
Ukiah Police Department
Phone: 707-467-5708, nsawyer@cityofukiah.com

11/5/19: njs

Mireya Turner

From: Nancy Sawyer
Sent: Tuesday, November 19, 2019 5:19 PM
To: Mireya Turner
Cc: Sean Kaeser; Justin Wyatt
Subject: Wine Country Cannasseurs/270-274 E. Smith St./UPD Activity

UPD Activity for these areas per your request: (CAD report ran from 10/11/18 – 9/17/19)

- 1.) 200 block of E. Smith St. – 2/False Alarms, 2/Suspicious person, 1/loose animal, 1/disturbance, 1/theft, 4/traffic stops, 1/utility call, 2/vandalism, 1/violation of court order
TOTAL of 15 calls
- 2.) 289 & 301 N. Main St. - No calls during this time period.
- 3.) 280 E. Standley St. – 1/transient person
TOTAL of 1 call
- 4.) 204 Mason St. – 1/suspicious circumstances
TOTAL of 1 call

Nancy Sawyer, ICPS, CPD
Community Service Officer, Crime Prevention
Ukiah Police Department
300 Seminary Ave., Ukiah, CA 95482
Phone (707) 467-5708, Fax (707) 462-6068
nsawyer@cityofukiah.com



"Safety, Professionalism & Community Service"

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From: Mireya Turner <mturner@cityofukiah.com>
Sent: Tuesday, November 05, 2019 1:55 PM
To: Nancy Sawyer <nsawyer@cityofukiah.com>
Subject: RE: can't remember if I requested this already

214, 262, 264, 266, 268, 270, 272 & 274 E. Smith Street
280 E. Standley St
289 & 301 N. Main St.
204 Mason Street.

Thanks!



City of Ukiah

Mireya G. Turner, MPA
Associate Planner
300 Seminary Avenue

PROJECT REVIEW REFERRAL

Please provide comments by: July 22, 2019

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. You are invited to comment on any aspect of the proposed project, including information required before you can finalize your comments and recommended conditions of approval for the project.

TO:

Craig Schlatter, Director	Mendocino County Planning and Building
X Michelle Irace, Planning Manager	Mendocino County Public Health
X Matt Keiser, City Building Official	Mendocino Transit Authority
X Rick Seanor, City Public Works Dept.	US Army Corps of Engineers
X Kevin Jennings, Fire Marshall	Regional Water Quality Control Board
X Sean Kaeser, Ukiah Police Dept.	CA Dept. of Fish and Wildlife
X Nancy Sawyer, Community Service Officer	CA Dept. of Transportation
X Jimmy Lozano & Scott Bozzoli, Electrical	Sonoma State Northwest Information Center
Ukiah Municipal Airport Operations Manager,	AT & T
Greg Owen	
Airport Land Use Commission	PG & E (gas)
Mendocino County Air Quality	PG & E (Land Rights)

FROM PROJECT PLANNER:

Mireya G. Turner, Associate Planner
Mturner@cityofukiah.com

PROJECT INFORMATION:

Date Filed:	7/1/2019	Date Referred:	7/8/2019
Prev. Projects on Site:	Retail shops and Salon	Resubmittal:	N/A
File #(s)	18-4635	Agent:	JPJ & Associates, LLC
Project Name:	Wine Country Cannasseurs	Address:	2727 Beecham Street
Site Location:	270, 272 & 274 E. Smith St.		Napa, CA 94558
APN:	002-191-23	Phone:	(707) 671-4335
Zoning:	General Urban	Email:	winecountrycannasseurs@gmail.com
General Plan:	Commercial (C)		

DESCRIPTION: Minor Use Permit to allow cannabis microbusiness, consisting of cultivation, distribution, and retail in three adjacent storefronts. The applicant proposes no building additions to the existing building.

ATTACHMENTS: Application, Project Description, Site Plan, Floor Plans, Zoning and Location Maps, Lighting Plan, Security Plan, Accessibility Plan and Employee Handbook

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 Electric Utility Department

☐ No Comment

☒ Comments / Conditions of Approval Attached

Jimmy Lozano

7/9/2019

Signature

Date

Comments / Conditions of Approval:

Hi Mireya,

Regarding Project Review Referral File # 18-4635 Wine Country Cannaseurs (270, 272, 274 E. Smith Street), the Electric Department offers the following comments/conditions :

- 1) The properties will be served from existing electric overhead facilities and transformer bank that serves multiple address/buildings in the immediate area. Should the project need to upgrade to a larger panel or increase the electric load in the future, they will need to contact the Electric Utility Office.
 - a) Will the existing Electric Main Service Panels be utilized for the three (3) buildings on the project?
 - b) If not, what is the proposed main service panel size for each address location?
- 2) All future site improvements shall be submitted to the Electric Utility Department for review and comment. At this time, specific service requirements, service voltage and developer costs and requirements will be determined.
- 3) Applicant will need to provide EUSERC approved electrical equipment that is to be used on this project.
- 4) Applicant shall provide projected load calculations, in the event that the existing Electric Main Service Panels need to be upgraded to a larger size to the COUEUD for their project.
- 5) Applicant/customer shall incur all costs of this future project to include (labor, materials, equipment) .

