



Zoning Administrator

Regular Meeting **AGENDA**

Civic Center ♦ 300 Seminary Avenue, Conf. Rm. #3 ♦ Ukiah, CA 95482

To participate virtually, go to the following link: <https://us06web.zoom.us/j/86824769549>

To view the meeting (without participating), go to: <http://www.cityofukiah.com/meetings/>

Or you can call in using telephone only:

- Toll-free 1-669-444-9171
- Enter the Access Code: 868 247 695 49
- Raise hand: After being recognized, Enter *9
- To Speak after being recognized: enter *6 to unmute

April 15, 2025 - 11:00 AM

1. **CALL TO ORDER**

2. **VERIFICATION OF NOTICE**

3. **APPEAL PROCESS**

All determinations of the Zoning Administrator regarding minor discretionary planning permits are final unless a written appeal, stating the reasons for the appeal, is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by April 25 at 5:00 P.M.

4. **COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**

The Zoning Administrator (ZA) welcomes input from the audience that is within the subject matter jurisdiction of the ZA. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments.

5. **APPROVAL OF MINUTES**

5.a. Approval of the December 19, 2024, Zoning Administrator Meeting Minutes

Recommended Action: Staff Recommends Review & Approval of the December 19, 2024, Zoning Administrator Meeting Minutes (Attachment 1)

Attachments:

1. ZAM.12.19.2024_DRAFT

6. **SITE VISIT VERIFICATION**

7. **PUBLIC HEARING**

- 7.a. Consideration of a Minor Site Development Permit to renovate and repurpose an existing commercial structure and utilize its previously approved signage allowance for continued restaurant use. The project includes the integration of a drive-through component, as permitted under Ukiah City Code (UCC) §9081, and in compliance with the off-street parking requirements of UCC §9198(D); File No. 25-000241; Permit No. PA25-000007.

Recommended Action: Staff recommends that the City of Ukiah Zoning Administrator: 1) Conduct a public hearing; and 2) Approve the Minor Site Development Permit to renovate and repurpose an existing commercial structure and utilize its previously approved signage allowance for continued restaurant use at 105 Pomeroy Street, Ukiah, CA; APN 002-247-02 as permitted under Ukiah City Code (UCC) §9081, and in compliance with the off-street parking requirements of UCC §9198(D)

Attachments:

1. Draft Conditions of Approval
 2. Draft Findings
 3. Application Materials
 4. Historical Signage Documents (105 Pomeroy Street)
 5. Agency Referral Responses
 6. Design Review Board Draft Minutes – March 27, 2025
- 7.b. Request to renew the existing Cannabis-Related Business Use Permit 'Local Roots' at 195 Seminary Avenue; APN 002-272-16 pursuant to Ukiah City Code (UCC) §9174.2(D)(1); File No. 25-000215; Permit No. PA25-000005

Recommended Action: Staff recommends that the City of Ukiah Zoning Administrator: 1) Conduct a public hearing; and 2) Approve the renewal of the existing cannabis-related business use permit at 195 Seminary Avenue; APN 002-272-16 pursuant to Ukiah City Code (UCC) §9174.2(D)(1)

Attachments:

1. Draft Findings
2. Draft Conditions of Approval
3. Application Materials

8. ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 24 hours prior to the meeting set forth on this agenda.

Katherine Schaefer 04.01.2025

**CITY OF UKIAH
ZONING ADMINISTRATOR MINUTES
Meeting Held in Person and Via Teleconference
December 19, 2024
10:30 a.m.**

STAFF & PUBLIC PRESENT

Craig Schlatter, AICP: Zoning Administrator
Jesse Davis, AICP: Chief Planning Manager
Katherine Schaefer: Planning Manager
Nena Caviness, Applicant (401 So State Street)

1. CALL TO ORDER

The meeting was called to order at 10:30 a.m.

Zoning Administrator Craig Schlatter Presiding.

2. VERIFICATION OF NOTICE

Verified by Staff.

3. APPEAL PROCESS

Appeal Process Reviewed

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No Comments from Audience.

5. APPROVAL OF MINUTES

- a. Approval of the June 20, 2024, Zoning Administrator - Meeting Minutes

Approved by Zoning Administrator Schlatter.

6. SITE VISIT VERIFICATION

The Zoning Administrator noted that he was able to sufficiently access the project site and structure at 401 South State Street.

7. PUBLIC HEARINGS

- a. CONTINUED: A Minor Use Permit for voluntary modifications to an existing structure per Ukiah City Code Section 9231.14(C)(3) to facilitate its reuse for 'General Retail' and 'Small Product Manufacturing' in accordance with the Downtown Zoning Code (DZC) at 401 South State Street, Ukiah, CA; APN 002-269-05; File No. 24-001480.

Chief Planning Manager Jesse Davis presented the Staff Report.

Zoning Administrator Craig Schlatter opened the public hearing at 10:44 a.m.

Speakers: Nena Caviness

Zoning Administrator Craig Schlatter closed the public hearing at 10:45 a.m.

Zoning Administrator Schlatter approved the minor use permit request, subject to the Findings in Attachment 1 and the Conditions of Approval in Attachment 2, with the following modifications to Conditions of Approval #1 and #15:

1. To ensure consistency with the Downtown Zoning Code (Table 9: Outdoor Storage Areas & Screening), the identified outdoor storage area shall be fenced and screened using materials, aligned or identified by the Downtown Zoning Code that are also compatible with the design of ~~the~~ adjacent buildings, and shall be subject to the review and approval of the Community Development Director, prior to the issuance of any building permits or work associated with the 'Outdoor Storage Area'. Planters or increased landscaping, including well-maintained shrubs or other greenery, may be incorporated to provide additional screening. Masonry walls or a combination of these elements can also be utilized to achieve both functionality and aesthetic compatibility, contributing **positively** to the overall streetscape and site design.

15. The applicant shall submit a recent appraisal from a licensed appraiser to the City's Building Official. The Building Official, in conjunction with the Planning Division, shall verify the appraiser's determination of the current market value and the approved scope of work. ~~Voluntary modifications, alterations, reconstruction, or repairs otherwise required by law (e.g., City adopted building, electrical, plumbing codes) shall be allowed without being subject to UCC §9231.14(C)(3).~~

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:01 a.m.



DATE: April 15, 2024
TO: Zoning Administrator
FROM: Jesse Davis, Chief Planning Manager
SUBJECT: Consideration of a Minor Site Development Permit to renovate and repurpose an existing commercial structure and utilize its previously approved signage allowance for continued restaurant use. The project includes the integration of a drive-through component, as permitted under Ukiah City Code (UCC) §9081, and in compliance with the off-street parking requirements of UCC §9198(D); File No. PA25-000007.

SUMMARY

OWNER: Chirayu Patel
APPLICANT & AGENT: UK 105 Investments, LLC (Victor Chiang)
LOCATION: 105 Pomeroy Street, Ukiah, CA; APN 002-247-02
TOTAL ACREAGE: ±0.78 acres
GENERAL PLAN: Highway Commercial (HC)
ZONING DISTRICT: Community Commercial (C-1)
ENVIRONMENTAL DETERMINATION: Categorical Exemption, pursuant to CEQA Guidelines Article 19, Section 15301(a), Existing Facilities
RECOMMENDATION: Conditional Approval, based on the Findings in **Attachment 1** and Conditions of Approval in **Attachment 2**.

PROJECT LOCATION & EXISTING CONDITIONS

The ±0.78-acre project site (APN 002-247-02) is located at 105 Pomeroy Street, adjacent to the southbound corridor of U.S. Highway 101, immediately southeast of the intersection of East Perkins Street and Pomeroy Street. The site is situated within a commercially developed area that includes a variety of retail, restaurant, and visitor-serving uses.

The subject parcel features an open parking lot and a vacant, single-story, ±3,100-square-foot commercial structure, formerly operated as a full-service restaurant. The building remains in its original configuration, including a commercial kitchen, dining area, and associated utility infrastructure. Site access is provided via two existing encroachments from Pomeroy Street. The property includes approximately 72 off-street parking spaces, as currently striped, as well as existing signage infrastructure.

BACKGROUND

The existing 3,100-square-foot commercial structure at 105 Pomeroy Street was originally

constructed as a Denny's restaurant, approved under Building Permit No. 251 on August 6, 1968. Over the years, multiple building permits were issued for minor additions, repairs, and renovations to support continued restaurant operations, including the following discretionary permits:

- Site Development Permit (SDP) No. 89-45 – Approved the installation of a 75-foot freeway-oriented pole sign, replacing a prior sign with an internally illuminated sign within 600 feet of U.S. Highway 101.
- Site Development Permit (SDP) No. 95-201 – Authorized a 112-square-foot expansion, including ADA-compliant restroom upgrades and a full interior renovation, as well as replacement of the existing pole signage.

Denny's operated continuously from 1969 until 2023; however, staff notes that building conditions began to significantly deteriorate in 2019.

On September 27, 2019, a violation was issued by the City's Building Inspection Division due to unpermitted remodeling and repairs, as well as concerns related to dry rot and parapet deterioration along the roofline. Restaurant operations ceased in 2023, and since that time, the structure has remained vacant.

PROJECT DESCRIPTION

On March 10, 2025, the applicant, UK 105 Investments, LLC, formally applied to renovate and reuse the existing commercial structure at 105 Pomeroy Street. The structure, originally constructed in 1969, has historically operated as a 'Formula Restaurant – Eating & Drinking Establishment'. The most recent tenant vacated the structure in 2023, and it has remained unoccupied since. The Applicant proposes to renovate and reuse the existing 3,100-square-foot structure within its current footprint for continued restaurant use as a 'Habit Burger & Grill', integrating a drive-through component as allowed under Ukiah City Code (UCC) §9081 – (Allowed Uses – C1) and in compliance with UCC §9198(D) (Off-Street Parking – Drive Through). A Minor Site Development Permit is required to facilitate façade updates, expand landscaping, and reconfigure parking and site circulation.

The reconfiguration of the parking lot will accommodate the proposed drive-through while incorporating bicycle storage and storage infrastructure per UCC §9086(A)(5): Required Commercial Use - Parking. As requested, there are no changes to the proposed parking lot lighting, beyond the replacement of illuminated signage. On April 2nd, 2025, the Applicant provided a revised site plan that is included in **Attachment 3**. The revised site plan facilitates the following modifications in response to the Design Review Board, City Engineer and CALTRANS

Please refer to the project description and design details submitted by the applicant in **Attachment 3** for more information. **Attachment 3** also includes the site plan, architectural plans and elevations, landscaping plan, and site improvement plans. **Attachment 4** includes materials specific to previous sign entitlements, approvals and determinations.

Specific project considerations for the renovation and reuse of the subject property include:

- Renovation of the existing restaurant structure;
- Integration of a drive-through component, located in an underutilized portion of the existing parking lot, with a double-wide queuing area capable of accommodating 13 vehicles;

- Reconfiguration of parking and site layout to comply with City off-street parking standards for drive-through/takeout restaurants, based on the anticipated seating capacity (48 seats) and employee count (maximum shift of 10 employees).
- The final submitted layout provides 43 parking spaces, including compact, EV charging and ADA stalls. The circulation pattern is also reoriented to improve traffic flow on Pomeroy Street.
 - Based on calculations approximately 31 parking spaces are required per UCC 9198(D)(2), or 21 parking spaces per UCC 9086(A)(4).
 - *UCC 9198(D)(2):* Drive-In, Drive-Through and Takeout Restaurants: Minimum of ten (10) parking spaces or one space for each one hundred (100) square feet of gross floor area, whichever is greater and stacking area for at least eight (8) vehicles for drive-up windows.
 - 3100 Square Feet=31 Parking Spaces + 8 vehicle queue minimum
 - *UCC 9086(A)(4):* One parking space for every three (3) seats, with a minimum of four (4) spaces. An additional parking space for each two (2) employees at maximum shift.
 - 48 Seats/3=16+(10 Employees/2)=21 Parking Spaces + 8 vehicle queue
- Preservation of existing ingress and egress points, maintaining a 24-foot-wide drive aisle for vehicular circulation, and updating on-site circulation to accommodate installation of drive-through component;
- Enhanced pedestrian and bicycle access, including:
 - Long-term and short-term bicycle parking per UCC §9086(A)(5);
 - A striped pedestrian path of travel from the rear parking area to the restaurant entrance and from the restaurant to the trash enclosure.
- Façade and site improvements, including:
 - Modernization of the building exterior;
 - A proposed landscaping plan commensurate with the size and scale of the proposed project to increase landscaping coverage to more than 20%;
 - Installation of new landscaping along the perimeter and within the parking area to enhance site aesthetics.

SURROUNDING USES AND ZONING

The property is surrounded by primarily commercial uses that are reviewed in **Table 1**:

TABLE 1: SURROUNDING USES AND ZONING		
	ZONING:	USE:
NORTH	Community Commercial (C-1)	Pear Tree Shopping Center
EAST	N/A	US 101

SOUTH	Community Commercial (C-1)	Shopping Center
WEST	Urban Center (UC)	Gas Station

ZONING CODE & LAND USE DESIGNATION

General Plan Land Use Designation – Highway Commercial: The project site at 105 Pomeroy Street is designated Highway Commercial (HC) under the 2040 Ukiah General Plan. This designation is intended to accommodate commercial development along major transportation corridors, providing a transition between higher-intensity commercial uses along U.S. Highway 101 and nearby residential or Community Commercial uses. The Highway Commercial designation is intended to support a range of activities, but the General Plan cites large-format retail, shopping centers, restaurants, lodging establishments, and other visitor services, like fueling stations or EV charging hubs.

The proposed renovation repurposes the existing restaurant and adds a drive-through, aligning the requested use with the Highway Commercial designation. The project site’s adjacency to the U.S. Highway 101 corridor and existing commercial infrastructure makes it a suitable location for continued restaurant use and appears consistent with identified economic and land use policies and goals of the 2040 General Plan.

Zoning Designation – Community Commercial (C1): The subject property is zoned Community Commercial (C1) under the City of Ukiah Zoning Ordinance (UCC Chapter 9, Article 7). The C1 zoning district is intended to accommodate commercial uses that serve both the local and regional population, including retail establishments, eating and drinking establishments, personal services, and offices. Unlike other sections of the Ukiah City Code, the C1 zoning district does not distinguish between types of eating and drinking establishments and is understood to allow all restaurant specific activities (e.g. Fast-Food Restaurant (Quick-Service Restaurant - QSR), Full-Service Restaurant (Sit-Down Dining), Café / Coffee Shops, etc. are allowed.

Per UCC §9081 (Restaurants), eating and drinking establishments (including formula restaurants) are allowed by right in the C1 zoning district. However, the addition of a drive through facility requires compliance with UCC §9198(D) (Drive-In, Drive-Through, and Takeout Restaurants), which establishes specific requirements related to vehicle queuing and off-street parking.

Site Development Permit Requirement: Based on staff review, the proposed project and use are allowed under the C1 zoning designation but require a Site Development Permit per UCC §9261(B). Although the project does not modify the building footprint, it includes façade changes that modernize the structure’s architectural character and appearance. Given the limited scope of these modifications, the Site Development Permit qualifies as minor under UCC §9263(A) and will be scheduled for a public hearing before the Zoning Administrator.

AGENCY CONSIDERATIONS & REFERRAL

In March 2025, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project (**See Table 2**). Only limited comments were received. All responding departments and agencies are included in **Attachment 5** and comments reflected within the Conditions of Approval, as appropriate.

TABLE 2: AGENCY COMMENTS	
Agency	Comment

City of Ukiah, Community Development Director	None
City of Ukiah, Building Inspection Division	None
City of Ukiah, Fire Prevention Division	None
City of Ukiah, Electrical Utility, Department	Comment – Condition of Approval
City of Ukiah, Public Works Department	Comment Response
California Department of Transportation (District 1)	Comment – Condition of Approval
Mendocino County Air Quality Management District	Comment – Condition of Approval
Ukiah Police Department	No Comment
City of Ukiah, Code Enforcement Division	None
Ukiah Valley Fire Authority	None
City of Ukiah, City Manager’s Office	None
City of Ukiah, Water and Sewer	None
Community Services Director	Comment Response

Design Review Board

At its regular meeting on March 27, 2025, the City of Ukiah Design Review Board (DRB) reviewed the proposed Site Development Permit for the renovation and reuse of the existing commercial structure at 105 Pomeroy Street (APN 002-247-02). Following a presentation by City staff and discussion with the applicant, the DRB considered the site plan, architectural features, and proposed layout, including signage, landscaping, circulation, and parking.

The Board unanimously approved a motion (Meaux/Hawkes) to recommend the project to the Zoning Administrator, subject to the following considerations:

1. **Final Sign Plan:** A Final Sign Plan shall be submitted to and approved by the Community Development Director prior to issuance of any building permit for illuminated signage. All signage must comply with the applicable design and development standards of the Ukiah City Code and remain consistent with prior entitlements or approvals related to signage.
2. **Sidewalk Landscaping Substitution:** In coordination with the City Engineer, the applicant shall increase the landscaping area along the Pomeroy Street sidewalk frontage as a substitute for the required street trees.
3. **Drive-Through Encroachment Design:** As part of the northerly encroachment improvements for the drive-through lane, the applicant shall maintain the existing encroachment width through a combination of striping, landscaping, and curb modifications, while ensuring ADA compliance for the adjacent sidewalk.
4. **Parking Lot Tree Wells:** The applicant shall provide additional space for parking lot tree wells, which will result in a corresponding increase in the number of compact parking stalls.

5. **Parking Supply Adjustment:** The DRB also provided a general recommendation that the Zoning Administrator consider further reducing the total number of parking stalls, where appropriate, to support increased landscaping and site efficiency.

The DRB's recommendation reflects overall support for the project, but with an emphasis on enhancing landscape quality, pedestrian accessibility, and reduced onsite parking. A draft copy of the meeting minutes is included as **Attachment 6**.

On April 2nd, 2025, the Applicant provided a revised site plan that is included in **Attachment 3**. The revised site plan facilitates the following modifications in response to the Design Review Board, City Engineer and CALTRANS:

- As part of the northerly encroachment modification onto Pomeroy Street, the Applicant reduced the width through added landscaping and curb adjustments. These improvements increase separation from the Perkins Street intersection as identified by CALTRANS.
- The Applicant expanded the landscaped area along the Pomeroy Street sidewalk frontage in lieu of the standard street tree requirement. This change will be further detailed in the Final Landscaping Plan.
- Additional tree wells were added in the parking lot to improve shade coverage, particularly over the drive aisles. One tree well was relocated to enhance both landscaping effectiveness and site accessibility near the entry.
- Due to the revised layout, the total number of parking stalls was further reduced from 46 to 43.

STAFF ANALYSIS

AIRPORT LAND USE CONSISTENCY: The proposed reuse of the structure aligns with the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP), as the subject parcel is located within Compatibility Zone 6 (Traffic Pattern). Compatibility Zone 6 is designated for areas with the lowest levels of airport-related impacts, primarily concerning overflight annoyance and potential hazards related to aircraft operations.

Zone 6 permits most types of urban development and commercial uses, provided they are not highly noise-sensitive or involve large gatherings of people in outdoor spaces. The reuse of the bank structure would be considered 'Normally Compatible' with the only additional criteria being that the intend criteria are met. Zone 6 features a Max. Single-Acre Intensity of 1,200 people per acre.

SIGNGE: The proposed Habit Burger & Grill at 105 Pomeroy Avenue (APN 002-247-02) seeks to utilize the existing pole sign associated with the former restaurant at the site. Per Ukiah City Code Section 3227(A)(12), businesses catering to the traveling public along U.S. 101—located within 600 feet of the freeway centerline and 300 feet of an intersecting street—may have a single freestanding sign up to 50 feet in height, subject to Planning Commission approval of a Site Development Permit.

However, signage for this location was previously approved under Site Development Permit (SDP) No. 89-45, which authorized the installation of a 75-foot freeway-oriented pole sign to replace a prior internally illuminated sign within 600 feet of U.S. Highway 101. Staff confirms that the existing pole sign, or a new sign up to 75 feet in height, is allowable under SDP No. 89-45, given that the entitlement was never revoked or expired. Increased signage allowances are

reinforced by the consideration that pole signage was replaced as part of Site Development Permit (SDP) No. 95-201, which was after the adoption of updated signage regulations.

As part of this application (**Attachment 4**), the applicant has proposed reusing the existing pole sign infrastructure. Similar to other permits reviewed by the Zoning Administrator of Planning Commission, Staff recommends conditioning approval on the submission of a Final Sign Plan to be reviewed and approved by the Community Development Director prior to the issuance of building permits to ensure compliance with city standards and previous entitlements.

ZONING - LAND USE: The proposed plan demonstrates substantial conformance with applicable zoning requirements and objectives, with noted exceptions where site constraints and project characteristics warrant discretionary consideration. Staff notes that the 'Restaurant' use is 'Allowed' within the C-1 zoning district and that it conforms to the minimum parking requirements of the zoning district.

PLANT SELECTION AND COMPATIBILITY: The proposed landscape plan features drought-tolerant species that are appropriate for Ukiah's climate. Although the plan does not emphasize native or regionally sourced plantings as recommended by the Ukiah City Code, the selected species have been thoughtfully chosen based on their cultivar performance and suitability to local conditions. Planning Division Staff recommend further review of the Community Services Department's guidance (**Attachment 5**) to better align the planting plan with City goals that encourage native vegetation.

TREE PLACEMENT AND SHADING: The proposal meets requirements for deciduous tree placement along southern and western exposures (**Attachment 3**), ensuring compliance with solar access provisions. The existing parking lot, originally designed in 1969, lacks sufficient tree coverage and currently provides little shade. Based on submittals to the Design Review Board, the applicant estimates an increase in tree coverage over parking areas (excluding driveways and aisles) to 64%; however, full compliance with the 50% shading requirement over all *paved* areas is not projected. Given site constraints, staff acknowledges these limitations while recognizing that the project represents a net improvement over existing conditions. Additionally, off-site redwood trees located on APN 002-247-03 provide supplementary shade not otherwise demarcated on the provided plans, as would proposed tree planting in a City landscape well along Pomeroy Street. On April 2nd, 2025, the Applicant provided a revised site plan that is included in **Attachment 3**. Additional tree wells were added in the parking lot to improve shade coverage, particularly over the drive aisles. One tree well was relocated to enhance both landscaping effectiveness and site accessibility near the entry.

Based on the parking lot design, and the desire to accommodate larger vehicles, strict compliance with tree well requirements could negatively impact maneuverability and site functionality. As part of the 'Final Landscape Plan' staff recommends that additional consideration be given to tree selection and placement in the underutilized landscape areas. As a Condition of Approval, a Final Landscaping Plan must be submitted to and approved by the Community Development Director prior to the issuance of any building permit for renovation.

PERIMETER LANDSCAPING AND PEDESTRIAN ACCESS: The project includes a perimeter planting strip with trees and shrubs, meeting applicable standards (**Attachment 3**) for the C-1 zoning district. Due to spatial limitations, integrating sidewalk infrastructure within the landscaped area is impractical. As an alternative, internal striped pedestrian lanes will be provided to enhance safety and circulation. Given the functional limitations of the site, discretionary relief is requested in accordance with zoning provisions. Notably, public sidewalks are already present along the

Pomeroy and Perkins Street frontages, further supporting pedestrian access. Provision of short-term and long-term bike storage.

STREET TREE PLACEMENT: Staff supports City Engineer approval to allow street trees within on-site landscape areas rather than the public right-of-way along Pomeroy Street, given existing encroachments and visibility considerations. Coordination with the Community Services Department is encouraged to evaluate the potential for a street tree within the existing planter strip at the terminus of Pomeroy Street. The applicant shall also work with the City Engineer to expand the landscaped area along the Pomeroy Street sidewalk frontage, in place of the standard street tree requirement. This modification shall be incorporated into the Final Landscaping Plan.

LANDSCAPING COVERAGE AND MAINTENANCE: The project meets the required 20% landscaping coverage, with more than half of that area dedicated to live plantings, in compliance with applicable objective standards (**Attachment 3**). An automatic irrigation system will be installed in accordance with the State's Model Water Efficient Landscape Ordinance (MWELo). No substantive changes to exterior lighting are proposed, aside from signage illumination. Ongoing landscape maintenance will be ensured through standard conditions of approval. Prior to final occupancy, the applicant must demonstrate full compliance with MWELo by submitting a completed Landscape Documentation Package and a Certificate of Completion signed by a licensed landscape professional. A post-installation irrigation audit, conducted by a certified irrigation auditor, shall also be submitted to the City for review and approval as part of final compliance verification.

There are no on-site mature trees impacted by the project; nearby redwoods are located off-site. Given the adaptive reuse of the site and related constraints, staff finds that strict compliance with all landscaping standards is not feasible without disproportionate impact on site functionality. As proposed, the landscape improvements represent a substantial upgrade from existing conditions and are generally consistent with the intent of the City's zoning and design requirements.

PARKING AND ZONING: The project includes a reconfiguration of the site layout and parking area to comply with the City's off-street parking standards for drive-through and takeout restaurant uses. Per Ukiah City Code (UCC) §9198(D)(2), approximately 31 parking spaces would be required based on standard ratios for restaurant uses. Alternatively, under UCC §9086(A)(4), which specifically addresses drive-through facilities, a reduced requirement of 21 parking spaces is applicable based on the proposed 48-seat capacity and a maximum of 10 employees per shift.

The final draft site plan proposes 43 off-street parking spaces, including compact spaces and designated electric vehicle (EV) charging stations. Although this is a reduction from the approximately 71–72 spaces currently striped and historically associated with the previous restaurant use, the proposed parking supply exceeds both applicable code requirements.

In addition to updated parking counts, the circulation pattern has been reoriented to improve internal vehicle movement and reduce conflict points along Pomeroy Street and per the additional requirements of the C-1 zoning district, bicycle storage will be provided. As conditioned, the final site design will incorporate an increased number of compact parking stalls and expanded landscaped areas, balancing functional parking demand with improved site aesthetics and environmental performance. Staff notes that the Applicant does meet the minimum requirement for on-site parking and proposes to substantially reduce the number of existing parking spaces as part of the redesign of an existing parking lot.

ENVIRONMENTAL REVIEW

The proposed project at 105 Pomeroy Street is subject to the California Environmental Quality Act (CEQA) and qualifies for a Categorical Exemption under CEQA Guidelines, Article 19, Class 1, Section 15301 (Existing Facilities) (a), which applies to minor interior or exterior alterations of existing structures within an urbanized area.

The project involves renovations to an existing 3,100-square-foot commercial structure previously occupied by a sit-down restaurant, for reuse as a quick-service restaurant with a drive-through. The building's footprint will remain unchanged, with proposed improvements including interior remodeling, exterior façade upgrades, and the addition of a drive-through lane. No major site grading or disturbance to natural features is proposed with the exception.

The project is consistent with the site's Highway Commercial land use designation, community commercial zoning district, the 2040 Ukiah General Plan, and all relevant local planning policies. Staff has determined that the project will not impact sensitive environmental resources, including habitats for endangered species, geologically sensitive areas, or sites of historical or archaeological significance, nor will it result in a substantial change from the previous long-term restaurant operator.

PUBLIC NOTICE

- Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9263:
- Published in the Ukiah Daily Journal on April 5, 2025; and
- Posted on the Project site on April 4, 2025; and
- Posted at the Civic Center (glass case) on April 4, 2025; and
- Mailed to property owners within 300 feet of the Project parcels on April 5, 2025; and
- Emailed to all agencies having jurisdiction: April 4, 2025.

RECOMMENDATION

Staff recommends that the City of Ukiah Zoning Administrator:

- 1) Conduct a public hearing; and
- 2) Approve the Minor Site Development Permit to renovate and repurpose an existing commercial structure and utilize its previously approved signage allowance for continued restaurant use at 105 Pomeroy Street, Ukiah, CA; APN 002-247-02 as permitted under Ukiah City Code (UCC) §9081, and in compliance with the off-street parking requirements of UCC §9198(D).

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Application Materials; Project Description; Site Plan; Landscape Plan; Architectural Details & Elevations; Maps
4. Historical Signage Documents (105 Pomeroy Street)
5. Agency Referral Responses
6. Design Review Board Draft Minutes – March 27, 2025

**DRAFT CONDITIONS OF APPROVAL
MINOR SITE DEVELOPMENT PERMIT
RENOVATION & REUSE OF AN EXISTING COMMERCIAL STRUCTURE
105 POMEROY STREET, UKIAH, CA; APN 002-247-02; FILE NO. PA25-000007**

The following Conditions of Approval shall be binding on all current and future owners, lessees, and occupants of the subject property. These conditions constitute an integral component of the Site Development Permit and must be fully satisfied and maintained for the permit to remain effective.

Approved Project Description: The Applicant requests a Minor Site Development Permit to renovate and repurpose an existing commercial structure and utilize its previously approved signage allowance for continued restaurant use. The project includes the integration of a drive-through component, as permitted under Ukiah City Code (UCC) §9081, and in compliance with the off-street parking requirements of UCC §9198(D). File No. PA25-000007.

CITY OF UKIAH STANDARD CONDITIONS

1. **Permit Activation:** This approval is not effective until the 10-day appeal period applicable to this Planning permit has expired without the filing of a timely appeal. If a timely appeal is filed, the project is subject to the outcome of the appeal and shall be revised as necessary to comply with any modifications, conditions, or requirements that were imposed as part of the appeal.
2. **Project Conformance:** 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 plans accompanying the application or submitted by applicant in support thereof.
3. **Standard Specifications:** Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Department of Public Works Department of Building Inspection Division of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Zoning Administrator such standards shall be met.
4. **Permit Deadline:** Building permits shall be issued within two years after the effective date of the Planning Permit or same shall be null and void.
5. **Code Compliance:** In addition to any particular condition which might be imposed; any construction shall comply with all building, fire, electric, plumbing, occupancy, and structural laws, rules, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
6. **Permit Verification:** 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 finalization of the Site Development Permit.
7. **Fee Payment:** All fees associated with the project planning permits and approvals shall be paid in full prior to occupancy.
8. **Permit Revocation:** 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.

9. **Archaeological Discovery:** In accordance with California Public Resource Code, in the event that prehistoric archaeological features such as a concentration of flaked stone artifacts, or culturally modified soil (midden) or dietary shell are encountered at any time during preparatory grading or underground excavation to remove existing structures, all work should be halted in the vicinity of the discovery. A qualified archaeologist should be contacted immediately to make an evaluation and determine if the discovered material represents a definite cultural resource. If it is determined that a potentially significant feature has been revealed, a temporary suspension of earth disturbing activities should be enforced until an appropriate mitigation program can be developed and implemented to satisfy the Planning Division. An archaeological monitor shall observe all further work during construction activities that are located within or near an archaeological site area, and formal tribal consultation may be required.

SPECIAL CONDITIONS OF APPROVAL

10. A Final Sign Plan shall be submitted to and approved by the Community Development Director prior to the issuance of any building permit for illuminated signage. All signage shall comply with the applicable design and development standards of the Ukiah City Code and remain consistent with previous entitlements or approvals related to signage on the site.
11. For parking lot trees, the Applicant shall provide additional space for any identified parking lot trees; a Final Landscaping Plan shall be submitted to and approved by the Community Development Director prior to issuance of any building permit for renovation.
12. As part of the northerly encroachment modification onto Pomeroy Street, the applicant shall maintain or reduce the existing encroachment width through a combination of striping, landscaping, and curb modifications. These improvements shall create additional separation from the Perkins Street intersection and ensure ADA compliance for the adjacent sidewalk, to the satisfaction of the City Engineer and the Community Development Director.
13. The applicant shall work with the City Engineer to expand the landscaped area along the Pomeroy Street sidewalk frontage, in place of the standard street tree requirement. This modification shall be incorporated into the Final Landscaping Plan.
14. Prior to final occupancy, the applicant shall demonstrate compliance with the State's Model Water Efficient Landscape Ordinance (MWELO). This includes submittal of a completed Landscape Documentation Package and a Certificate of Completion, signed by a licensed landscape professional. A post-installation irrigation audit, conducted by a certified irrigation auditor, shall be submitted to the City for review and approval as part of the final compliance verification.

BUILDING DIVISION AND UKIAH VALLEY FIRE AUTHORITY CONDITIONS

15. A permit will be required for T.I. (Tenant Improvements) Please submit plans, building permit application, and hardship form see links below. Please submit four complete plan sets, two wet stamped and signed.
16. The design and construction of all site alterations shall comply with the 2022 California Building Code, 2022 Plumbing Code, 2022 Electrical Code, 2022 California Mechanical Code, 2022 California Fire Code, 2022 California Energy Code, 2022 Title 24 California Energy Efficiency Standards, 2022 California Green Building Standards Code and City of Ukiah Ordinances and

Amendments.

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

- 17. Asbestos Notification:** Pursuant to 40 CFR 61, a completed Asbestos Demolition-Renovation Notification with copy of CAC survey/ test results must be submitted to AQMD (required for all commercial structures) prior to work commencing. (Notification Form attached for reference).

ELECTRIC UTILITY DEPARTMENT

- 18. Underground Service:** The property will be served from underground electric service.
- 19. Load Calculations:** Developer must provide accurate total connected load calculations to Electrical Utility Department (EUD).
- 20. Equipment Standards:** Developer must use Electric Utility Service Equipment Requirements Committee (EUSERC) approved electrical equipment per City's Acceptability Chart.
- 21. Future Site Plans:** Submit future site improvements to EUD for review. Service voltage, costs, and requirements will be determined at that time.
- 22. Cost Responsibility:** Developer/customer will bear all associated project costs (labor, materials, equipment, and services).
- 23. Utility Easements:** An easement must be provided for any primary electric lines across the site or near City electric equipment.

**DRAFT FINDINGS
MINOR SITE DEVELOPMENT PERMIT
RENOVATION & REUSE OF AN EXISTING COMMERCIAL STRUCTURE
105 POMEROY STREET, UKIAH, CA; APN 002-247-02 | FILE NO. PA25-000007**

Approved Project Description: The Applicant requests a Minor Site Development Permit to renovate and repurpose an existing commercial structure and utilize its previously approved signage allowance for continued restaurant use. The project includes the integration of a drive-through component, as permitted under Ukiah City Code (UCC) §9081, and in compliance with the off-street parking requirements of UCC §9198(D). File No. PA25-000007.

SITE DEVELOPMENT PERMIT FINDINGS

Pursuant to Zoning Ordinance Section 9261(b), staff has determined that a Minor Site Development Permit is the appropriate level of review. The required findings for approval, along with analysis of consistency, are provided below.

The proposal is consistent with the goals, objectives, and policies of the City General Plan.

The proposed renovation and reuse of the existing restaurant structure at 105 Pomeroy Street, including the addition of a drive-through, is consistent with the 2040 Ukiah General Plan. The site's Highway Commercial designation supports restaurants and drive-through uses to serve both local and regional populations. Furthermore, the project aligns with Land Use Policy LU-8.4: *Reuse of Underutilized Property*, which encourages revitalization of abandoned or underutilized sites. By repurposing degrading and vacant commercial space, the project supports economic development and provides an appropriately zoned location for a quick-service restaurant along a major transportation corridor.

The project site is designated Highway Commercial (HC) under the 2040 Ukiah General Plan, which is intended for commercial development along major transportation corridors. This designation supports uses like large-format retail, shopping centers, restaurants, lodging, and visitor services such as fueling stations and EV charging hubs. Given its location near U.S. Highway 101 and existing commercial infrastructure, the site is well-suited for continued restaurant use and aligns with the economic and land use goals of the 2040 General Plan.

The location, size, and intensity of the proposed project will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern.

The project site operated as a full-service restaurant for over 50 years, likely generating more peak-hour traffic than the proposed restaurant, which will have fewer seats and parking spaces. The new drive-through will be located in an underused area of the existing parking lot and includes a 13-car queue to avoid spillover onto Pomeroy Street. Pedestrian access will remain via existing sidewalks, and both short- and long-term bicycle parking will be provided in accordance with Ukiah City Code for projects within the Community Commercial (C-1) zoning district.

Planned onsite changes, including removal of the bi-directional lanes and north-side parallel parking, will improve circulation near the Perkins/Pomeroy intersection. Subsequently, converting onsite traffic to one-way will further enhance both flow and safety. As detailed in the draft site plan

submitted April 2, 2025, the Applicant will increase the separation from the Perkins Street intersection and ensure ADA compliance, subject to City Engineer review. Directional signage will also be conditioned to prevent entry conflicts and support safe vehicle circulation.

The accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will not create a hazardous or inconvenient condition to adjacent or surrounding uses.

The proposed project is not expected to create conditions more hazardous than those during the former restaurant's operation. The existing configuration allows for bidirectional traffic flow into both encroachments and lacks internal pedestrian safety features. In contrast, the proposed project introduces a controlled circulation pattern from Pomeroy Street, and shifts entry away from the Perkins Street intersection, reducing potential onsite vehicle/pedestrian conflicts and improving on-site traffic efficiency.

Additionally, internal pedestrian improvements, including striped crosswalks and designated pathways, are being added to clearly separate foot traffic from vehicle movement, significantly improving site safety.

While the original parking lot accommodated approximately 72 vehicles at full capacity, the revised site plan substantially reduces parking to 43 spaces allowing for improved on-site circulation and pedestrian safety.

Sufficient landscaped areas have been reserved for purposes of separating or screening the proposed structure(s) from the street and adjoining building sites and breaking up and screening large expanses of paved areas.

The project includes new perimeter landscaping that introduces parking lot landscaping and on-site shade considerations for the first time, enhancing screening from adjacent roadways and properties. The addition of a drive-through and landscaping will help break up the visual expanse of the parking lot, which has remained largely unchanged for over 50 years. As proposed, the site would meet the objective landscaping requirements, and with applied conditions of approval, additional landscaping will be added. Regular maintenance will be necessary to ensure long-term effectiveness. As recommended by the Community Services Director, the applicant is encouraged to use native or regionally appropriate plant species where feasible to reflect the natural character of the Ukiah Valley.

The proposed development will not restrict or cut out light and air on the property, or on the property in the neighborhood; nor will it hinder the development or use of buildings in the neighborhood or impair the value thereof.

The proposed development does not restrict or cut off light and air to the property or surrounding neighborhood, as it is adjacent to the US 101 and other commercial undertakings featuring substantial setbacks from all associated property lines. The project involves renovation of an existing building with no substantial modifications to its footprint. Given the current state of disrepair following the previous tenant's departure, the improvements will enhance—not hinder—the surrounding area.

The improvement of any commercial or industrial structure will not have a substantial detrimental impact on the character or value of an adjacent residential zoning district.

The proposed improvements to the existing commercial structure and project site will not negatively impact the character or value of any adjacent residential zoning district, as there are none in proximity. This site has long been developed for commercial use, and the proposed renovation will help revitalize the property rather than detract from surrounding areas. Given the current state of disrepair, investment in the site will only serve to enhance its compatibility with the broader community.

The proposed development will not excessively damage or destroy natural features, including trees, shrubs, creeks, and the natural grade of the site.

This finding is not particularly applicable, as the site is already developed and contains no significant natural features to preserve. There are no creeks, significant tree stands, or undisturbed natural grades that would be impacted by the project. Any removal of existing landscaping will only improve the site's appearance and consistency with the finalized landscape plan. No substantial grading or earthwork is required or requested within Attachment 3.

There is sufficient variety, creativity, and articulation to the architecture and design of the structure(s) and grounds to avoid monotony and/or a box-like uninteresting external appearance.

The refreshed commercial façade will enhance the structure's appearance with an updated and visually appealing design. The elevations in Attachment 3 illustrate a well-articulated design that avoids a box-like or monotonous appearance, ensuring the site remains an attractive and functional part of the commercial corridor. The proposed improvements incorporate a mix of colors, materials, and textures and also transfers thematic angles associated with the previous restaurant.

CEQA FINDINGS

The proposed project at 105 Pomeroy Street is subject to the California Environmental Quality Act (CEQA) and qualifies for a Categorical Exemption under CEQA Guidelines, Article 19, Class 1, Section 15301 (Existing Facilities) (a), which applies to minor interior or exterior alterations of existing structures within an urbanized area.

The project involves renovations to an existing 3,100-square-foot commercial structure previously occupied by a sit-down restaurant, for reuse as a quick-service restaurant with a drive-through. The building's footprint will remain unchanged, with proposed improvements including interior remodeling, exterior façade upgrades, and the addition of a drive-through lane. No major site grading or disturbance to natural features is proposed with the exception.

The project is consistent with the site's Highway Commercial land use designation, community commercial zoning district, the 2040 Ukiah General Plan, and all relevant local planning policies. Staff has determined that the project will not impact sensitive environmental resources, including habitats for endangered species, geologically sensitive areas, or sites of historical or archaeological significance, nor will it result in a substantial change from the previous long-term restaurant operator.

PUBLIC NOTICE

- Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9263:
- Published in the Ukiah Daily Journal on April 5, 2025; and
- Posted on the Project site on April 5, 2025; and
- Posted at the Civic Center (glass case) on April 5, 2025; and
- Mailed to property owners within 300 feet of the Project parcels on April 5, 2025; and
- Emailed to all agencies having jurisdiction: April 5, 2025.

DRAFT



City of Ukiah

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

Planning Permit Application

PROJECT NAME: 105 Pomeroy Street - Ukiah					
PROJECT ADDRESS/CROSS STREETS: 105 Pomeroy St, Ukiah, CA 95482				AP NUMBER(S): 002-247-02-00	
APPLICANT/AUTHORIZED AGENT: UK 105 Investments, LLC		PHONE NO: (916)761-5602	FAX NO:	E-MAIL ADDRESS: victor@letapgroup.com	
APPLICANT/AUTHORIZED AGENT ADDRESS: 4302 Redwood Hwy, Suite 200,			CITY: San Rafael		STATE/ZIP: CA, 94903
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT:		PHONE NO:	FAX NO:	E-MAIL ADDRESS:	
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT			CITY:		STATE/ZIP:
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
<input type="checkbox"/> AIRPORT LAND USE COMM. DETERMINATION REFERRAL 100.0800.611.003	\$	<input type="checkbox"/> REZONING – PLANNED DISTRICT 100.0800.611.001	\$	<input type="checkbox"/> USE PERMIT – AMENDMENT 100.0400.449.001	\$
<input type="checkbox"/> ANNEXATION 100.0800.611.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	\$	<input type="checkbox"/> USE PERMIT – MAJOR 100.0400.449.001	\$
<input type="checkbox"/> APPEAL 100.0400.449.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT – MAJOR 100.0400.449.001	\$	<input type="checkbox"/> USE PERMIT – MINOR 100.0400.449.001	\$
<input type="checkbox"/> GENERAL PLAN AMENDMENT 100.0800.611.001	\$	<input checked="" type="checkbox"/> SITE DEVELOPMENT PERMIT – MINOR 100.0400.449.001	\$ \$1,000	<input type="checkbox"/> VARIANCE – MAJOR 100.0400.449.001	\$
<input type="checkbox"/> MURAL PERMIT 100.0400.449.001	\$	<input type="checkbox"/> SPECIFIC/MASTER PLAN 100.0800.611.003	\$	<input type="checkbox"/> VARIANCE – MINOR 100.0400.449.001	\$
<input type="checkbox"/> PRE-DEVELOPMENT MEETING 100.0800.611.003	\$	<input type="checkbox"/> MINOR SUBDIVISION/TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	\$	<input type="checkbox"/> ZONING AMENDMENT MAP OR TEXT 100.0800.611.001	\$
<input type="checkbox"/> STAFF RESEARCH (MORE THAN 1 HOUR) 10023100.41153	\$	<input type="checkbox"/> MAJOR SUBDIVISION/TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	\$	<input type="checkbox"/> REZONING 100.0800.611.001	\$
<input type="checkbox"/> LOT LINE ADJUSTMENT OR MERGER 100.0800.610.001	\$	<input type="checkbox"/> OTHER	\$	<input type="checkbox"/> OTHER	\$
COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	\$		\$	FILING DATE: 03.10.25	
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	MINOR PERMIT FEE:	\$ 1000	TOTAL AMOUNT PAID: \$ 1000	
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	\$	TOTAL FEE:	\$ 1000	RECEIPT NUMBER:	
APN 002-247-02-00			APPLICATION NUMBER(S):		#PA25-000007

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 - Enclosed

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

Environmental Review and Reports

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

Use Information

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

Description of Building & Site			
Parcel Size:	Building Size:	Number of Floors:	
Use of Building (check all that apply)	Description	Square Footage	Number of Units/Suites
<input type="checkbox"/> Office (business/professional)			
<input type="checkbox"/> Office (medical/dental)			
<input type="checkbox"/> Retail			
<input type="checkbox"/> Light Industrial			
<input type="checkbox"/> Residential			
<input checked="" type="checkbox"/> Other:	Restaurant	3,100 SF	
Operating Characteristics			
Days and Hours of Operation: Monday-Sunday 10:30am-10:00pm; Drive Thru Monday-Sunday 10:30 am-11:00pm			
Number of Shifts: 2 (opening & closing)	Days and Hours of Shifts: opening -- Monday-Sunday: 9am-4pm / closing -- Monday-Sunday: 4pm-12pm		
Number of Employees/Shift: 8-10 employees per shift (approx. 25-30 employees total)			
Loading Facilities: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Type/Vehicle Size:		
Deliveries: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Type: Food/Restaurant supplies	Number (day/week/month): 2-3 deliveries per week	Time(s) of Day: 9am
Outdoor areas associated with use? (check all that apply) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sales area: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unloading of deliveries: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Storage: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Square Footage:	Square Footage:	Square Footage:
Noise Generating Use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Description:		

To Be Completed by Staff

General Plan Designation: HC	Zoning District: C1	Airport Land Use Designation: Zone 6
City's Architectural & Historic Inventory: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Age of Building: 56	Demolition Policy: N/A
Hillside: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Flood Designation FIRM Map: N/A	Flood Designation Floodway Map: N/A
Tree Policies		
General Plan Open Space Conservation <input type="checkbox"/> NO <input type="checkbox"/> YES GOAL/POLICY #:		Community Forest Management Plan <input type="checkbox"/> NO <input type="checkbox"/> YES GOAL/POLICY #:
Landscaping and Streetscape Design Guidelines <input type="checkbox"/> NO <input type="checkbox"/> YES GUIDELINE #:		Commercial Development Design Guidelines <input type="checkbox"/> NO <input type="checkbox"/> YES GUIDELINE #:
Tree Protection and Enhancement Policy <input type="checkbox"/> NO <input type="checkbox"/> YES NOTES:		Tree Planting and Maintenance Policy <input type="checkbox"/> NO <input type="checkbox"/> YES NOTES:
UCC: Street Tree Policy, Purpose and Intent <input type="checkbox"/> NO <input type="checkbox"/> YES NOTES:		Other:
Notes		

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

Chirayu Patel

2/28/2025

PROPERTY OWNER SIGNATURE

DATE

I, ___Chirayu Patel_____, 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.