Should they have any questions please call Jim Lozano at 467-5774 or Scott Bozzoli at 707-467-5775

Thank you, Jimmy



UKIAH VALLEY FIRE AUTHORITY

1500 SOUTH STATE STREET

UKIAH, CA 95482-6709

Phone: (707)463-7921 ♦ Fax: (707)462-2938 ♦ Email: kjennings@cityofukiah.com

Project Review Comments,
270, 272, and 274 E. Smith St.
Wine Country Cannasseures

15 July 2019

These comments are for project review and not for other purposes such as applying for a building permit, as that review process will be a bit more in-depth. The Prevention Office / Fire Marshal has no significant comments at this time. The following will also be referenced in future applications for the purposes of receiving a building permit.

Retail Space – 270 E. Smith

- Egress doors shall swing in the direction of egress travel. The plans provided shows the door between the Reception / Waiting area must / shall swing in the direction of egress travel (Smith St.).
- Egress doors shall be equipped with panic hardware, thus allowing for safety and security.
- One Class 2-A rated fire extinguisher per area, Reception / Waiting, Dispensary / Display, and in rear employee area. Fire Marshal shall assist with location recommendations.
- Address shall be clearly posted on the Smith Street side of the build (each occupancy). The provided elevation plan shows all addresses located above main entrance door to each location, this is the desired location. Numbers shall be of a contrasting color to the background.
- All addresses for all occupancies shall also appear on the rear door of each.

272 E. Smith

- Required Class 2-A rated fire extinguishers, Distribution / Storage, Weighing / Packaging, Sign In.

274 E. Smith

- Required Class 2-A rated fire extinguishers, Cultivation A & B can share one, centrally located. Weighing / Packaging, Entry area.

As noted in your project information submission a Fire Sprinkler system shall be required, along with a monitoring station.

Additionally, a “Knox security key box” shall be required so that the Fire Department shall have access to all doors within the facility. The Fire Marshal shall select the most desired location for this key safe.

Fees for Fire Department reviews shall include a Plan Check, and three (3) site visits, one of which being the final inspection. Please do not hesitate contacting the Fire Marshal's office for any further questions, comments or concerns.

Kevin P. Jennings
Division Chief – Fire Marshal

Mireya Turner

From: Matthew Keizer
Sent: Tuesday, July 9, 2019 7:37 AM
To: Mireya Turner
Subject: RE: Project Review Referral - 270, 272 & 274 E. Smith St - Cannabis microbusiness

1. A building permit will be required for T.I work. Please submit plans, building permit application, and the associated forms, see links below. Please submit fore complete plan sets, two wet stamped and signed.

Useful City Hand outs and submittal documents links below.

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

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

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

<http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Special-Inspection-Agreement-2016-CBC-complete-fillable.pdf>

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

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

2. The design and construction of all site alterations shall comply with the 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.



Matt Keizer, Building Official

Email: mkeizer@cityofukiah.com

300 Seminary Ave

Ukiah, CA 95482

Office 707-467-5718

Fax 707-463-6204

From: Mireya Turner <mturner@cityofukiah.com>

Sent: Monday, July 8, 2019 3:08 PM

To: Michelle Irace <mirace@cityofukiah.com>; Matthew Keizer <mkeizer@cityofukiah.com>; Rick Seanor <rseanor@cityofukiah.com>; Kevin Jennings <kjennings@cityofukiah.com>; Sean Kaeser <skaeser@cityofukiah.com>; Nancy Sawyer <nsawyer@cityofukiah.com>; Jimmy Lozano <jlozano@cityofukiah.com>; Scott Bozzoli

Mireya Turner

From: Matthew Keizer
Sent: Wednesday, July 24, 2019 10:16 AM
To: Michelle Irace; Mireya Turner
Subject: FW: Project Review Referral - 270, 272 & 274 E. Smith St - Cannabis microbusiness

At unit 262 they have an expired permit application # 721 to convert commercial space to residential this permit application will need to be closed and the Building Division will need to do an onsite inspection to confirm that no one is living in the building.

From: Matthew Keizer
Sent: Tuesday, July 9, 2019 7:37 AM
To: Mireya Turner <mturner@cityofukiah.com>
Subject: RE: Project Review Referral - 270, 272 & 274 E. Smith St - Cannabis microbusiness

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Matt Keizer, Building Official

Email: mkeizer@cityofukiah.com

300 Seminary Ave

Ukiah, CA 95482

Office 707-467-5718

Fax 707-463-6204

Mireya Turner

From: Arnhold, Christopher@DSS <Chris.Arnhold@dss.ca.gov>
Sent: Wednesday, July 24, 2019 3:41 PM
To: Mireya Turner
Subject: RE: Request for daycare proximity check

All of these addresses are at least 800 feet from a child care. Both Center and Family Child care homes. Hope that helps. I submitted my idea to my manager to make this a function of our HQ but who knows how that will turn out. In the meantime, if you or Lake Co needs a check done, just email me. Ill try and get back to you the same day, if not sooner, now that my template is created.

Chris

From: Mireya Turner <mturner@cityofukiah.com>
Sent: Wednesday, July 24, 2019 1:45 PM
To: Arnhold, Christopher@DSS <Chris.Arnhold@dss.ca.gov>
Subject: Request for daycare proximity check

Dear Chris,

Thank you so much for assisting us in finding a new way to check our daycare setbacks for our commercial cannabis permits.

We have three locations which need confirmation of any home daycares within a 250 foot radius.

The addresses are as follows:

441 North State Street

270-274 East Smith Street (they are using 3 suites in a strip mall)

1125 South State Street

Thank you again, for your help.

Cordially,



Mireya G. Turner, MPA
Associate Planner
300 Seminary Avenue
Ukiah, CA. 95482
Tel: (707) 463-6203
Fax: (707) 463-6204

Mireya Turner

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City of Ukiah

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