Chirayu Patel

2/28/2025

OWNER / **AUTHORIZED AGENT**

DATE

INDEMNIFICATION AGREEMENT

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

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

I have read and agree to all of the above.

Chirayu Patel

PROPERTY OWNER / **AUTHORIZED AGENT**

(PLEASE PRINT NAME)

Chirayu Patel

2/28/2025

PROPERTY OWNER / **AUTHORIZED AGENT**

(SIGNATURE)

DATE

Revised 08/19/2019



105 Pomeroy Street, Ukiah

Project Description/Justification

The proposed project is for a commercial use on 0.78 acres at the corner of Pomeroy Street and E. Perkins Street in Ukiah at APN 002-247-02-00. The parcel is currently zoned C1 Commercial and the land use is Highway Commercial. Located on the site is an existing 3,100 square foot restaurant building, trash enclosure, freeway height sign post and on site parking.

The proposed project is for a remodel of an existing 3,100 square foot add a drive-through to the existing restaurant building in an area of extra parking at the back of the building. Add a large double wide drive-through queuing area is proposed to provide ample vehicle stacking with room for about 13 ± vehicles. according to the city of Ukiah code, for drive-through/takeout restaurants, one parking space per three dining room seats. The proposed facility will have 48 seats and it is anticipated that the maximum shift will have 10 employees. The required parking would be $48/3 + 10/2 = 21$ parking spaces. The proposed modifications to the site will provide 46 parking spaces; all parking spaces standard size except for six compacts along the drive thru. The parking spaces around the perimeter will have a two-foot overhang into the landscape strip, making these standard spaces. The site will retain the wide ingress and egress entries and maintain a twenty-four foot wide drive aisle.

To bring the site into conformance with city code, propose both long term and short-term bicycle parking, provide a striped pedestrian path of travel from the rear parking area to the restaurant and from the restaurant to the trash enclosure, add landscape planters in and around the perimeter to accommodate tree planting that will break up the existing sea of asphalt and improve the circulation and feel of what is currently there.

We feel the proposed use for this site is ideal because of location. It is located right off the busy US 101 freeway with easy access and visibility. The project will provide a use that is beneficial to most in an under-utilized parcel of land with a vacant building. Based on the site size, shape, and location, the proposed use will be the perfect addition to the City of Ukiah for this area.

Morton & Pitalo, Inc.
Civil Engineering *Land Surveying*Land Planning
600 Coolidge Drive, Suite 140, Folsom, CA 95630
(916) 927-2400

SITE PLAN

APN 002-247-02-00
PARCEL SIZE: 0.78 ACRES
OWNER/APPLICANT
UK 105 INVESTMENTS, LLC
4302 REDWOOD WHY, SUITE 200
SAN RAFAEL, CA 94903
916-7614-5602

EXISTING ZONING: C1 COMMERCIAL
PROPOSED ZONING: C1 COMMERCIAL
EXISTING GENERAL PLAN: HIGHWAY COMMERCIAL
PROPOSED GENERAL PLAN: HIGHWAY COMMERCIAL

USE: RESTAURANT, ALLOWED USE
MAX. BUILDING HEIGHT: 50 FEET
SETBACKS:
FRONT: 5' R/W; 10 CORNER LOTS
REAR AND SIDE: NONE

PARKING:
DRIVE-THROUGH/TAKEOUT RESTAURANTS
(3 SEATS)

RESTAURANT
REQUIRED: 20 SPACES
(48 SEATS + EMPLOYEES)
PROVIDED: 43 SPACES
STACKING AREA FOR DRIVE-THROUGH
REQUIRED: 8 SPACES
PROVIDED: 13 SPACES
PARKING STANDARDS: (90 DEGREE)
STALL WIDTH: 9 FEET
STALL LENGTH: 19 FEET
AISLE WIDTH: 24 FEET (TWO WAY)
AISLE WIDTH: 18 FEET (ONE WAY)
STALL WIDTH: 8.5 FEET (COMPACT)
STALL LENGTH: 16 FEET (COMPACT)

PROJECT DESCRIPTION
LOCATED ON THE SITE IS AN EXISTING 3,100 SQUARE FOOT RESTAURANT BUILDING, TRASH ENCLOSURE, FREEWAY HEIGHT SIGN POST AND ON SITE PARKING.

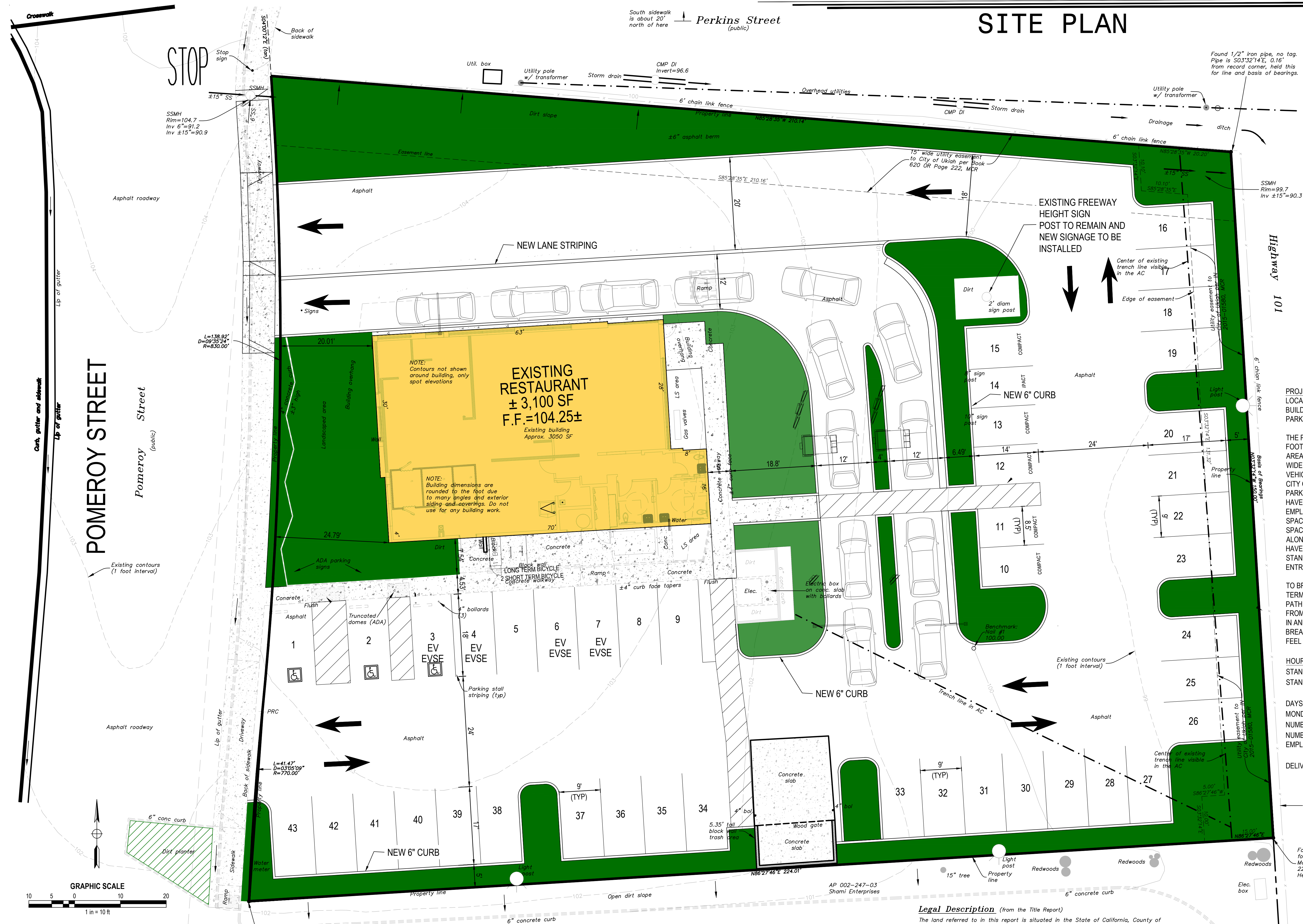
THE PROPOSED PROJECT IS FOR A REMODEL OF AN EXISTING 3,100 SQUARE FOOT ADD A DRIVE-THROUGH TO THE EXISTING RESTAURANT BUILDING IN AN AREA OF EXTRA PARKING AT THE BACK OF THE BUILDING. ADD A LARGE DOUBLE WIDE DRIVE-THROUGH QUEUING AREA IS PROPOSED TO PROVIDE AMPLE VEHICLE STACKING WITH ROOM FOR ABOUT 13 ± VEHICLES. ACCORDING TO THE CITY OF UKIAH CODE, FOR DRIVE-THROUGH/TAKEOUT RESTAURANTS, ONE PARKING SPACE PER THREE DINING ROOM SEATS. THE PROPOSED FACILITY WILL HAVE 48 SEATS AND IT IS ANTICIPATED THAT THE MAXIMUM SHIFT WILL HAVE 10 EMPLOYEES. THE REQUIRED PARKING WOULD BE 48/3 + 10/2 = 21 PARKING SPACES. THE PROPOSED MODIFICATIONS TO THE SITE WILL PROVIDE 46 PARKING SPACES; ALL PARKING SPACES STANDARD SIZE EXCEPT FOR SIX COMPACTS ALONG THE DRIVE THRU. THE PARKING SPACES AROUND THE PERIMETER WILL HAVE A TWO-FOOT OVERHANG INTO THE LANDSCAPE STRIP, MAKING THESE STANDARD SPACES. THE SITE WILL RETAIN THE WIDE INGRESS AND EGRESS ENTRIES AND MAINTAIN A TWENTY-FOUR FOOT WIDE DRIVE AISLE.

TO BRING THE SITE INTO CONFORMANCE WITH CITY CODE, PROPOSE BOTH LONG TERM AND SHORT-TERM BICYCLE PARKING, PROVIDE A STRIPED PEDESTRIAN PATH OF TRAVEL FROM THE REAR PARKING AREA TO THE RESTAURANT AND FROM THE RESTAURANT TO THE TRASH ENCLOSURE. ADD LANDSCAPE PLANTERS IN AND AROUND THE PERIMETER TO ACCOMMODATE TREE PLANTING THAT WILL BREAK UP THE EXISTING SEA OF ASPHALT AND IMPROVE THE CIRCULATION AND FEEL OF WHAT IS CURRENTLY THERE.

HOURS OF OPERATION:
STANDARD HOURS: MONDAY-SUNDAY 10:30AM - 10:00PM
STANDARD D/T HOURS: MONDAY-SUNDAY 10:30AM - 11:00PM

DAYS AND HOURS OF SHIFTS:
MONDAY-SUNDAY: 9AM - 4PM MONDAY-SUNDAY: 4PM-12PM
NUMBER OF SHIFTS: 2 (OPENING & CLOSING)
NUMBER OF EMPLOYEES / SHIFT : 8-10 EMPLOYEES PER SHIFT (APPROX. 25-30 EMPLOYEES TOTAL)

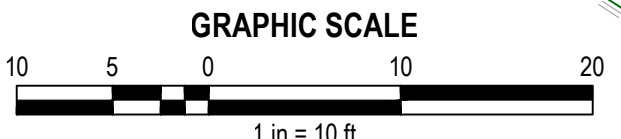
DELIVERY HOURS: 2-3 DELIVERIES PER WEEK BEFORE THE RESTAURANT OPENS



POMEROY STREET

Highway 101

105 POMEROY STREET



SCALE:	BENCH MARK	COMPUTED
HORIZ. 1" = 1"=10'		DESIGNED
VERT. 1" =		DRAWN
		PROJ. ENGR.

MORTON & PITALO, INC.
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
Folsom • Fresno
600 Coolidge Drive, Suite #140
Folsom, CA 95630
phone: (916) 984-7621
web: www.mpengr.com

IMPROVEMENT PLAN FOR
105 POMEROY STREET
THE HABIT BURGER GRILL
SITE PLAN
UKIAH, CALIFORNIA

DATE	APRIL 2, 2025
SHEET	C-100
OF	1
2	

APN 002-247-02-00
PARCEL SIZE: 0.78 ACRES
OWNER/APPLICANT
UK 105 INVESTMENTS, LLC
4302 REDWOOD WHY, SUITE 200
SAN RAFAEL, CA 94903
916-7614-5602

EXISTING ZONING: C1 COMMERCIAL
PROPOSED ZONING: C1 COMMERCIAL
EXISTING GENERAL PLAN: HIGHWAY COMMERCIAL
PROPOSED GENERAL PLAN: HIGHWAY COMMERCIAL

USE: RESTAURANT, ALLOWED USE
MAX. BUILDING HEIGHT: 50 FEET
SETBACKS:
FRONT: 5' R/W; 10 CORNER LOTS
REAR AND SIDE: NONE

PARKING:
DRIVE-THROUGH/TAKEOUT RESTAURANTS
(3 SEATS)

RESTAURANT
REQUIRED: 20 SPACES
(48 SEATS + EMPLOYEES)
PROVIDED: 46 SPACES
STACKING AREA FOR DRIVE-THROUGH
REQUIRED: 8 SPACES
PROVIDED: 13 SPACES
PARKING STANDARDS: (90 DEGREE)
STALL WIDTH: 9 FEET
STALL LENGTH: 19 FEET
AISLE WIDTH: 24 FEET (TWO WAY)
AISLE WIDTH: 18 FEET (ONE WAY)
STALL WIDTH: 8.5 FEET (COMPACT)
STALL LENGTH: 16 FEET (COMPACT)

PROJECT DESCRIPTION
LOCATED ON THE SITE IS AN EXISTING 3,100 SQUARE FOOT RESTAURANT BUILDING, TRASH ENCLOSURE, FREEWAY HEIGHT SIGN POST AND ON SITE PARKING.

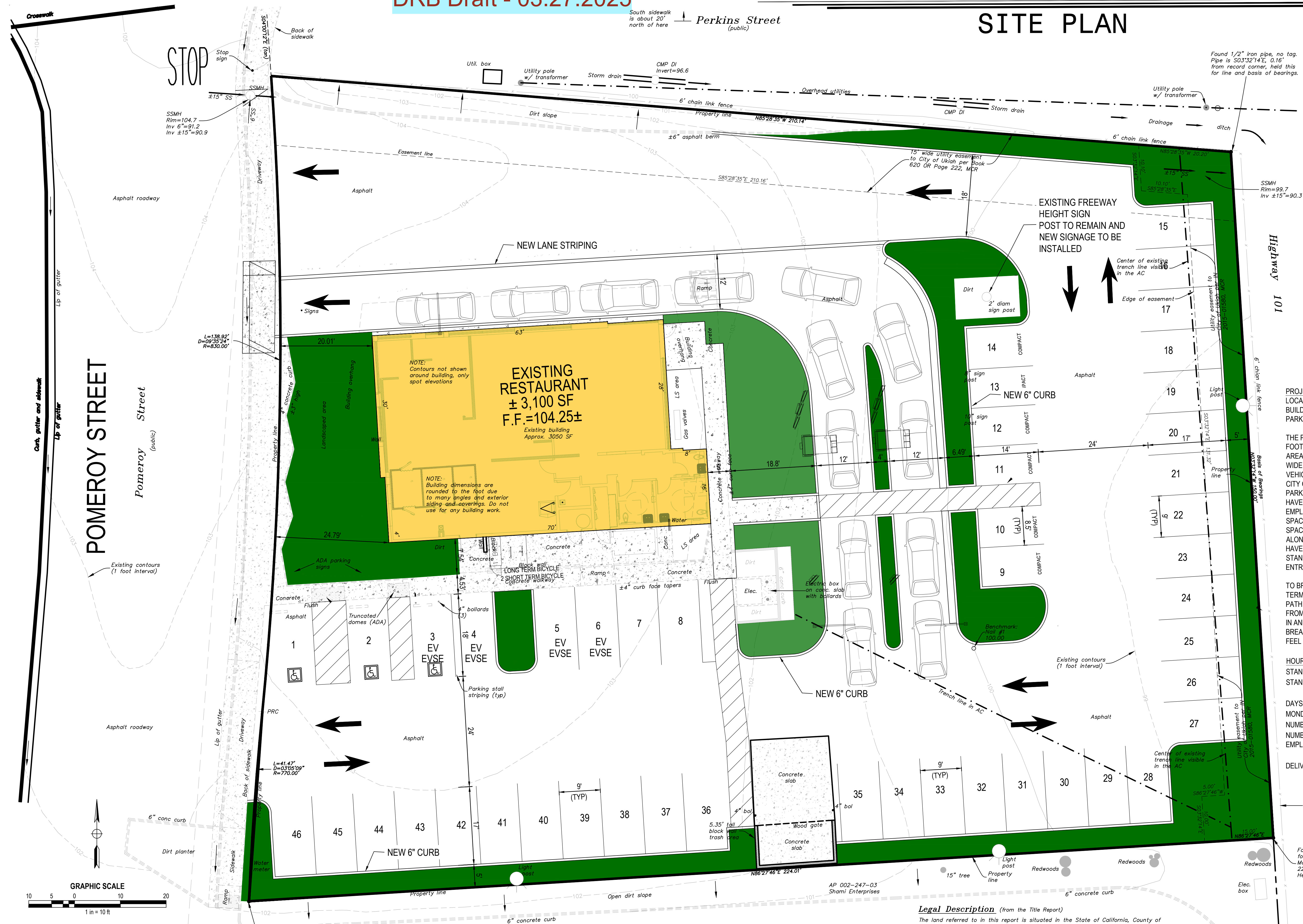
THE PROPOSED PROJECT IS FOR A REMODEL OF AN EXISTING 3,100 SQUARE FOOT ADD A DRIVE-THROUGH TO THE EXISTING RESTAURANT BUILDING IN AN AREA OF EXTRA PARKING AT THE BACK OF THE BUILDING. ADD A LARGE DOUBLE WIDE DRIVE-THROUGH QUEUING AREA IS PROPOSED TO PROVIDE AMPLE VEHICLE STACKING WITH ROOM FOR ABOUT 13 ± VEHICLES. ACCORDING TO THE CITY OF UKIAH CODE, FOR DRIVE-THROUGH/TAKEOUT RESTAURANTS, ONE PARKING SPACE PER THREE DINING ROOM SEATS. THE PROPOSED FACILITY WILL HAVE 48 SEATS AND IT IS ANTICIPATED THAT THE MAXIMUM SHIFT WILL HAVE 10 EMPLOYEES. THE REQUIRED PARKING WOULD BE 48/3 + 10/2 = 21 PARKING SPACES. THE PROPOSED MODIFICATIONS TO THE SITE WILL PROVIDE 46 PARKING SPACES; ALL PARKING SPACES STANDARD SIZE EXCEPT FOR SIX COMPACTS ALONG THE DRIVE THRU. THE PARKING SPACES AROUND THE PERIMETER WILL HAVE A TWO-FOOT OVERHANG INTO THE LANDSCAPE STRIP, MAKING THESE STANDARD SPACES. THE SITE WILL RETAIN THE WIDE INGRESS AND EGRESS ENTRIES AND MAINTAIN A TWENTY-FOUR FOOT WIDE DRIVE AISLE.

TO BRING THE SITE INTO CONFORMANCE WITH CITY CODE, PROPOSE BOTH LONG TERM AND SHORT-TERM BICYCLE PARKING, PROVIDE A STRIPED PEDESTRIAN PATH OF TRAVEL FROM THE REAR PARKING AREA TO THE RESTAURANT AND FROM THE RESTAURANT TO THE TRASH ENCLOSURE, ADD LANDSCAPE PLANTERS IN AND AROUND THE PERIMETER TO ACCOMMODATE TREE PLANTING THAT WILL BREAK UP THE EXISTING SEA OF ASPHALT AND IMPROVE THE CIRCULATION AND FEEL OF WHAT IS CURRENTLY THERE.

HOURS OF OPERATION:
STANDARD HOURS: MONDAY-SUNDAY 10:30AM - 10:00PM
STANDARD D/T HOURS: MONDAY-SUNDAY 10:30AM - 11:00PM

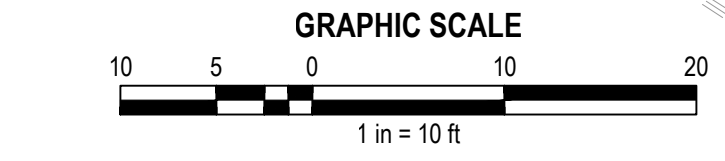
DAYS AND HOURS OF SHIFTS:
MONDAY-SUNDAY: 9AM - 4PM MONDAY-SUNDAY: 4PM-12PM
NUMBER OF SHIFTS: 2 (OPENING & CLOSING)
NUMBER OF EMPLOYEES / SHIFT: 8-10 EMPLOYEES PER SHIFT (APPROX. 25-30 EMPLOYEES TOTAL)

DELIVERY HOURS: 2-3 DELIVERIES PER WEEK BEFORE THE RESTAURANT OPENS



POMEROY STREET

Highway 101



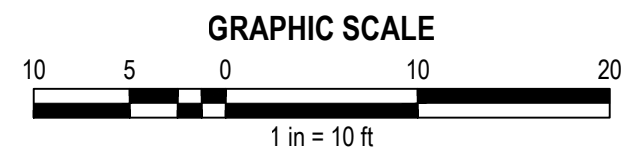
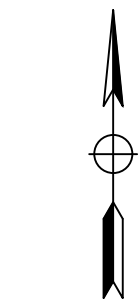
SCALE:	BENCH MARK	COMPUTED
HORIZ. 1" = 1"=10'		DESIGNED
VERT. 1" =		DRAWN
		PROJ. ENGR.

MORTON & PITALO, INC.
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
Folsom • Fresno
600 Coolidge Drive, Suite #140
Folsom, CA 95630
phone: (916) 984-7621
web: www.mpengr.com

IMPROVEMENT PLAN FOR
105 POMEROY STREET
THE HABIT BURGER GRILL
SITE PLAN
UKIAH, CALIFORNIA

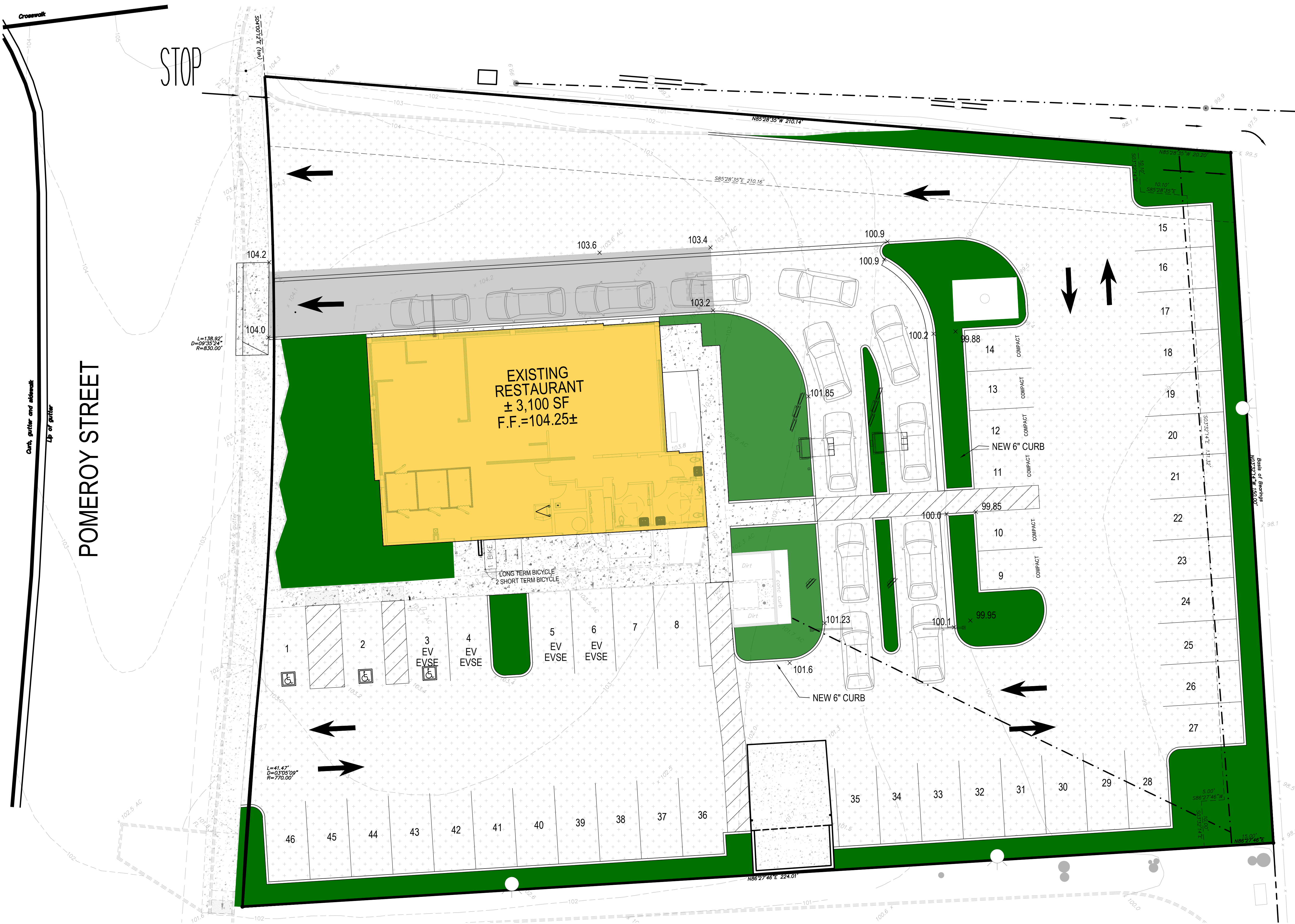
DATE	MAR. 2025
SHEET	C-100
OF	1 OF 2

E. PERKINS STREET



LEGEND:

- NEW AC PAVEMENT
- EXISTING PAVEMENT TO BE SLURRY SEALED
- EXISTING PAVEMENT TO BE REMOVED AND CONSTRUCT LANDSCAPE PLANTER
- EXISTING CONCRETE TO REMAIN



POMEROY STREET

105 POMEROY STREET

Dwg: X:\2024\04\04\105 POMEROY - IMPROVEMENT PLAN\240042-01-PRG2.DWG | Sheet: 05-025 of 06-000 SHEET

SCALE:	BENCH MARK
HORIZ. 1" = 1"=10'	
VERT. 1" =	

COMPUTED
DESIGNED
DRAWN
PROJ. ENGR.



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IMPROVEMENT PLAN FOR
105 POMEROY STREET
 THE HABIT BURGER GRILL
 GRADING PLAN
 UKIAH, CALIFORNIA

DATE	MAR. 2025
SHEET	C-101
	2 OF 2



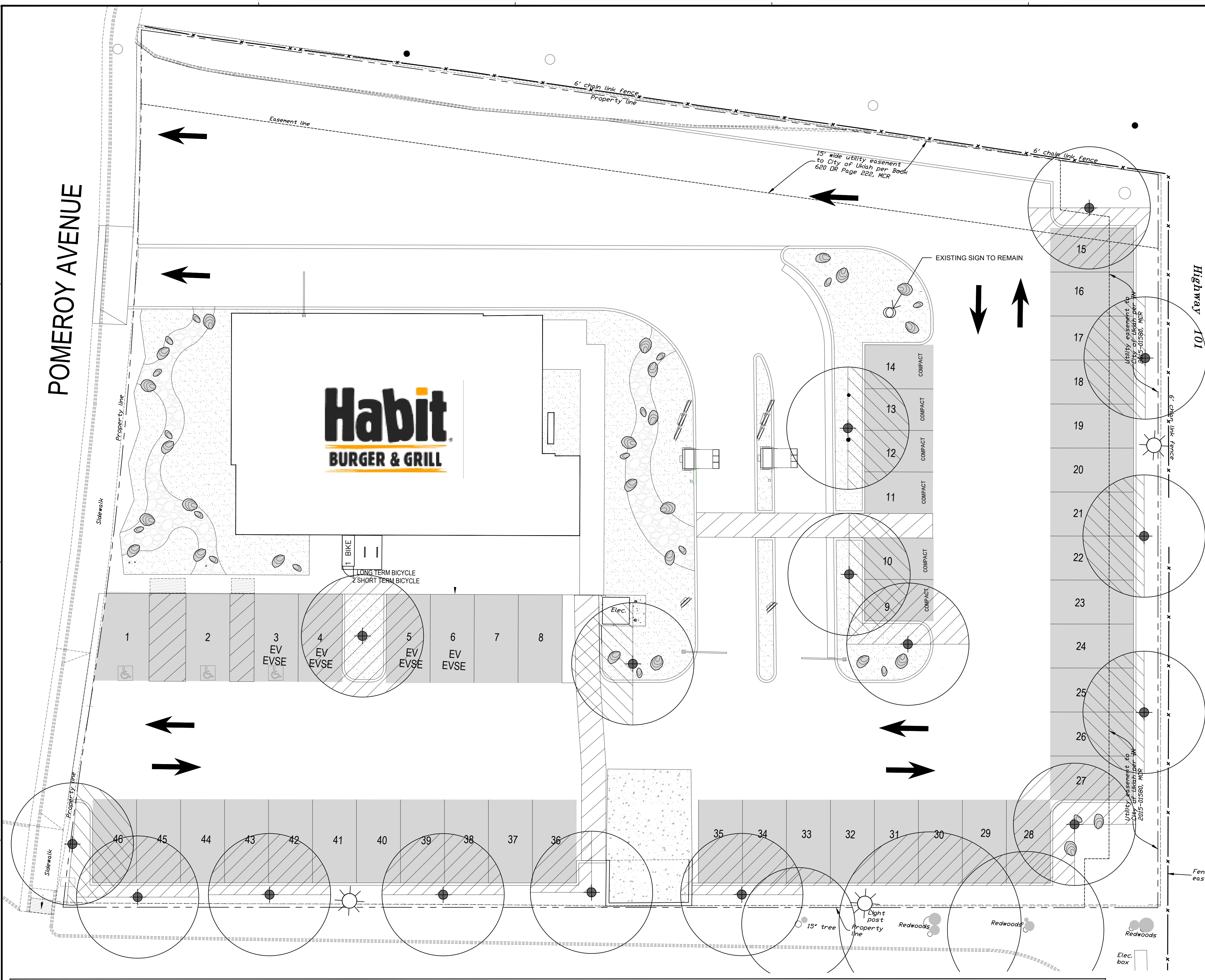
105 POMEROY STREET
UKIAH, CA
STORE #: XXX

LANDSCAPE
SHADING PLAN

Project Number: 24-253
Plan Check Number:



SHEET
LSP.1

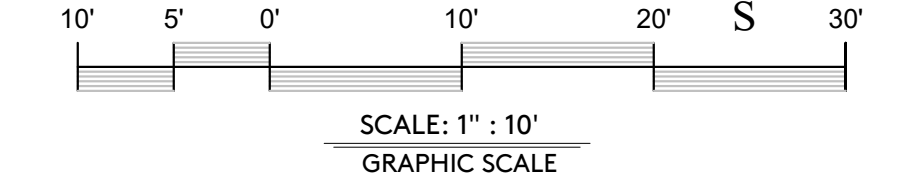
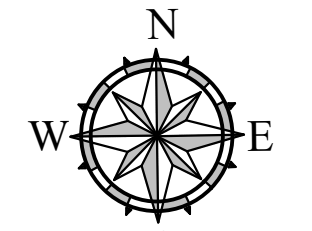


LEGEND SHADING

- COVERED PARKING SPACES
- UNCOVERED PARKING AREA

SHADING SUMMARY

TOTAL NUMBER OF UNCOVERED PARKING SPACES:	46 SPACES
TOTAL UNCOVERED PARKING AREA: (EXCLUDES DRIVEWAYS AND AISLES)	7,168 S.F.
25% 1 TREE	
50% 12 TREES	
100% 1 TREE	
PARKING AREA SHADED BY TREES: SHADED PARKING AREA:	5,015 S.F. 64%



PLAN VIEW

SCALE: 1" = 10'-0"

Underground Service Alert
Call: Toll Free
811
TWO WORKING DAYS
BEFORE YOU DIG

LANDSCAPE ARCHITECT:
BPA
LANDSCAPE ARCHITECTS
BRANDON PETRUNIO & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
Design Studio: 301 N. San Dimas Ave., San Dimas, CA, 91773
Corp Office: 15699 Cherry Leaf Lane, Fontana, CA, 92336
T: (424) 235-8940, M: (951) 312-9943, E: brandon@bpalas.com



Civil Engineering
Land Planning
Land Surveying

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Tel: (916) 927-2400
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DATE: MARCH 4, 2025

MP JOB NO: 24-0042-00

PROJECT NAME: 105 POMEROY AVE. - UKIAH
PROJECT ADDRESS: 105 POMEROY AVE, UKIAH, CA 95482
APN: 002-247-02-00

RE: RESPONSE TO PLANNING INTAKE COMMENTS

COMMENTS FROM KATHERINE SCHAEFER, PLANNING MANAGER
EMAIL DATED FEBRUARY 4, 2025

1. As we discussed, the site is zoned [Community Commercial](#) (C-1) and will likely require a Site Development Permit.
Response: An application for a Site Development Permit as well as the \$1,000 fee has been provided with this resubmittal.

2. Regarding parking and landscaping, the project must adhere to Ukiah City Code (UCC) [§9087](#)(D), which mandates tree wells every four parking spaces, perimeter planting strips, and at least 50% shade coverage over paved areas within 15 years of planting. Landscaping plans must also meet additional requirements, including using plants that thrive in Ukiah's climate, incorporating deciduous trees along south and west building exposures, and providing tree plantings in parking lots with 12 or more spaces. In response to the inquiry about meeting the totality of these landscaping standards, we ask that you provide a narrative explaining what can reasonably be accommodated within the site's limitations to meet the development standards. Revision of the submitted site plans to clearly demonstrate how the project will comply with these requirements would be helpful, to the extent feasible, given the site's constraints. While we understand that site conditions may affect certain aspects of the project, the revised narrative and site plans should show how compliance with the code can reasonably be achieved. This will allow flexibility for the review authority to consider modifications to the landscaping plan, based on the size, scale, intensity, and location of the development as provided for in UCC [§9087](#) (D).

Response: The Site Plan and the Landscape Plans have been updated to adhere to the above comment. A Landscape Narrative has been provided with this resubmittal as well.

3. Additionally, [§9086\(A\)\(5\)](#) requires bicycle parking, with the number of spaces equaling no less than 10% of the required off-street automobile parking spaces, particularly for areas such as Perkins Street, which serves as a primary corridor to downtown. Under UCC [§9199\(B\)](#), projects including bicycle parking may qualify for a reduction in vehicle parking requirements, with one vehicle space reduced for every five bicycle spaces provided (up to a maximum of two vehicle spaces). Given the site's location and intended use, it's important to ensure that adequate bicycle parking and pedestrian pathways are provided to ensure accessibility and compliance.

Response: Per 10% bicycle parking required, since we have 20 required spaces, 2 short term bicycle parking spaces are required and have been provided, in addition to long term bicycle parking.

4. Regarding signage, the restaurant qualifies to utilize the existing 75' pole sign near the freeway via a 1996 Administrative Approval, or the construction of a new 50' sign pursuant to UCC [§3227\(A\)](#).

Response: Noted.

5. For next steps, once a complete application is submitted, the project will move to the Design Review Board (DRB), which typically takes 1-2 months. After that, Zoning Administrator and/or Planning Commission review can take another 2-4 months. If demolition of the structure remains off the table, then further review by the Demolition Review Board and City Council would not be necessary.

Response: Noted.

6. For Site Development Findings before the Zoning Administrator or Planning Commission, the project must demonstrate, in accordance with UCC [§9263\(E\)](#), that it will not create hazardous or inconvenient traffic patterns for both vehicles and pedestrians, or result in unsafe conditions related to parking areas and adjacent streets. Additionally, the project should show that sufficient landscaping has been provided to separate or screen the proposed structure(s) from the street and surrounding properties, as well as to break up large expanses of paved areas. The development should also ensure that it will not obstruct light and air, or negatively impact the development and value of neighboring properties, particularly residential zones. To support these findings, we would appreciate any additional project details or information you can provide to demonstrate compliance with these requirements.

Response: Noted. The updated Site Plan and Landscape Plans show significant improvement over the existing use of the site with the addition of more landscape and trees.

END KATHERINE SCHAEFERS, PLANNING MANAGER COMMENTS

COMMENTS FROM JESSIE DAVIS, CHIEF PLANNING MANAGER
EMAIL DATED JANUARY 3, 2025

I recommend addressing the following clarifications and responses:

1. Please confirm that the structure will not be demolished, but renovated and remodeled.
Response: The structure will not be demolished; it will be renovated and remodeled.
2. Will the footprint of the structure be expanded? If so by how many square feet?
Response: The proposed footprint will remain the same as the ± 3,100 SF existing footprint.
3. What is the total amount of proposed landscaping coverage in terms of gross percentage? Existing and proposed shade coverage?
Response: Existing Landscape: 2,716 SF (7.7%). Proposed Landscape: 7,040 SF (20%).
4. Is there a draft signage plan?
 - a. As a restaurant, Habit Burger would be eligible for use of the existing pole sign.
Response: Noted.
5. Is there a draft lighting/photometric plan?
 - a. Are any new parking lot lights proposed for installation?
Response: No new parking lot lights proposed.
6. Parking Lot Landscaping:
 - a. Given the existing nature of the site, Staff projects that much of the focus will be on the existing parking lot landscaping and the present lack of shade coverage. In particular, please review and consider the following requirements in [UCC Section 9087\(D\)](#):
 - Parking Lot Tree Wells (Every 4 Spaces) – 50% Shade Coverage;
 - Perimeter planting strip with both trees and shrubs.
 - Defined pedestrian sidewalks or marked pedestrian facilities;
 - This is perhaps most applicable to parking along the eastern property line.

Response: The updated Site Plan with this resubmittal has taken out parking spaces to add more trees. Also, perimeter planting strips have been added around the perimeter parking spaces to enable more trees to be planted. Pedestrian access has been added to allow the eastern parking spaces access to the building and access to

the trash enclosure.

7. Bicycle Parking: What are the considerations for bicycle parking?

Response: Per 10% bicycle parking required, since we have 20 required spaces, 2 short term bicycle parking spaces are required and have been provided, in addition to long term bicycle parking.

8. Any general information about expected traffic volume or daily customer visits would be helpful to contrast the project to its previous use as a Denny's.

Response: We are expecting the daily traffic volume and daily customer visits to increase because of the drive-through and being able to turn customers quicker. An estimated $\pm 1,300$ daily visits.

9. In general, based on the off-street parking requirements for a drive through business, there would appear to be room to reduce the number of existing spaces. Per Ukiah City Code Section 9198(D): Drive-In, Drive-Through and Takeout Restaurants: Minimum of ten (10) parking spaces or one space for each one hundred (100) square feet of gross floor area, whichever is greater and stacking area for at least eight (8) vehicles for drive-up windows.

Response: 20 parking spaces are required and 46 parking spaces are provided. This is a reduction of 4 parking spaces from the previous submittal. For the drive-through stacking, 8 spaces are required and 13 spaces are provided.

10. Again, this project appears well aligned to the site's zoning and general plan designations, and can be submitted at your discretion as a Minor Site Development Permit. Staff would be happy to set up a check-in or meeting next week to further discuss next steps, submittal, and review. Thank you again, and look forward to talking with you next week.

Response: Noted. An application for a Site Development Permit as well as the \$1,000 fee has been provided with this resubmittal.

END JESSE DAVIS, CHIEF PLANNING MANAGER COMMENTS



105 Pomeroy Street, Ukiah, CA 95482 – July 2024

A street view of the property at 105 Pomeroy Street, taken from Pomeroy Street in July 2024, highlighting the northerly encroachment, existing site conditions and the surrounding context within the City of Ukiah. (From Pomeroy Street)



105 Pomeroy Street, Ukiah, CA 95482 – July 2024

A street view of the property at 105 Pomeroy Street, taken from Perkins Street in July 2024, highlighting existing site conditions and the surrounding context within the City of Ukiah. (From Perkins Street)

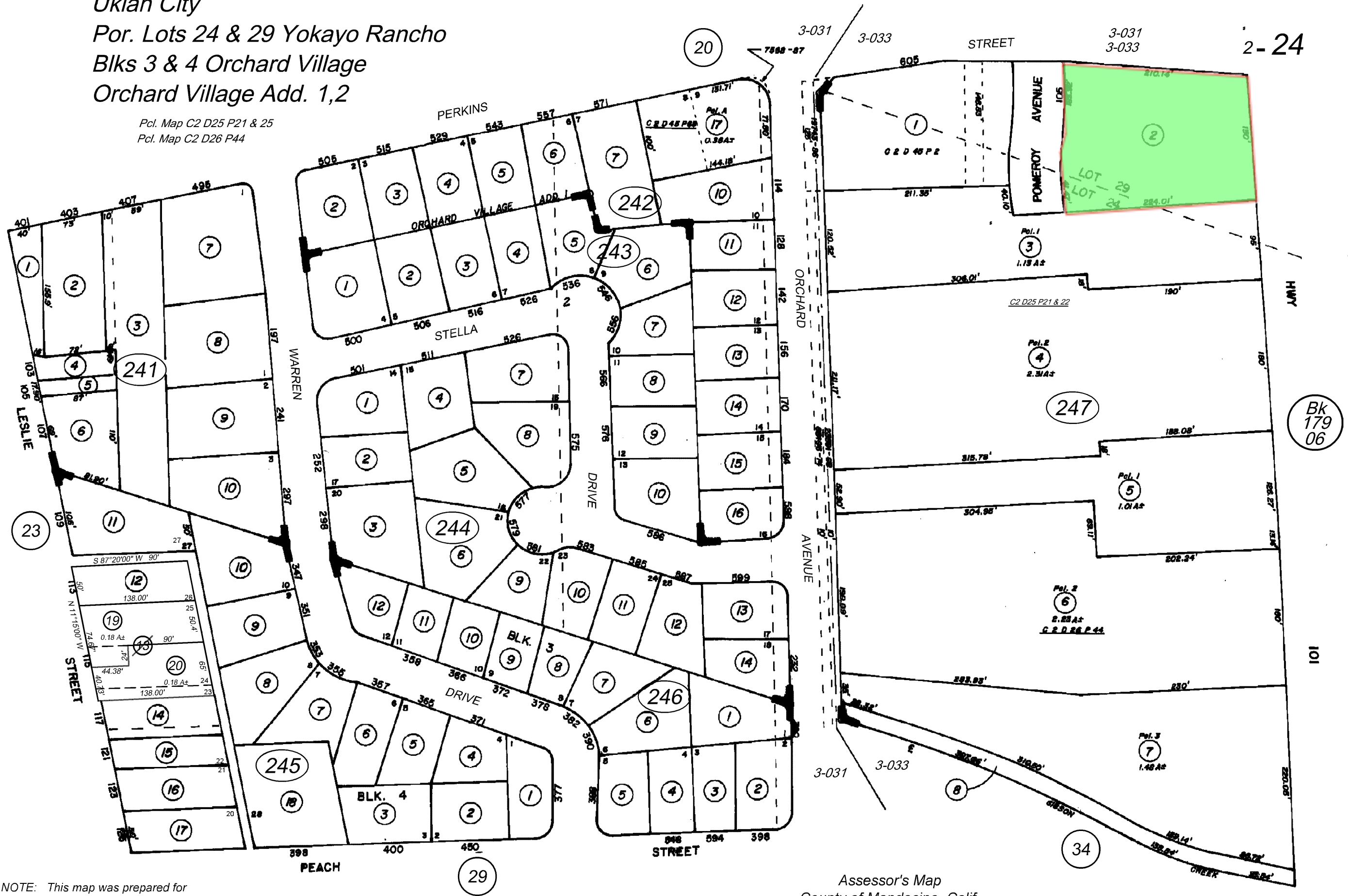


105 Pomeroy Street, Ukiah, CA 95482 – July 2024

A street view of the property at 105 Pomeroy Street taken from the US 101 in July 2024, highlighting the parking lot, existing sign infrastructure, site conditions and the surrounding context within the City of Ukiah. (From SB US 101)

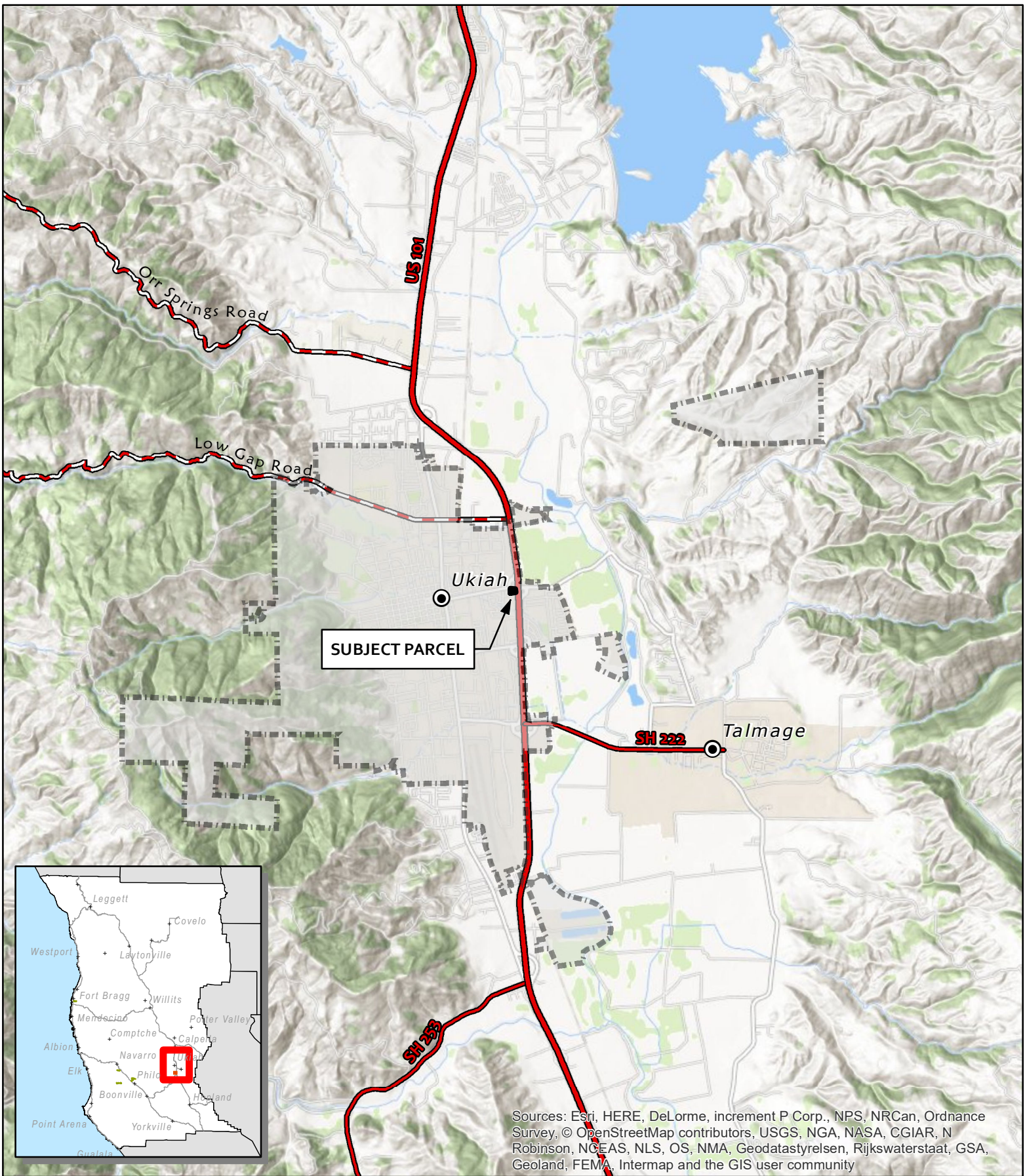
Ukiah City
 Por. Lots 24 & 29 Yokayo Rancho
 Blks 3 & 4 Orchard Village
 Orchard Village Add. 1,2

Pcl. Map C2 D25 P21 & 25
 Pcl. Map C2 D26 P44



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

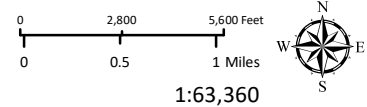
Assessor's Map
 County of Mendocino, Calif.
 July 31, 2019



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

CASE: #PA25-00007
OWNER: UK 105 Investments LLC
APN: 002-247-02
APLCT: UK 105 Investments LLC
AGENT: Victor Chiang
ADDRESS: 105 Pomeroy Ave., Ukiah

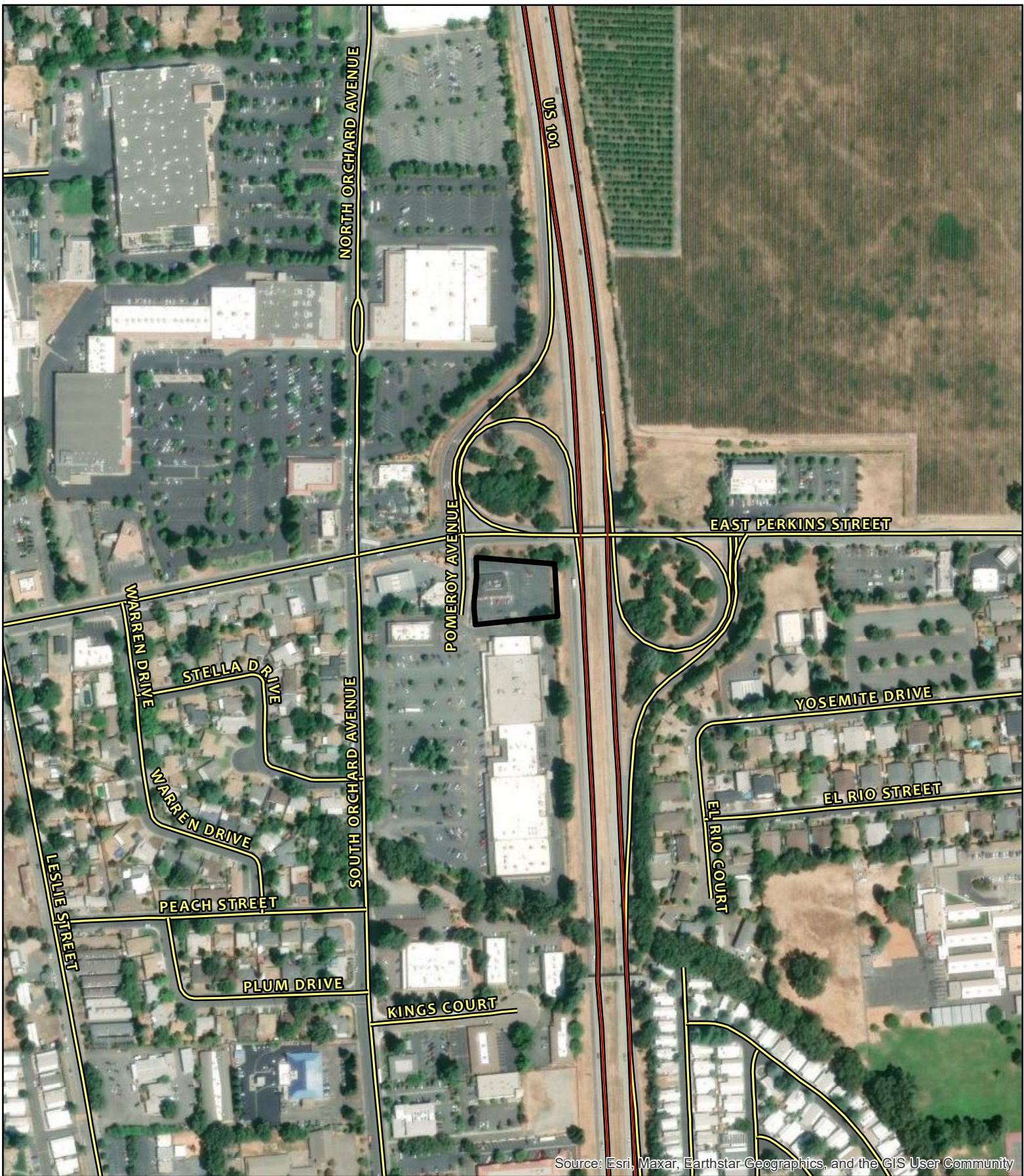
- Major Towns & Places
- City Limits
- Major Roads
- Highways



1:63,360

LOCATION

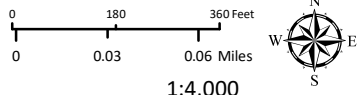
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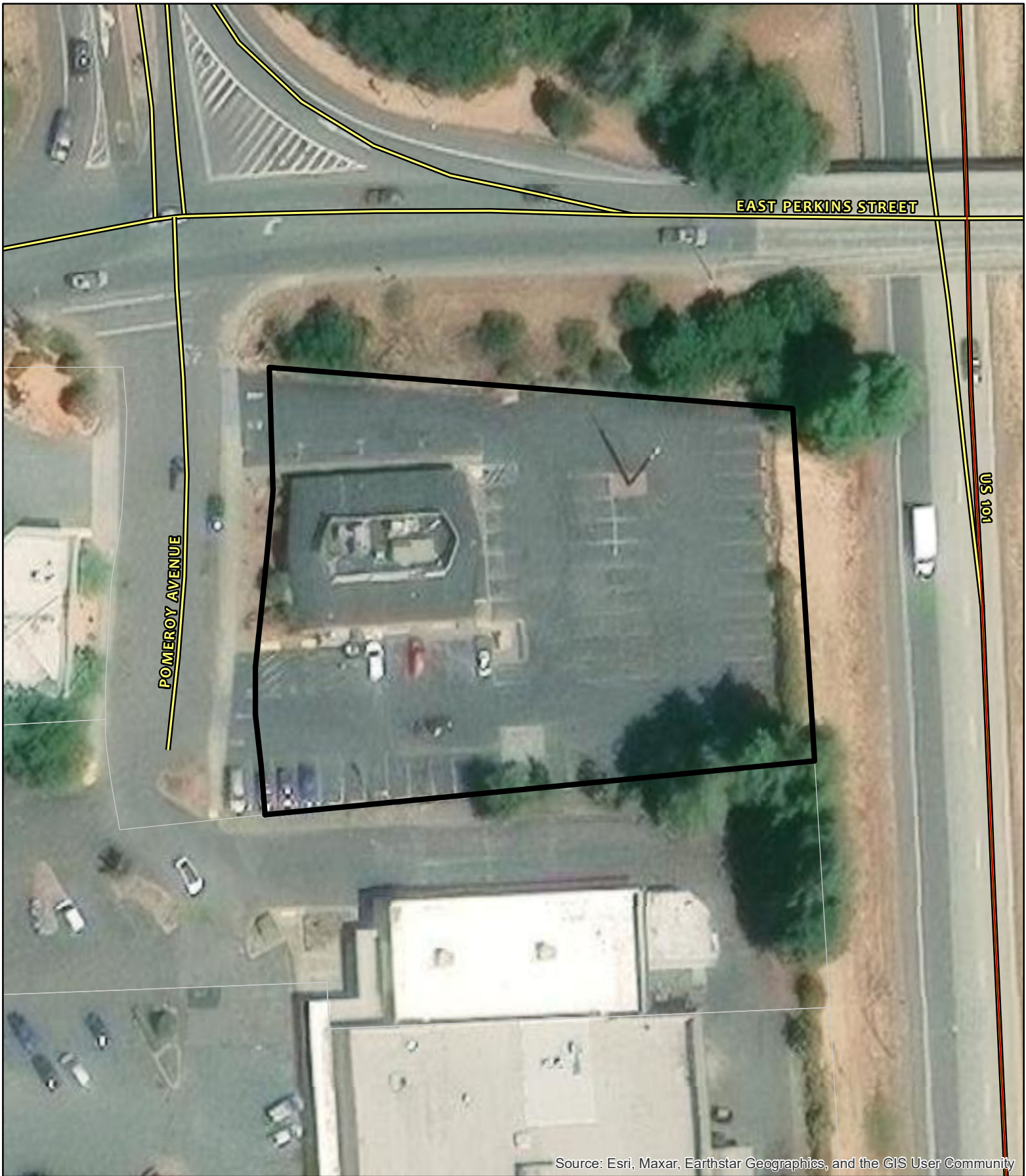
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AGENT: Victor Chiang
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— Highways (2017)
 — Public Roads






1:4,000
AERIAL IMAGERY

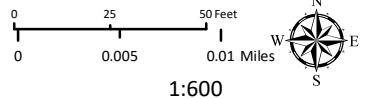
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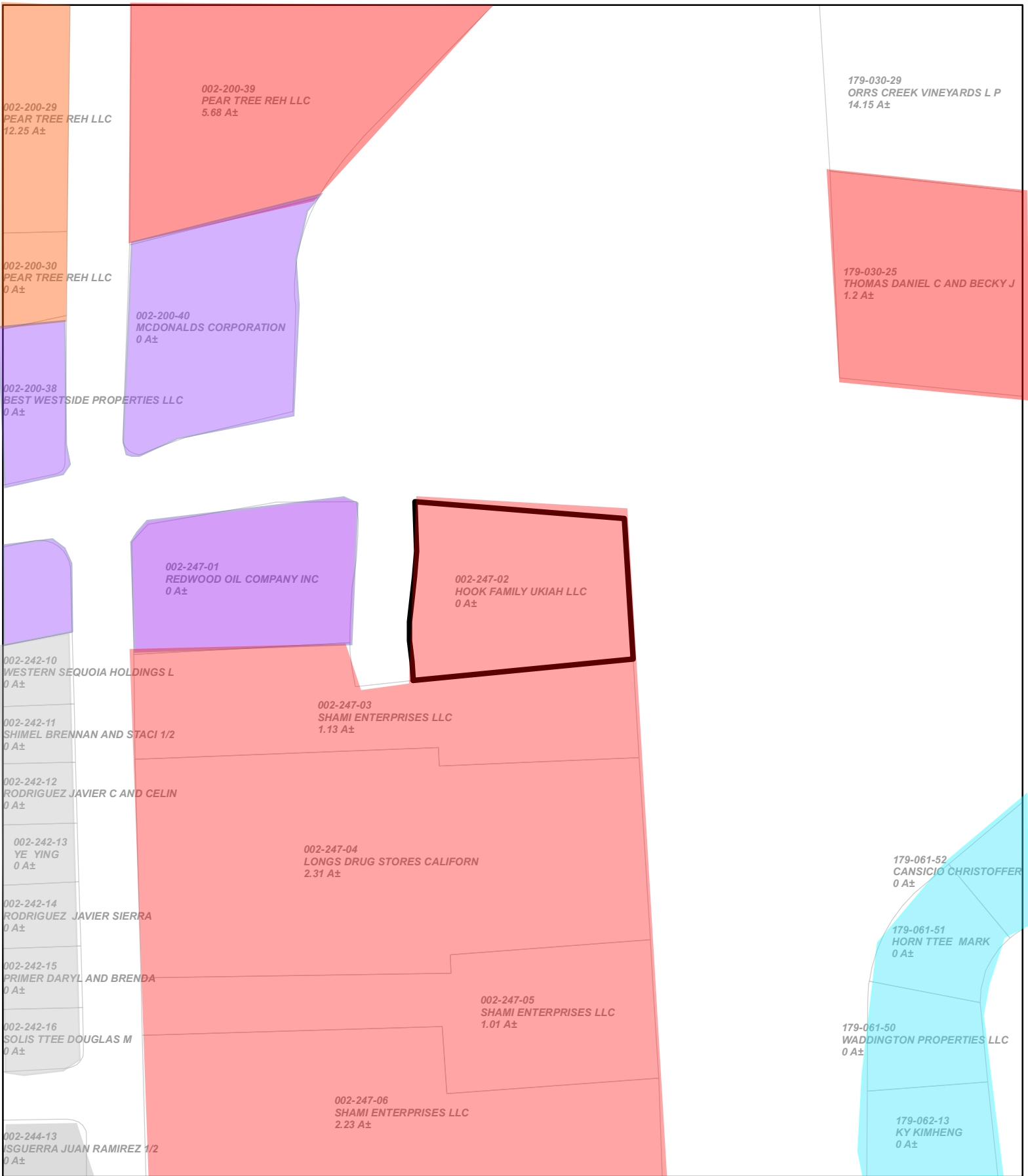
-  Highways (2017)
-  Public Roads
-  Assessors Parcels



1:600

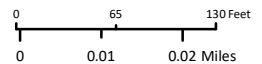
AERIAL IMAGERY

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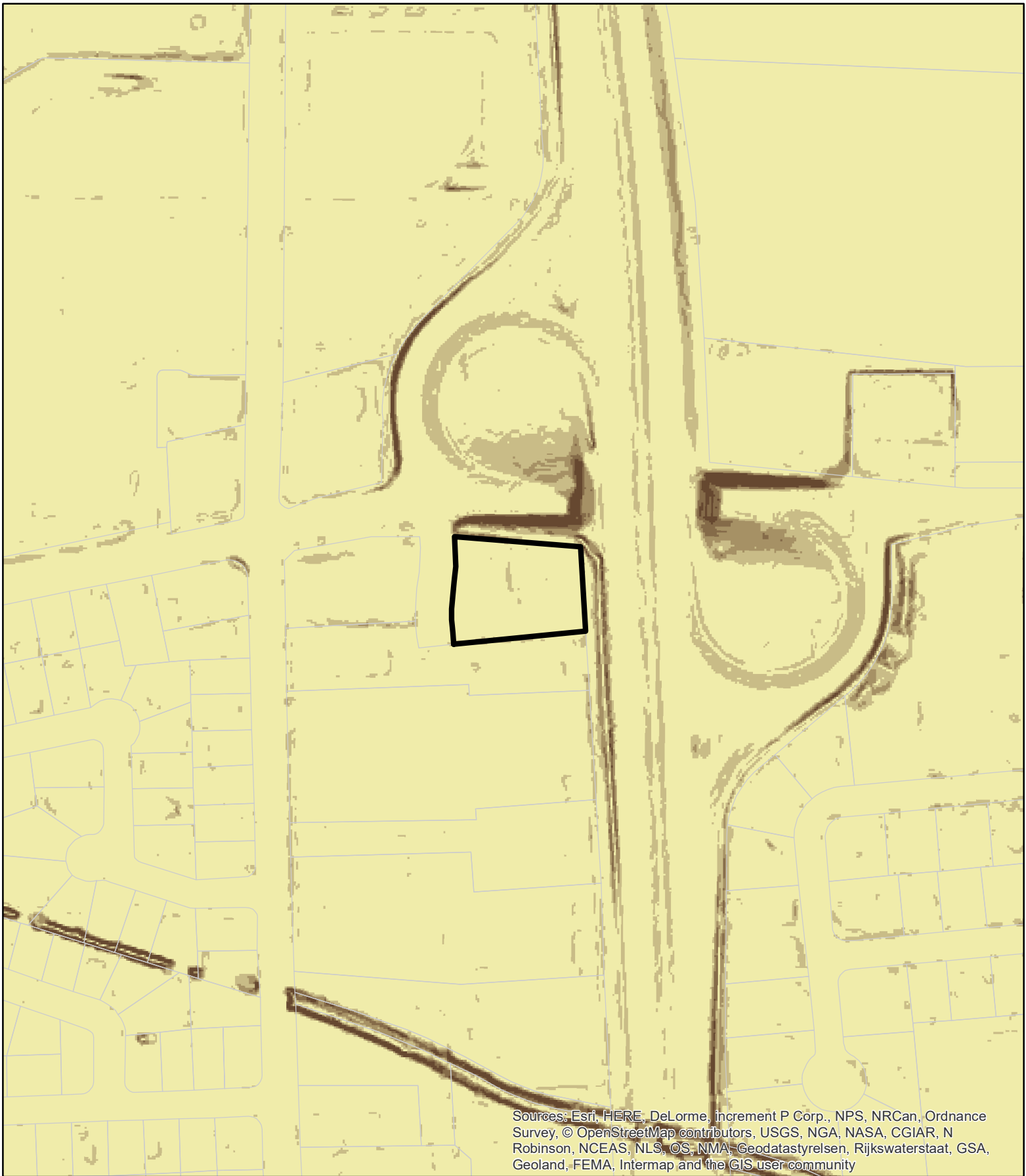
- Assessors Parcels
- Community Commercial
- Highway Commercial
- Low Density Residential
- Downtown
- Medium Density Residential



1:1,500







LAND USE & ADJACENT PARCELS

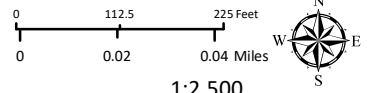
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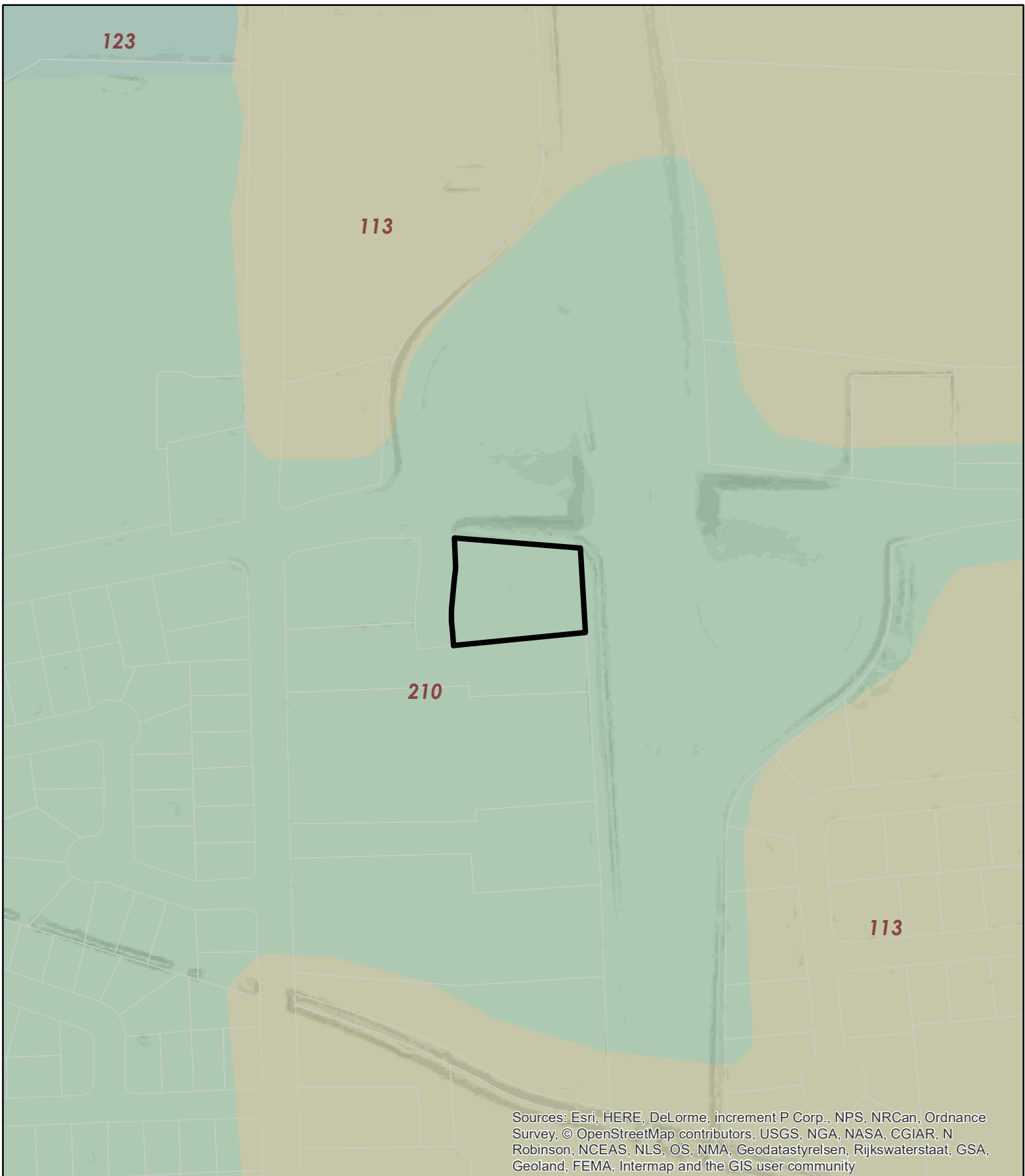
 Assessors Parcels	 20% - 30%
 0 - 10%	 30% - 40%
 10% - 20%	 40% - 50%



1:2,500

ESTIMATED SLOPE

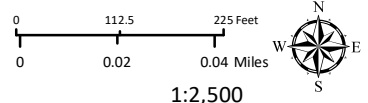
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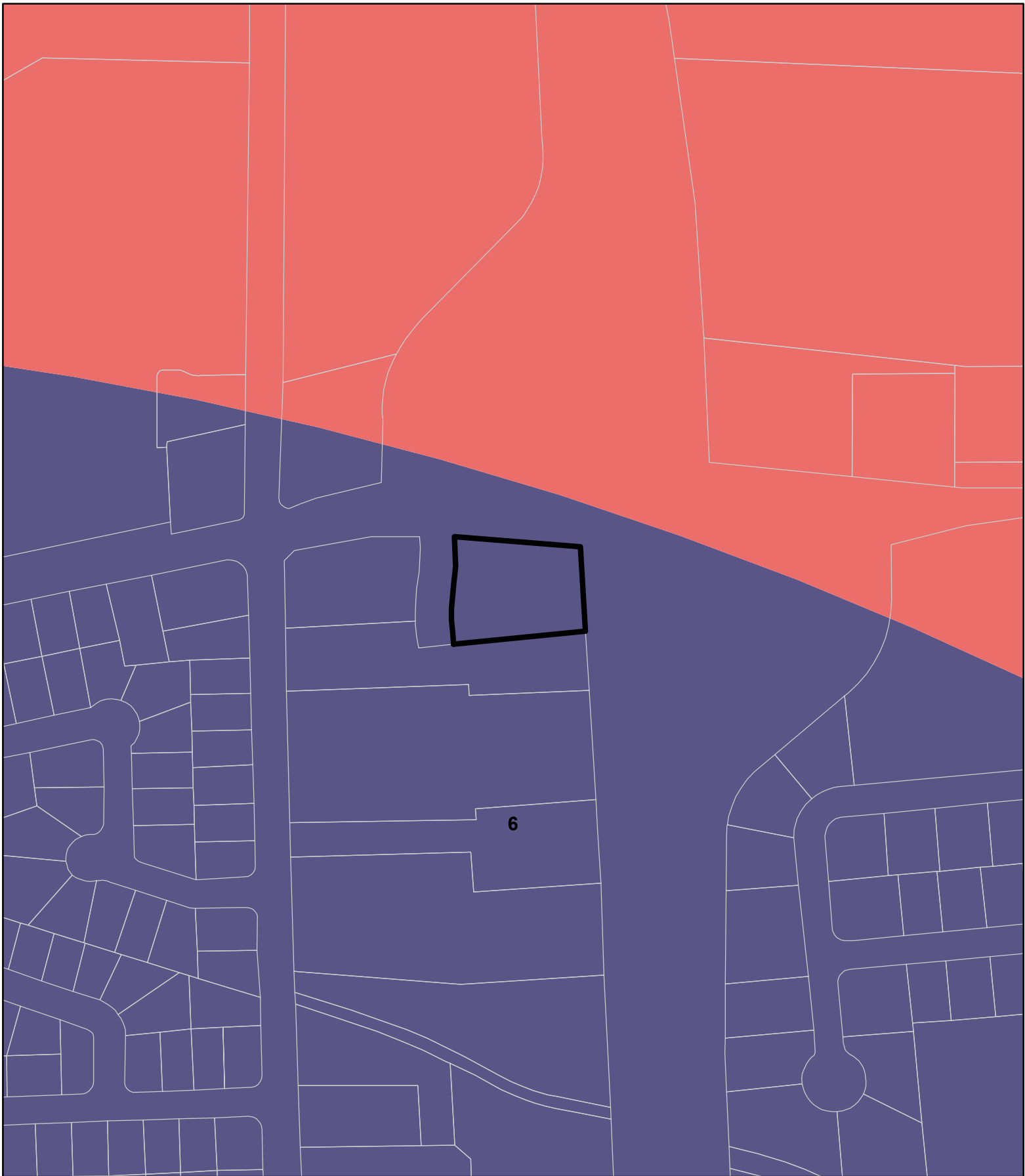
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APN: 002-247-02
APLCT: UK 105 Investments LLC
AGENT: Victor Chiang
ADDRESS: 105 Pomeroy Ave., Ukiah

 Assessors Parcels



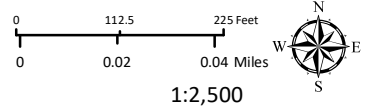
EASTERN SOIL CLASSIFICATIONS

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ADDRESS: 105 Pomeroy Ave., Ukiah

[White Box] Assessors Parcels
 [Dark Blue Box] Ukiah Airport Zones 052021
 [Red Box] ZONE 6



UKIAH AIRPORT ZONES

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300 SEMINARY AVE., UKIAH, CA 95482-5400

September 23, 1996

- ADMIN. 707/463-6200 ▪ PUBLIC SAFETY 463-6242/6274 ▪
- FAX # 707/463-6204 ▪

Ms. Sandy Swett
Swett Equity, Inc.
201 Brightstone Circle
Folsom, CA 95630

Dear Sandy:

I am writing to confirm that the proposed application to allow the changing of the sign face for the freestanding pole sign at the Denny's restaurant located at 105 Pomeroy Circle has been approved. This approval actually consists of a joint administrative approval by Planning Director Robert Sawyer and Assistant Redevelopment Director Larry DeKnoblough to amend a previously approved Site Development Permit (#89-45) that permitted the installation of the sign at its present location and height.

Specifically, Mr. Sawyer has determined that the proposed changes do not constitute a major exterior modification of the existing sign, and does not, therefore, require formal amendment of the discretionary action by the Planning Commission. Mr. DeKnoblough's review and approval are to allow the proposed sign face in the Design Review District since he is City staff liaison for the Design Review Board, which reviews design issues in a specific area of the City that includes the Denny's restaurant site.

The changes proposed in your application have been added to the Site Development permit file, but a separate Sign Permit file will also be created to ensure that this project can be referenced by project control number (#89-45) or address. The color plates will be filed with the Site Development Permit.

Also enclosed is the check that you mailed. There is currently no charge for processing Sign Permits, and no fees will be applied for the modification of the Site Development Permit since no sizeable amount of staff time was required.

I would especially like to thank you for the careful preparation of this request since it would have been much more difficult for a decision to be made without the exhibits that were included. Please contact me if I can assist you further.

Sincerely,

Dave Lohse
Associate Planner

M E M O R A N D U M

DATE: JANUARY 16, 1989
TO: PLANNING COMMISSION
FROM: MICHAEL F. HARRIS, DIRECTOR OF PLANNING *Michael Harris*
SUBJECT: SITE DEVELOPMENT PERMIT APPLICATION NO. 89-45
APPLICANT: AMERICAN MANAGEMENT COMPANY (DENNY'S RESTAURANT), BARBER
SIGN COMPANY AS AGENT
LOCATION: 105 POMEROY AVENUE

RECOMMENDATION: Approve the 50 foot height sign as proposed.

ZONING: C-N, Neighborhood Commercial.

GENERAL PLAN DESIGNATION: Commercial.

ENVIRONMENTAL ASSESSMENT: Categorically Exempt Under Class 11(a), On-Premise Signs as an Accessory Structure.

PROPOSAL: The applicant proposes to remove the existing pole sign and install a new sign on the existing pole.

ANALYSIS: Section 3227 No. 12 of the Sign Ordinance states that prepared food, gasoline and lodging businesses related to the travelling public along U.S. 101 freeway, within 600 feet of the freeway center line and 300 feet of the centerline of any intersecting street within the City limits, may have the allowed free standing sign at a height not to exceed 50 feet regardless of the main building height, with Planning Commission site development permit approval.

The application indicates that all existing signage extrusions and embellishments will be removed from the existing steel pipe. In its place a new internally illuminated sign will be installed. The pole will then be painted a brown color. The existing sign is 75' in height. The message portion of the new sign will be approximately the same height as the existing sign. The new sign will have the same colors of yellow and brown.

Staff agrees with the applicant that it will be a definite aesthetic improvement to the site and the adjacent area and recommends in favor.

Attached for your information is a copy of:

1. Location Map.
2. Site Plan.
3. Elevations of proposed sign.

MFH:AY:ks
Attachments

R:Rpts2

MINUTES

CITY OF UKIAH PLANNING COMMISSION

JANUARY 25, 1989

MEMBERS PRESENT

David Dickey
Leif Farr
Eunice Knutson
Sheridan Malone
Tom Mason
Angelina Svendsen
Frank McMichael, Chairman

STAFF PRESENT

Michael Harris
Director of Planning
Alice Yarbrough
Planning Assistant
Karen Smith
Recording Secretary

OTHERS PRESENT

Gary Akerstrom
Frank Shaw Bacik
Warren Barber
Gail Brown
Don Daniels
Mike Jones
Cindy Lindgren
Morey McCloud
Barbara Redding
Steve Redding
Brian Sawyer
Chris Sawyer
Warren Sawyers
Butch Spolini
Craig Vincent
Matt Wilson
Patrick Wilson

The meeting was called to order at 7:01 p.m. by Chairman McMichael. Roll was taken with the results listed above. Commissioner Knutson arrived at 7:11 P.M.

APPROVAL/CORRECTION OF MINUTES - JANUARY 11, 1989

ON A MOTION by Commissioner Malone, seconded by Commissioner Dickey, it was carried by the following roll call vote to approve the Planning Commission Minutes of January 11, 1989, as submitted:

AYES: Commissioners Dickey, Farr, Malone, Mason, Svendsen, and Chairman McMichael.
NOES: None.
ABSENT: Commissioner Knutson.

APPEAL PROCESS

Chairman McMichael reviewed the appeal process.

6. SITE DEVELOPMENT PERMITS

- ✓6A. Site Development Permit No. 89-45, American Management Company. New 50' high free-standing sign on existing pole located at 105 Pomery Avenue, zoned C-N, Neighborhood Commercial District.

Planning Assistant Yarbrough advised Commission that Section 3227 No. 12 of the Sign Ordinance allows businesses such as prepared food, gasoline and lodging which are related to the travelling public along U.S. 101 and within a prescribed rectangle around freeway interchanges to have a 50 ft. tall sign, subject to review by the Planning Commission. The message of the sign will be approximately the same as the existing sign, it will be internally illuminated, the same colors of yellow and brown and the pole will be repainted. All embellishments will be removed. Staff believes that it would be an aesthetic improvement to the whole area and recommends approval.

Discussion ensued concerning the standard sign heights.

In response to a question, Butch Spolini, 221 2nd St., Petaluma, CA, advised that he works for Barber Sign Co. and that Young Electric Sign Co. has the contract for all Denny's in the United States. He stated that Young Electric Sign Co. manufactures the signs and Barber Sign Co. installs them in this area.

ON A MOTION by Commissioner Mason, seconded by Commissioner Malone, it was carried by the following roll call vote to approve Site Development Permit Application No. 89-45, to allow construction of a 50 foot high sign:

AYES: Commissioners Dickey, Farr, Malone, Mason, Svendsen, and Chairman McMichael.

NOES: None.

ABSENT: Commissioner Knutson.

PUBLIC HEARINGS

5A. Use Permit Application No. 89-41, as filed by Craig Vincent, to permit an 8 foot fence along the rear property line of a parcel located at 1310 So. Dora Street, zoned R-1, Single Family Residential.

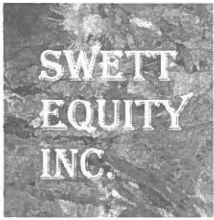
Planning Assistant Yarbrough indicated that the applicant recently constructed an 18 inch high redwood deck in the rear yard of his parcel. Because of the elevation of the deck, the applicant claims that the six foot fence no longer provides privacy. In looking at the parcel during field inspection it also appears that there is a 1½' to 2' grade differential from the building pad to the west of the applicant's property. This eliminates privacy from the neighbors bedroom windows which is now accentuated by the construction of the redwood deck. Staff is recommending approval.

PUBLIC HEARING OPENED - 7:10 P.M.

Commissioner Knutson arrived at 7:11 P.M.

Craig Vincent, 1310 S. Dora St., applicant, indicated that the fence would probably be a solid fence constructed of plywood siding, with 4" x 4" struts and they may use some decorative braiding on the top. They are going to dato out 4" x 4"s and slide a 4' x 8' sheet into the center so that both sides will look identical.

Discussion followed regarding the Commission's concern that a fence like this be aesthetically appealing.



PERMIT & DEVELOPMENT CONSULTING

201 Brightstone Circle • Folsom, Ca 95630 • (916) 353-1998

**Mr. Dave Lohse
City of Ukiah/Planning Dept.
300 Seminary Avenue
Ukiah, CA 95482**

September 9, 1996

**Re: FACE CHANGE at existing Denny's Restaurant located @ 105
Pomeroy, Ukiah, CA**

Dear Dave,

My apologies for taking so long to finally get the attached drawings to you regarding a face/cabinet change at the above subject site. There will be no structural, electrical, dimension or location changes.

As we discussed previously by phone, we should be able to accomplish this with a sign permit. Therefore I have enclosed a completed application, 4 dimensioned drawings of the face and one full size specs. sheet of the cabinet and face along with a sample/color board and one color rendition of the sign. for your use in the approval process.

The sign manufacturer is Dualite Sales & Service, Inc. @ One Dualite Lane, Williamsburg, Ohio 45176. The installer is Sheldon Signs & Lighting @ 109 Soda Bay Road #B, Lakeport, CA 95453. Sheldon Signs and Lighting contractors license #590356, a C-45, expiring 3/31/98. I have also attached a copy of their workers comp. certificate.

I have enclosed a check for \$100.00 for the processing/permit. I was unsure of the amount but figured this might get the process started. Let me know if I need to send more money, I will do so promptly.

I have asked Denny's to forward a survey/site plan of the site by over night mail to your attention, you should receive both of the packages Tuesday.

I have also faxed the application to the property owner and asked them to send the application after signature back to your attention.

I have attached photographs of the Folsom Auto Mall for your use also. I hope they help. If I recall correctly the City of Ukiah is looking at the Auto Mall concept. I put some notes on the back to give you an idea where the photos were taken. Essentially the dealerships are 1-3 acres away from the freeway but at certain points you can catch a glimpse of them and most certainly you can see the American flag. The dealerships do front the Folsom Blvd. off ramp and Folsom Blvd. Aesthetically, they are nice looking buildings and the set backs seem to work well. Anyway, I hope it isn't too late to be of any benefit to you.

Once you receive all of the information promised, if you could mail back the approval/permits, I would greatly appreciate it. I recently injured my back and driving is very uncomfortable for me right now. If you can't, I understand & will make other arrangements.

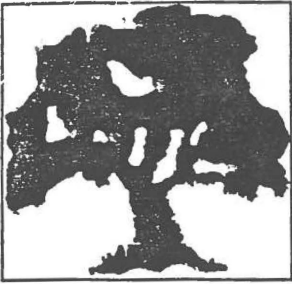
If you have any questions regarding this letter or any of the attached documents, please feel free to call me. If I am not in, just leave me a voice mail and I will get back with you.

Thank you again for all of your assistance and cooperation on this project I really appreciate it.

Sincerely,

A handwritten signature in cursive script that reads "Sandy Swett". The signature is written in black ink and is positioned above the typed name and title.

Sandy Swett
President



PLANNING DEPARTMENT

SIGN PERMIT

NO. _____

I. PROJECT INFORMATION:

SIGN TYPE: Cabinet Can Letters Individual Letters (raceway mounted)
 Non-Illuminated Other: _____

	Proposed	Existing	Allowed (Staff)
AREA OF SIGNS: (wall)	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
(freestanding)	<u>235</u> sq.ft.	<u>235</u> sq.ft.	_____ sq.ft.
(window)	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

AMOUNT OF STREET FRONTAGE: _____

SIGN ILLUMINATION: Internal (neon tubing) Exterior (directional lighting) Non-Illuminated
Other: _____

SIGN COLORS: Letters: Red Trim: Green Background: Gold/yellow
SIGN MATERIALS: Letters: Flex Background: Flex Other: Flex

PART II: GENERAL INFORMATION (print/ink)

Owner's Name: Denny's Investors - Ukiah - % American Management Group
Address: 2 Muth Drive
Orinda, CA 94563 Zip Code: 94563
Phone No.: (510) 254-9600

Applicant's Name: Swett Equity Inc. (agent for owner) Sandy Swett
Address: 201 Brightstone Cr.
Folsom, CA Zip Code: 95630
Phone No.: (916) 353-1998

Contractor's Name: Sheldon Signs & Lighting
Address: 750 S Main St.
Lakeport, CA Zip Code: 95453
Phone No.: (707) 263-1413
Business License No. C-45 # 590356

Address or precise location of subject property: 105 Pomeroy
Number Street Name Cross Street
Assessor Parcel No(s): 179-061-02

Project Description: Face and cabinet change. No change
in dimensions. No change in structure.
No change in location

PART III: AFFIDAVIT

I/we, the undersigned, solemnly understand and hereby certify and declare under penalty of perjury that all information presented in this application and on required plans are accurate, true and correct to the best of my/our information and belief.

I/we understand that intentional misrepresentation of factual information may invalidate development entitlement approvals granted by the Ukiah Redevelopment Agency in reliance upon such information. I/we also understand that failure of the property owner, applicant, or a duly authorized representative to appear at a hearing at which this application appears on the agenda may result in delayed processing of the application.

I affirm that I am the owner of the real property which is the subject of the application, or that I am duly authorized to represent said property owner or agent in this matter before the Ukiah Redevelopment Agency.

Executed this _____ day of the month of _____, and year _____.

Signature of Property Owner

(Property Owner is required to sign before permit can be processed.)

Signature of Applicant

Agent for Applicant

(Agents are required to submit written authorization from the property owner/applicant.)

PART IV: APPLICATION SUBMITTAL REQUIREMENTS

The applicant must submit the following materials: Plans must be folded to a 8½" x 11" size.

Location Map - Assessor's Parcel Map showing:

- Assessor's Parcel Number,
- Distance to nearest public street,
- North arrow,
- Map scale.

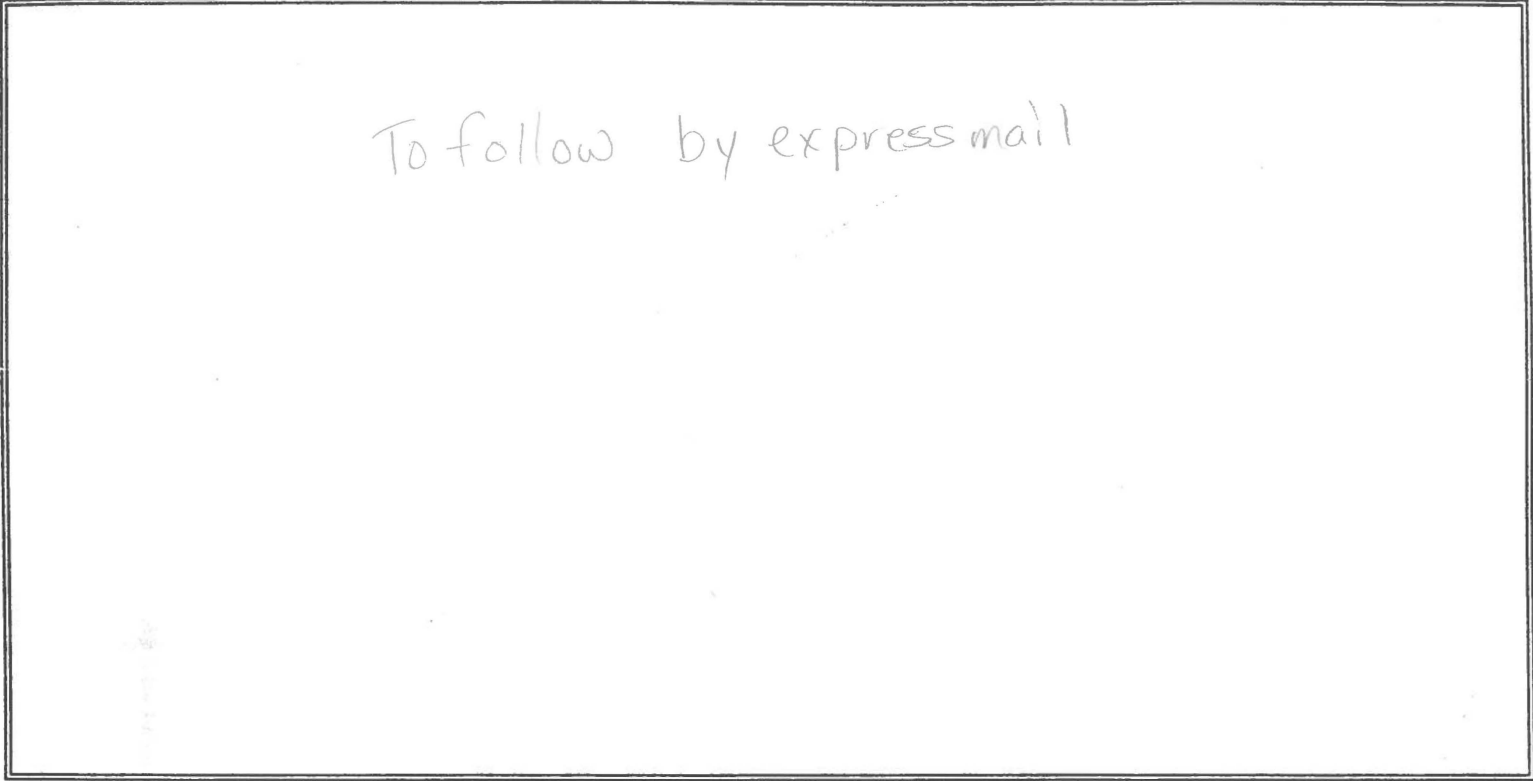
Building Elevations - Plans must include front, rear and side views of building facades. Materials and color must also be shown on the plans. One plan must be colored. Signage for the building(s) must be shown.

Contact Persons - David Lohse, Associate Planner - (707) 463-6200.
Marie Ulvila, Administrative Secretary - (707) 463-6203

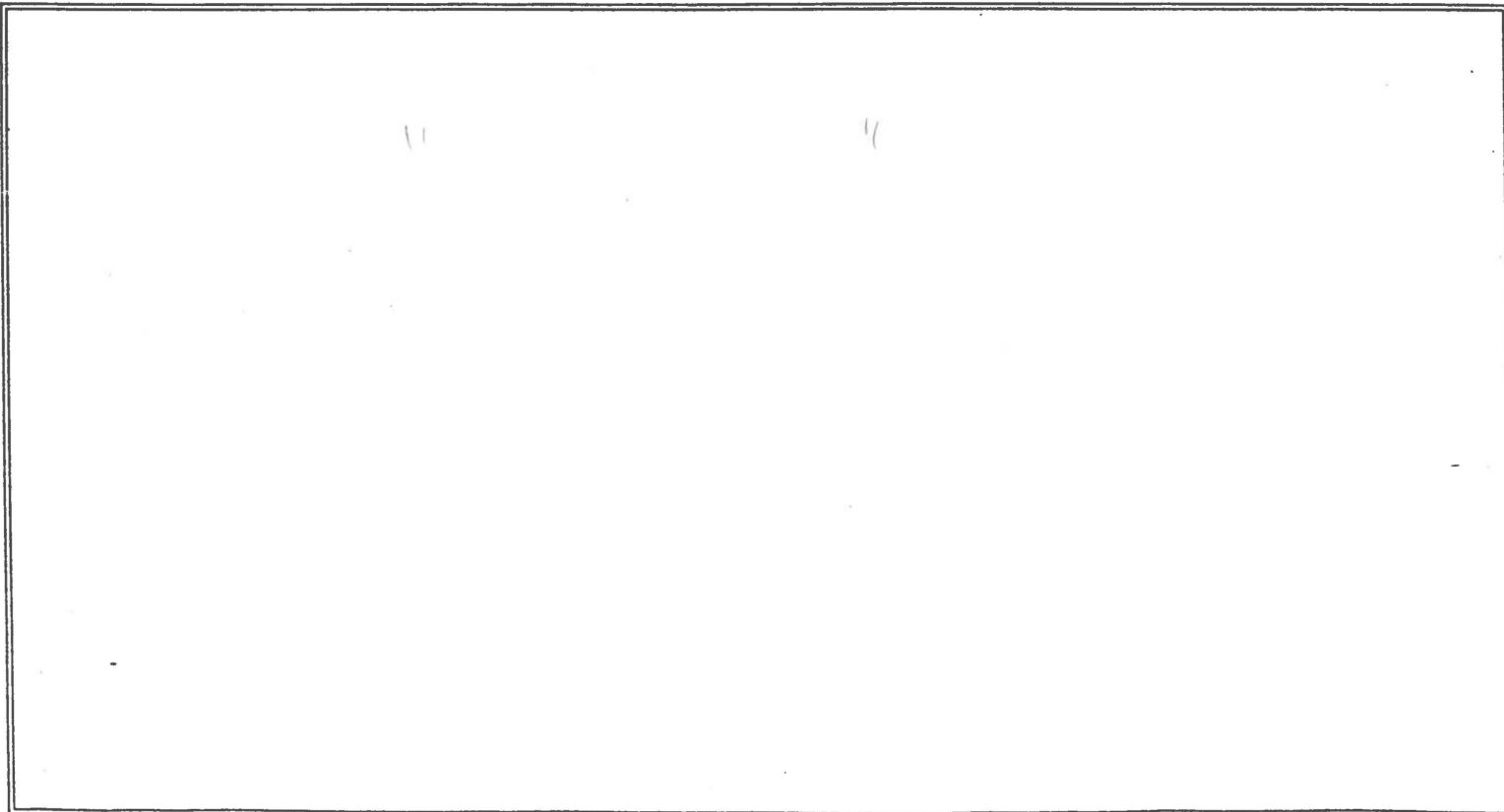
NOTE: Applicants are encouraged to submit plans to the Current Planning Division for preliminary review and notify surrounding property owners of the project being proposed.

V. SIGN DIAGRAMS

1. Provide a scaled elevation of the building and proposed signs, and show all dimensions. Also, if sign is freestanding or projecting, indicate location of the property line.



2. Provide a scaled site plan showing dimensioned property lines, building footprint, and location of proposed signs and a north arrow.



STAFF USE

Application No. _____ Receipt No. _____

Date Submitted: _____ Zoning: _____

Assessor's Parcel No.: _____

Environmental Determination: _____

Hearing Date: Design Review Board: _____

Hearing Date: Planning Commission: _____

___ Electrical Permit Required ___ Building Permit Required

___ Public Right-Of-Way Sign

Permit Number: _____ Encroachment Permit Number: _____

Site Inspection Notes: _____

Approved by: _____ Date : _____

Title: _____

**STATE
FUND**

P.O. BOX 807, SAN FRANCISCO, CA 94101-0807

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 08-22-96

POLICY NUMBER: 1029478 - 96
CERTIFICATE EXPIRES: 08-22-97

CONTRACTORS' STATE LICENSE BOARD-WORKERS COMP
P.O. BOX 26000
SACRAMENTO CA 95826

JOB: LIC. # 590356
INCEPTION DATE: 08-22-96
D.O.: SANTA ROSA

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days' advance written notice to the employer.

We will also give you 10 days' advance notice should this policy be cancelled prior to its normal expiration.

This Certificate of Insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

Kenneth C. Bollier
PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: \$1,000,000.00 PER OCCURRENCE.

STANDARD EXCLUSION: INDIVIDUAL EMPLOYERS AND HUSBAND AND WIFE EMPLOYERS ARE NOT ELIGIBLE FOR BENEFITS AS EMPLOYEES UNDER THIS POLICY.

EMPLOYER

LEGAL NAME

SHELDEN SIGNS AND LIGHTING
750 S. MAIN ST
LAKEPORT CA 95453

BASTIAN, BRADLEY S. AND
BASTIAN, DEBBIE



RECEIVED

300 Seminary Avenue, Ukiah, CA 9548;

(707) 463-6201

SEP 12 1996

PLANNING DEPARTMENT

CITY OF UKIAH
SIGN PERMIT PLANNING DEPT.

NO. w/c *

I. PROJECT INFORMATION:

SIGN TYPE: Cabinet Can Letters Individual Letters (raceway mounted)
 Non-Illuminated Other: _____

AREA OF SIGNS: (wall) (freestanding) (window)	Proposed	Existing	Allowed (Staff)
	sq.ft.	sq.ft.	sq.ft.
	<u>235</u>	<u>235</u>	

AMOUNT OF STREET FRONTAGE: _____

SIGN ILLUMINATION: Internal (neon tubing) Exterior (directional lighting) Non-Illuminated
 Other: _____

SIGN COLORS: Letters: Red Trim: Green Background: Gold/Yellow
SIGN MATERIALS: Letters: Flex Background: Flex Other: Flex

PART II: GENERAL INFORMATION (print/ink)

Owner's Name: Denny's Investors - Ukiah - % American Management Group
Address: 2 Muth Drive
Orinda, CA 94563 Zip Code: 94563
Phone No.: (510) 254-9600

Applicant's Name: Swett Equity Inc. (agent for owner) Sandy Swett
Address: 201 Brightstone Ct.
Folsom, CA Zip Code: 95630
Phone No.: (916) 353-1998

Contractor's Name: Sheldon Signs & Lighting
Address: 750 S. Main St
Lakeport, CA Zip Code: 95453
Phone No.: (707) 263-1412
Business License No. C-45 # 590356

Address or precise location of subject property: 105 Pomeroy
Number Street Name Cross Street

Assessor Parcel No(s): 179-061-02

Project Description: Face and cabinet change. No change
in dimensions. No change in structure.
No change in location

* Sign face change actually constitutes an Amendment of SDP 89-45 ;
see NOTE to FILE.

PART III: AFFIDAVIT

I/we, the undersigned, solemnly understand and hereby certify and declare under penalty of perjury that all information presented in this application and on required plans are accurate, true and correct to the best of my/our information and belief.

I/we understand that intentional misrepresentation of factual information may invalidate development entitlement approvals granted by the Ukiah Redevelopment Agency in reliance upon such information. I/we also understand that failure of the property owner, applicant, or a duly authorized representative to appear at a hearing at which this application appears on the agenda may result in delayed processing of the application.

I affirm that I am the owner of the real property which is the subject of the application, or that I am duly authorized to represent said property owner or agent in this matter before the Ukiah Redevelopment Agency.

Executed this 9th day of the month of September, and year 1996.

Ronald Ross
Signature of Property Owner

Harold Swett
Signature of Applicant

(Property Owner is required to sign before permit can be processed.)

Harold Swett
Agent for Applicant

(Agents are required to submit written authorization from the property owner/applicant.)

PART IV: APPLICATION SUBMITTAL REQUIREMENTS

NOTE

The applicant must submit the following materials: Plans must be folded to a 8 1/2" x 11" size.

Location Map - Assessor's Parcel Map showing:

- Assessor's Parcel Number,
- Distance to nearest public street,
- North arrow,
- Map scale.

Building Elevations - Plans must include front, rear and side views of building facades. Materials and color must also be shown on the plans. One plan must be colored. Signage for the building(s) must be shown.

Contact Persons - David Lohse, Associate Planner - (707) 463-6200.
Marle Ulvila, Administrative Secretary - (707) 463-6203

NOTE: Applicants are encouraged to submit plans to the Current Planning Division for preliminary review and notify surrounding property owners of the project being proposed.



- A** ALUMINUM CABINET AND BORDER
- B** DENNY'S COPY
- C** SIGN BACKGROUND
- D** BACKGROUND DROP SHADOW
- E** DIAMOND PATTERN
- F** WHITE BORDER



ALUMINUM -
PAINTED TO MATCH
4-147 DENNY'S GREEN



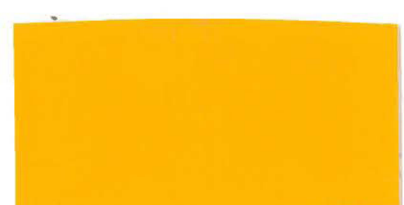
A DENNY'S GREEN
4-147



B DENNY'S RED
1-265



C DENNY'S LT. YELLOW
3-094

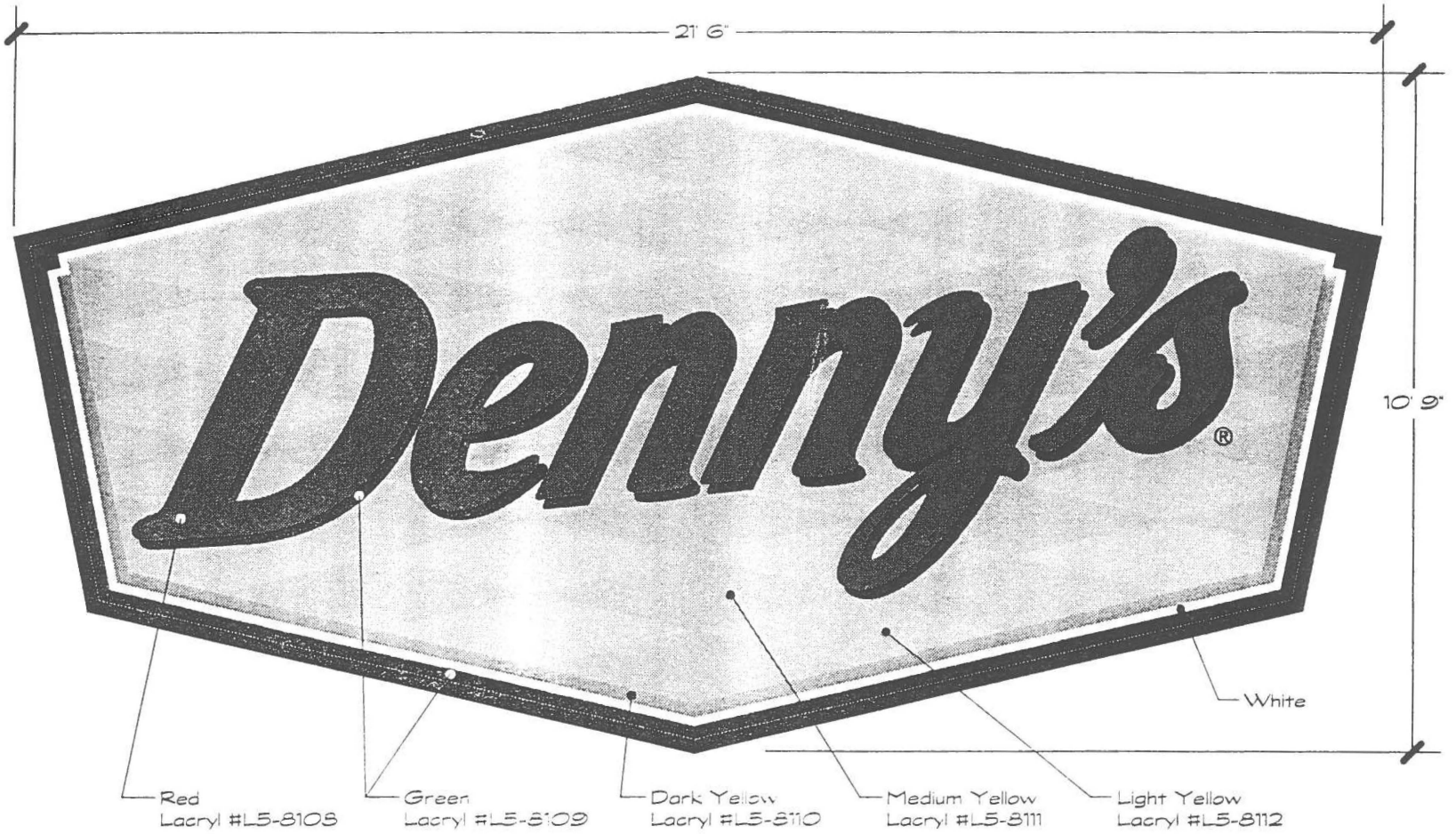


D DENNY'S DRK. YELLOW
3-092



E DENNY'S MED. YELLOW
3-093

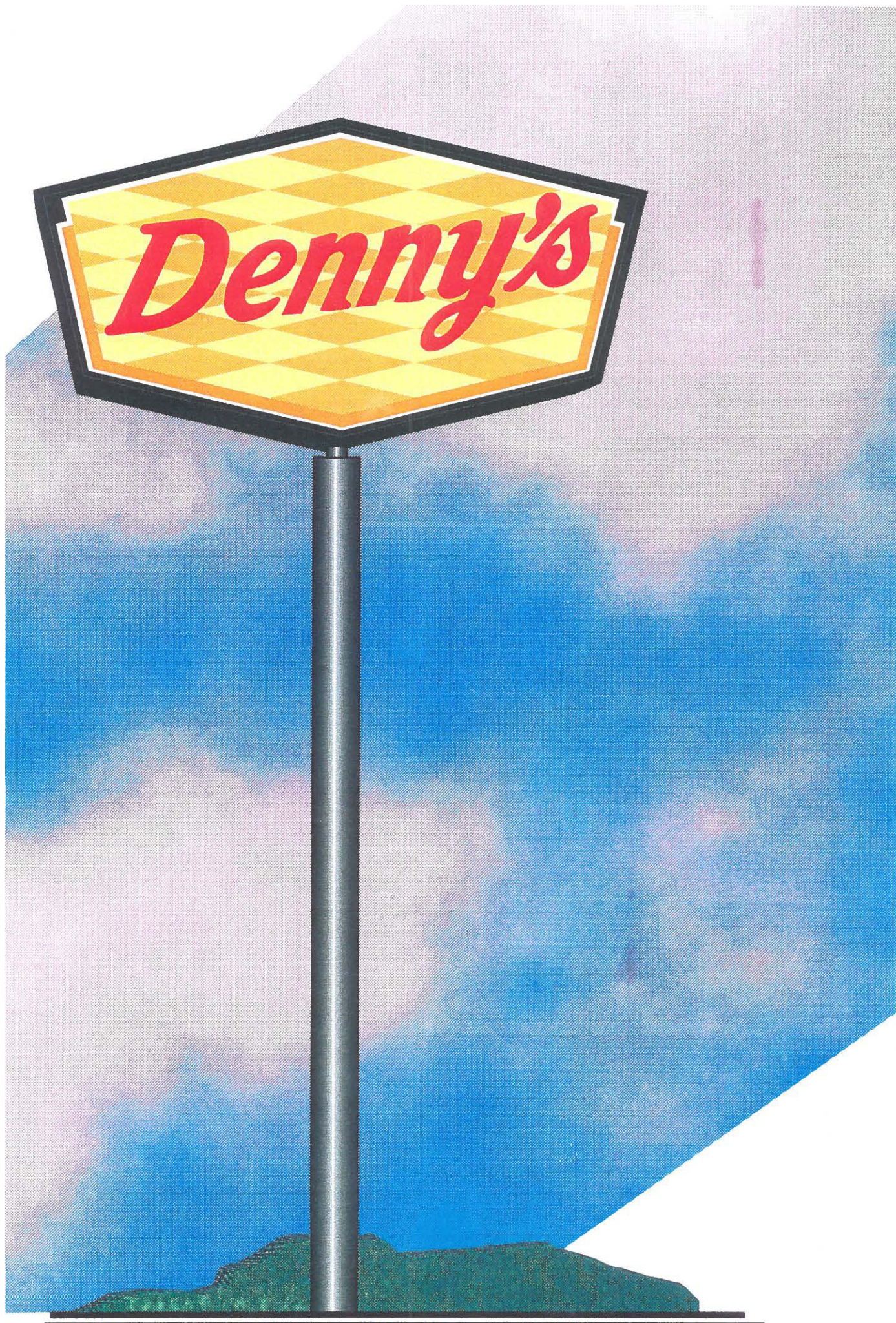
DENNY'S MATERIAL REFERENCE GUIDE - FLEX FACE



Dualite Sales & Service, Inc.

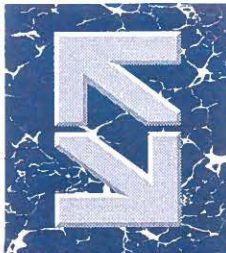
WILLIAMSBURG, OHIO • (513) 724-7100

N.T.S. ©1995 Dualite Sales & Service, Inc., Williamsburg, OH 45176 All rights reserved (5/95)



DOUBLE FACE POLE SIGN

© '94 SEA INC.



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electrical advertising

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310.435.1867 FAX

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Jim Sterk

310.495.3808
800.995.9099
310.435.1867 FAX

1700 West Anaheim Street
Long Beach, CA 90813-1195





RECEIVED

MAR 11 2025

**Mendocino County
Air Quality Mgmt Dist.**

PROJECT REVIEW REFERRAL
Please provide comments by: March 25, 2025

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

TO:			
<input checked="" type="checkbox"/>	City of Ukiah, Community Development Director	<input checked="" type="checkbox"/>	Mendocino County Air Quality Management District
<input checked="" type="checkbox"/>	City of Ukiah, Building Inspection Division	<input checked="" type="checkbox"/>	Ukiah Police Department
<input checked="" type="checkbox"/>	City of Ukiah, Fire Prevention Division	<input checked="" type="checkbox"/>	City of Ukiah, Code Enforcement Division
<input checked="" type="checkbox"/>	City of Ukiah, Electrical Utility, Department	<input checked="" type="checkbox"/>	Ukiah Valley Fire Authority
<input checked="" type="checkbox"/>	City of Ukiah, Public Works Department	<input checked="" type="checkbox"/>	City of Ukiah, City Manager's Office
<input checked="" type="checkbox"/>	Caltrans: California Department of Transportation (District 1)	<input checked="" type="checkbox"/>	City of Ukiah, Water and Sewer

Facility # 52587

PROJECT INFORMATION:	
Project Name & Permit #:	Habit Burger – Minor Site Development Permit #PA25-000007
Site Address & APN:	105 Pomeroy Street, Ukiah, CA; APN 002-247-02
General Plan:	“HC” Highway Commercial
Zoning:	“C1” Community Commercial
Airport Compatibility Zone:	“OAE”
Date Filed:	03.10.2025
Resubmittal:	N/A
Date Referred:	03.11.2025
Prev. Projects on Site (include file #)	SDP 89-45 (Denny's Signage); SDP 95-20 (Denny's Renovation)
Applicant/Agent Name:	UK 105 Investments, LLC
Phone:	(916) 761-5602
Email:	victor@letapgroup.com
Project Summary: The existing commercial structure at 105 Pomeroy Avenue was constructed in 1969 and has historically operated as a Formula Restaurant – Eating & Drinking Establishment. The most recent tenant vacated the property in 2023, and it has remained unoccupied since. The applicant proposes to renovate and reuse the existing structure within its current footprint for continued restaurant use, incorporating a drive-through component as allowed under Ukiah City Code (UCC) §9081 and in compliance with UCC §9198(D). A Minor Site Development Permit is requested to facilitate façade updates that will modernize the building’s exterior, expand landscaping, and reconfigure parking and site circulation. The reconfiguration will integrate the drive-through while improving pedestrian and bicycle access in alignment with UCC §9087(D).	

Please indicate whether you have comments on the second page of this referral packet. Be sure to sign and date below. Return this Project Referral Form by the date noted above to the Project Planner (Jesse Davis).

Name and Affiliation/Department (Please Print): _____

No Comment

Comments / Conditions of Approval Attached

Signature:

Ronda Gott

Date:



PROJECT REVIEW REFERRAL
Please provide comments by: March 25, 2025

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

TO:			
<input checked="" type="checkbox"/>	City of Ukiah, Community Development Director	<input checked="" type="checkbox"/>	Mendocino County Air Quality Management District
<input checked="" type="checkbox"/>	City of Ukiah, Building Inspection Division	<input checked="" type="checkbox"/>	Ukiah Police Department
<input checked="" type="checkbox"/>	City of Ukiah, Fire Prevention Division	<input checked="" type="checkbox"/>	City of Ukiah, Code Enforcement Division
<input checked="" type="checkbox"/>	City of Ukiah, Electrical Utility, Department	<input checked="" type="checkbox"/>	Ukiah Valley Fire Authority
<input checked="" type="checkbox"/>	City of Ukiah, Public Works Department	<input checked="" type="checkbox"/>	City of Ukiah, City Manager's Office
<input checked="" type="checkbox"/>	Caltrans: California Department of Transportation (District 1)	<input checked="" type="checkbox"/>	City of Ukiah, Water and Sewer

PROJECT INFORMATION:	
Project Name & Permit #:	Habit Burger – Minor Site Development Permit #PA25-000007
Site Address & APN:	105 Pomeroy Street, Ukiah, CA; APN 002-247-02
General Plan:	“HC” Highway Commercial
Zoning:	“C1” Community Commercial
Airport Compatibility Zone:	“OAE”
Date Filed:	03.10.2025
Resubmittal:	N/A
Date Referred:	03.11.2025
Prev. Projects on Site (include file #)	SDP 89-45 (Denny's Signage); SDP 95-20 (Denny's Renovation)
Applicant/Agent Name:	UK 105 Investments, LLC
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Please indicate whether you have comments on the second page of this referral packet. Be sure to sign and date below. Return this Project Referral Form by the date noted above to the Project Planner (Jesse Davis).

Name and Affiliation/Department (Please Print): Caltrans

- No Comment
 Comments / Conditions of Approval Attached

Signature: *Daniel Gjerde*

Date: 3/21/25

California Department of Transportation



DISTRICT 1
 P.O. BOX 3700 | EUREKA, CA 95502-3700
 (707) 445-6600 | FAX (707) 441-6314 TTY 711
www.dot.ca.gov/dist1

March 21, 2025

1-MEN-101-24.5
 Habit Burger w/Drive Thru
 Permit PA25-000007

Mr. Jesse Davis
 Chief Planning Manager
 Community Development Department
 City of Ukiah
 300 Seminary Avenue
 Ukiah, CA 95482

Dear Mr. Davis:

Thank you for the opportunity to comment on the proposed Habit Burger and Grill with drive thru, to be located at 105 Pomeroy Street, in the vicinity of the Perkins Street on-ramp and off-ramp for Highway 101 south-bound traffic. The project would remodel a 3,500 square foot sit-down Denny's restaurant to accommodate 48 dining seats with an anticipated maximum shift of 10 employees. Property site alterations include changing configuration of the parking area to accommodate a drive thru for off-site dining. The site would retain 48 parking spaces, and the site would retain two, two-way driveways onto Pomeroy Street, with the driveway near Perkins Street widened to more than 40 feet. Caltrans offers the following comments:

AM/PM peak trip generation. Caltrans requests the applicant provide AM and PM peak hour trip generation numbers anticipated for the project.



"Provide a safe and reliable transportation network that serves all people and respects the environment"



Northern Driveway. The northern driveway is less than one car length from the only sidewalk on this segment Perkins Street, which is on the south side of Perkins. The site plan illustrates the driveway will be expanded to be more than 40 feet in width. Will drivers visually interpret the unusually wide northern driveway as the primary entrance, possibly the only entrance? If drivers attempt cross Pomeroy traffic into the northern driveway so close to Perkins, is it foreseeable that drivers will collide with vehicles or pedestrians in the vicinity of the northern driveway? Caltrans suggests the City of Ukiah consider a neck-down of the northern driveway (relocating the narrower driveway to be further from Perkins) and to identify it for exit-only traffic.

Thank you for including Caltrans in the City of Ukiah's review of development that could impact the safety of the state's highway system. If you have any questions or concerns, please contact me at (707) 497-7742 or by e-mail sent to daniel.gjerde@dot.ca.gov.

Sincerely,

Daniel Gjerde

DAN GJERDE
Local Development Review Coordinator
Caltrans District 1



Mendocino County Air Quality Management District

1100A Hastings Road
PO Box 247
Ukiah, California 95482
707-463-4354 / 707-234-6360
mcaqmd@mendocinocounty.gov
www.mendoair.org

ASBESTOS DEMOLITION-RENOVATION NOTIFICATION

District Use Only:		Date Received: _____	Notification #: ASB- _____	Facility # _____
I. Type of Notification: <input type="checkbox"/> Original <input type="checkbox"/> Cancellation <input type="checkbox"/> Revision #:				
<input type="checkbox"/> Demolition <input type="checkbox"/> Ordered Demolition (Attach Copy) <input type="checkbox"/> Renovation <input type="checkbox"/> Emergency Renovation (Describe)				
II. Site Address:			City: _____	
Building Description: _____			Project Sq Ft: _____	
Current Use: _____		Proposed Use: _____	Single Family Dwelling: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Describe scope of work to be performed for this project: _____				
III. Owner Name:			Telephone: _____	
Mailing Address: _____				
Email: _____		City, State: _____		Zip: _____
IV. Is Asbestos Present ? <input type="checkbox"/> Yes <input type="checkbox"/> No		Survey Date: _____	Copy of Survey/Report Attached?: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Approximate Amount of Asbestos Containing Materials (ACM or RACM):				
Amount of RACM	Sq. Ft.:	Linear Ft.:	Cubic Ft.	
Amount of Category I ACM:		Amount of Category II ACM:		
Scheduled Dates - Asbestos Removal:		Start Date: _____	Completion Date: _____	
Scheduled Dates of Demo/Reno		Start Date: _____	Completion Date: _____	
Describe methods, practices & engineering controls to be used to prevent airborne emissions of asbestos: _____				
If your project is below the "threshold" amounts described on Page 2, sign and date the bottom of this form and submit it with payment of \$25.00 Notification Review Fee to the District for approval. For all other projects, complete items V – VIII below before submitting the notification to the District. Note: All burned structures require consultation with Air Quality Management District.				
V. Demolition or General Contractor:				
Mailing Address: _____			Telephone: _____	
City: _____			State: _____	Zip: _____
VI. Asbestos Consultant:				
Mailing Address: _____			CAC#: _____	
City: _____			State: _____	Zip: _____
VII. Asbestos Removal Contractor:				
Mailing Address: _____			DOSH# _____	
City: _____			State: _____	Zip: _____
Contact: _____		Title: _____	Telephone: _____	
VIII. Waste Transporter:				
Mailing Address: _____			EPA ID# _____	
City: _____			State: _____	Zip: _____
IX. Disposal Site:			City: _____	
I certify that the above information is true and correct to the best of my knowledge.				
_____ <i>Signature of Owner/Contractor</i>			_____ <i>Date</i>	
District Use Only:	<i>This project has met the requirements of Federal Asbestos NESHAP regulations under 40 CFR, 61.145 and may proceed with demolition or renovation activities upon completion of identified asbestos abatement and Lead Agency approval.</i>			
	_____ <i>District Representative</i>			_____ <i>Date</i>



Mendocino County Air Quality Management District

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Ukiah, California 95482
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mcaqmd@mendocinocounty.gov
www.mendoair.org

ASBESTOS DEMOLITION-RENOVATION NOTIFICATION

INSTRUCTIONS

In accordance with the provisions of the Code of Federal Regulations, 40 CFR 61 subpart M for asbestos, anyone conducting a demolition or renovation project must thoroughly inspect the affected facility or portion of the facility for the presence of asbestos and provide written notification of the project to the Air Quality Management District, including projects without Asbestos Containing Material (ACM). The notification requirements apply to all commercial buildings, government buildings, schools, multi-family dwellings, single-family dwellings and other structures.

Demolition or renovation activities involving at least 160 square feet (80 linear meters or 260 linear feet) of regulated asbestos-containing materials (RACM) require abatement as well as notification. These amounts are known as “threshold” amounts.

For all demolition or renovation projects, fill out the form as completely as possible, including:

- Section I: Type of Notification,
- Section II: Building description,
- Section III: Owner Information,
- Section IV: Asbestos Information if Present,
- Section V: Demolition or General Contractor information if they are being used on this project,
- Section VI: Asbestos Consultant/Surveyor Information,
- Section VII: Asbestos Removal (Abatement) Contractor
- Section VIII: Waste Transporter Information, and
- Section IX: Disposal Site Information

Should the structure contain “threshold” amounts of asbestos materials that must be abated prior to the demolition or renovation, fill out the Notification Form as completely as possible and submit the Notification and any related documents to the District for approval at least 10 days prior to any abatement activity.

If your project is below the “threshold” amounts or for a single-family dwelling*, complete items I through IV, sign and date the bottom of the Notification Form and submit it to the District for approval.

*In accordance with District Policy, effective July 20, 2022, notifications for demolition or renovation projects not subject to the provisions of Title 40 of the Code of Federal Regulations, Part 61, Subpart M shall be assessed a minimum \$25.00 Notification Review fee.

Note: All burned structures require consultation with the Air Quality Management District.

If the demolition is being ordered by a government agency, please provide a copy of the Demolition Order. For emergency renovations or demolitions please provide any documentation and describe the project. For specifically defined "Emergency" conditions, the 10 working day period may be waived.

Fees associated with Asbestos Notification for Demolition and Renovation are attached to this form. Please notify the District if the job is postponed or cancelled or if there are any revisions.

Asbestos Demolition-Renovation Notification forms may be emailed, hand delivered or mailed.

Office Location:	Email:	Mail:
1100A Hastings Rd Ukiah	mcaqmd@mendocinocounty.gov	PO Box 247 Ukiah CA 95482

Call the District office at 707-463-4354 if you have any questions or need further assistance.

In addition to the requirements of 40 CFR 61 subpart M, the California Health & Safety Code, Section 19827.5 (Local Building Permits) requires written approval from the Mendocino County Air Quality Management District prior to the issuance of any demolition or renovation permit. CH&SC, Section 19827.5. states: ...” A demolition permit shall not be issued by any city, county, city and county, or state or local agency which is authorized to issue demolition permits as to any building or other structure except upon the receipt from the permit applicant of a copy of each written asbestos notification regarding the building that has been required to be submitted to the United States Environmental Protection Agency or to a designated state agency, or both, pursuant to Part 61 of Title 40 of the Code of Federal Regulations...”

Contact your California Certified Asbestos Consultant or Abatement Contractor for more information about removing asbestos safely.



**Mendocino County
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ASBESTOS DEMOLITION-RENOVATION NOTIFICATION

FEE SCHEDULE

**Mendocino County Air Quality Management District
Regulation 1, Rule 1-310, Fees**

**SCHEDULE 8
ASBESTOS OPERATIONS FEE SCHEDULE**

Anyone conducting a demolition or renovation project subject to the provisions of Title 40 of the Code of Federal Regulations, Part 61, Subpart M for asbestos removal and required to submit a written notification of the project to the District shall pay to the District the following fee:

Asbestos operations other than single-family residential dwellings of less than five units.

Less than 100 lineal feet or less than 100 square feet	\$ 35.00
100 to 200 square feet or 100 to 300 lineal feet	\$ 65.00
200 to 500 square feet or 300 to 600 lineal feet	\$130.00
500 to 2,000 square feet or 600 to 2,400 lineal feet	\$200.00
2,000 to 20,000 square feet or 2,400 to 20,000 lineal feet	\$325.00
greater than 20,000 square feet or 20,000 lineal feet	\$650.00

If upon inspection or in the course of a demolition or renovation project, it is discovered that the project belongs in a higher fee category than was initially determined, the owner or operator shall pay the balance of the fee for the higher category.

Any demolition or renovation project requiring an inspection by the Air Quality Management District shall pay an additional fee to the District for the actual cost of the inspection as determined by the Air Pollution Control Officer in accordance with Rule 1-330, Technical Services Fees.

Schedule 8 is not subject to annual CPI factor adjustments.

[Adopted 6/01/93; Amended 9/14/93; Amended 5/6/03]

Note: Effective July 20, 2022, a minimum \$25.00 Notification Review fee shall be assessed for all notifications of demolition or renovation projects not subject to Title 40 of the Code of Federal Regulations, Part 61, Subpart M (i.e., single-family residential dwellings of less than five units), in accordance with District Administrative Policy to cover program costs.

PROJECT REVIEW REFERRAL
Please provide comments by: March 25, 2025

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

TO:			
<input checked="" type="checkbox"/>	City of Ukiah, Community Development Director	<input checked="" type="checkbox"/>	Mendocino County Air Quality Management District
<input checked="" type="checkbox"/>	City of Ukiah, Building Inspection Division	<input checked="" type="checkbox"/>	Ukiah Police Department
<input checked="" type="checkbox"/>	City of Ukiah, Fire Prevention Division	<input checked="" type="checkbox"/>	City of Ukiah, Code Enforcement Division
<input checked="" type="checkbox"/>	City of Ukiah, Electrical Utility, Department	<input checked="" type="checkbox"/>	Ukiah Valley Fire Authority
<input checked="" type="checkbox"/>	City of Ukiah, Public Works Department	<input checked="" type="checkbox"/>	City of Ukiah, City Manager's Office
<input checked="" type="checkbox"/>	Caltrans: California Department of Transportation (District 1)	<input checked="" type="checkbox"/>	City of Ukiah, Water and Sewer

PROJECT INFORMATION:	
Project Name & Permit #:	Habit Burger – Minor Site Development Permit #PA25-000007
Site Address & APN:	105 Pomeroy Street, Ukiah, CA; APN 002-247-02
General Plan:	"HC" Highway Commercial
Zoning:	"C1" Community Commercial
Airport Compatibility Zone:	"OAE"
Date Filed:	03.10.2025
Resubmittal:	N/A
Date Referred:	03.11.2025
Prev. Projects on Site (include file #)	SDP 89-45 (Denny's Signage); SDP 95-20 (Denny's Renovation)
Applicant/Agent Name:	UK 105 Investments, LLC
Phone:	(916) 761-5602
Email:	victor@letapgroup.com
Project Summary: The existing commercial structure at 105 Pomeroy Avenue was constructed in 1969 and has historically operated as a Formula Restaurant – Eating & Drinking Establishment. The most recent tenant vacated the property in 2023, and it has remained unoccupied since. The applicant proposes to renovate and reuse the existing structure within its current footprint for continued restaurant use, incorporating a drive-through component as allowed under Ukiah City Code (UCC) §9081 and in compliance with UCC §9198(D). A Minor Site Development Permit is requested to facilitate façade updates that will modernize the building's exterior, expand landscaping, and reconfigure parking and site circulation. The reconfiguration will integrate the drive-through while improving pedestrian and bicycle access in alignment with UCC §9087(D).	

Please indicate whether you have comments on the second page of this referral packet. Be sure to sign and date below. Return this Project Referral Form by the date noted above to the Project Planner (Jesse Davis).

Name and Affiliation/Department (Please Print): Max Brazil / UKIAH POLICE DEPT.

- No Comment
 Comments / Conditions of Approval Attached

Signature: Max Brazil

Date: 3/13/25

Jesse Davis

From: Andrew Stricklin
Sent: Friday, January 10, 2025 11:34 AM
To: Jesse Davis; Tim Eriksen; Jason Benson; Cindy Sauers; Craig Schlatter; Matthew Keizer; Shannon Riley; Max Brazill
Cc: Katherine Schaefer; Isabelle Grieve
Subject: RE: 15 Pomeroy Street - Habit Burger (Site Development Permit - Preliminary)

Follow Up Flag: Follow up
Flag Status: Completed

Here are just a few preliminary comments that will need to be addressed prior to approval. The following will be required.

All driveways will need to be ADA sidewalk continuous. Currently not shown on plan.

Street trees will be required every 30 feet.

It is up to the developer to determine if existing utilities are sufficient and in good condition including both water and sewer.

It should be noted that Caltrans is currently investigating and/or making repairs to storm water drainage in the existing ditch shown at the north side of the project. This work is not currently coordinated with the City.

Andrew Stricklin

City of Ukiah - Public Works

Senior Engineer

300 Seminary Avenue, Ukiah, CA 95482

(707)463-6297

From: Jesse Davis <jdavis@cityofukiah.com>
Sent: Friday, January 3, 2025 2:39 PM
To: Andrew Stricklin <astricklin@cityofukiah.com>; Tim Eriksen <teriksen@cityofukiah.com>; Jason Benson <jbenson@cityofukiah.com>; Cindy Sauers <csauers@cityofukiah.com>; Craig Schlatter <cschlatter@cityofukiah.com>; Matthew Keizer <mkeizer@cityofukiah.com>; Shannon Riley <sriley@cityofukiah.com>; Max Brazill <mbrazill@cityofukiah.com>
Cc: Katherine Schaefer <KSchaefer@cityofukiah.com>; Isabelle Grieve <lgrieve@cityofukiah.com>
Subject: 15 Pomeroy Street - Habit Burger (Site Development Permit - Preliminary)

Hi All,

Planning Division Staff expects a request to redevelop 105 Pomeroy (Former Denny's) to be submitted in the coming weeks. The request is for a renovation of the restaurant and installation of drive-through for use by Habit Burger.

I wanted to give a preliminary notification to ensure that the needs of your Department could be addressed at an early-stage. Please let Katherine or myself know if you have any initial questions, or needed clarifications. Thank you much.

Best Regards,
Jesse Davis

From: [Neil Davis](#)
To: [Jesse Davis](#)
Cc: [Andrew Stricklin](#); [Blake Adams](#)
Subject: Habitat burger joint
Date: Wednesday, March 19, 2025 9:50:32 AM

Lets discuss this before forwarding these comments

Thank you for a thoughtful landscape plan. Thanks for using the WUCOLS and although we are region one, the region two is likely a better choice for our area with climate change.

Mahonia, oregon grape may not do well in hot location, it's actually moderate water use and it is a pretty hot location. If it gets enough water, it may work well.

Juncus effusus "big twister" has not been seen in this area, not sure how it will do, maybe worth the experiment.

Is the dry stream bed depressed? Does it catch drainage from roof? It would be great if it did.

Olive trees are more like large bushes than trees, can we get something larger on the west side to meet the street tree requirements and provide additional shade.

Drainage from parking lot slopes towards freeway. There should be no curb, or there should be cutouts in curb to allow runoff to flow into lansdscape and ditch.

It would be nice to have oaks instead of arbutus on the east side of parking lot for habitat and shade. Interior live oaks are slow growing but evergreen which would be nice in this area.

I'd like to see the parking spaces on the southeast side (spaces 28-35) removed and replaced with a place with some shade and picnic tables or at least landscaped instead of asphalt

I don't understand the use of the rocked space just west of parking space 28?

Andrew can confirm, but it looks to me like there is room for on-street parking on both sides of the street. I'm guessing 6-8 parking spaces with no competing need for these spaces. Another reason why they don't need so much off-street parking.

For the public tree well an Arbutus marina or live oak. Could consider the Silver Linden like in front of Nick's house (School St) as an experiment. The interior live oak will be my first choice for diversity, habitat value, and it's ultimate larger canopy. Coast live oak can survive here, but interior live oak is native and better adapted to this area. May be more difficult to source. Talk to us we may be able to get them if you can't. If live oak are planted in front of restaurant, the Silver Linden in the public space would provide increased diversity.

Thanks for the opportunity to comment.

Neil Davis
Community Services Director
City of Ukiah
411 W Clay St, Ukiah CA 95482
707-467-5764

Jesse Davis

From: Scott Bozzoli
Sent: Thursday, March 13, 2025 6:51 AM
To: Jesse Davis
Cc: Cindy Sauers
Subject: Re: Habit Burger – 105 Pomeroy Street, Ukiah, CA; APN 002-247-02; File No. PA_25-000007 - Agency Referral

Follow Up Flag: Follow up
Flag Status: Completed

Jesse,

Regarding the Project Referral for the **“Habit Burger-105 Pomeroy, Ukiah Ca; APN 002-247-02 No. PA_25-000007”**

Ukiah Electric Utility Department (EUD) has the following requirements and comments:

- 1) This property will be served from Underground service.
- 2) Developer to provide EUD with accurate **total connected load calculations**.
- 3) Developer is to provide EUSERC approved electrical equipment compatible with the City of Ukiah’s EUSERC Acceptability Chart before a new panel can be used on this project.
- 4) All future site improvements shall be submitted to the EUD for review and comment. At that time, specific service requirements, service Voltage and developer costs and requirements will be determined, and an estimate of cost will be provided
- 5) Developer/customer shall incur all costs of this future project to include (labor, materials, equipment, and future services).
- 6) There shall also be an easement provided to the EUD for any Primary that transverses through the property. Or around any City owned Electric equipment.

Please email a copy of all future electric plans to sbozzoli@cityofukiah.com
Should they have any questions please call Scott Bozzoli at 707-467-5775.

Thank you,

Scott Bozzoli

Electrical Engineering Technician III
1350 Hastings Rd
Ukiah Ca 95482
707-467-5775
Sbozzoli@cityofukiah.com



**CITY OF UKIAH
DESIGN REVIEW BOARD MEETING MINUTES
Regular Meeting
CIVIC CENTER CONFERENCE ROOM #3
300 Seminary Avenue, Ukiah, CA 95482**

Virtual Meeting Link: <https://us06web.zoom.us/j/87803999530>

**March 27, 2025
5:00 p.m.**

1. CALL TO ORDER

The Design Review Board met at a Regular Meeting on March 27, 2025, having been legally noticed on March 24, 2025. The meeting was held in person and virtually at the following link: <https://us06web.zoom.us/j/87803999530>. Chair Liden called the meeting to order at 3:06 p.m.

2. ROLL CALL

Roll was taken with the following **Board Members Present:** Lorena Akin (*arriving at 3:29 p.m.*), William Hawkes, Ronald J. Meaux, and Tom Liden. **Absent by Prearrangement:** Kali Gordon. **Staff Present:** Jesse Davis, Chief Planning Manager and Kristine Lawler, City Clerk.

CHAIR LIDEN PRESIDING.

3. CORRESPONDENCE

Jessie Davis stated that all correspondence had been distributed and posted online.

4. APPROVAL OF MINUTES

a. Approval of the February 27, 2025 - Regular Meeting Minutes.

Motion/Second: Hawkes/Meaux to approve the Regular Meeting Minutes of February 27, 2025. Motion **carried** by the following roll call votes: AYES: Hawkes, Meaux, and Liden. NOES: None. ABSENT: Akin and Gordon. ABSTAIN: None.

5. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No public comment was received.

6. NEW BUSINESS

a. A Minor Site Development Permit at 105 Pomeroy Street (APN 002-247-02) to renovate and repurpose an existing commercial structure within its current footprint and utilization of its previously approved signage allowance for a continued restaurant use. The project includes the addition of a drive-through component, as permitted under Ukiah City Code (UCC) §9081, and in compliance with the off-street parking requirements of UCC §9198(D).

Presenter: Jesse Davis, Chief Planning Manager.

UK 105 Investments, LLC. (Applicant) Representative Comment: Greg Bardini,

Public Hearing opened at 3:27 p.m.

Public Comment: Pinky Kushner.

Board Member Akin arrived at 3:29 p.m.

Architect Comment: Brandon Petrunio, Brandon Petrunio & Associates, Inc..

Public Hearing closed at 3:50 p.m.

Landscape Architect Comment: Scott Meinert, Lingle Design Group, Inc.

UK 105 Investments, LLC. (Applicant) Representative Comment: Victor Chiang.

Motion/Second: Meaux/Hawkes to approve the following recommended conditions of approval and general recommendations to the Zoning Administrator for the site development permit at 105 Pomeroy Street (APN 002-247-02) [as summarized by Staff]:

- A Final Sign Plan shall be submitted to and approved by the Community Development Director prior to the issuance of any building permit for illuminated signage. All signage shall comply with the applicable design and development standards of the Ukiah City Code and remain consistent with previous entitlements or approvals related to signage on the site.
- In coordination with the City Engineer, the Applicant shall increase the landscaping area along the Pomeroy sidewalk frontage, as substitute for the otherwise required street trees.
- As part of the northerly encroachment expansion for the drive-through lane, the applicant shall maintain the existing encroachment width through a combination of striping, landscaping and curb modifications while facilitating ADA compliance.
- For parking lot trees, provide additional space for tree wells, resulting in an increased number of compact parking stalls
- A general recommendation for the Zoning Administrator to consider additional reductions to the number of the parking stalls.

Motion **carried** by the following roll call votes: AYES: Akin, Hawkes, Meaux, and Liden. NOES: None. ABSENT: Gordon. ABSTAIN: None.

b. Discussion and Possible Nomination and Appointment of a Chair and Vice Chair of the Ukiah Design Review Board (DRB) for one (1) year.

Presenters: Chair Liden and Jesse Davis, Chief Planning Manager.

No public comment was received.

Motion/Second: Liden/Meaux to nominate and appoint Lorena Akin for the new Chair and Kali Gordon for the new Vice Chair of the City of Ukiah Design Review Board for one (1) year. Motion **carried** by the following roll call votes: AYES: Akin, Hawkes, Meaux, and Liden. NOES: None. ABSENT: Gordon. ABSTAIN: None.

7. MATTERS FROM THE COMMISSION

Presenter: Jesse Davis Chief Planning Manager.

No public comment was received.

8. MATTERS FROM STAFF

Presenter: Jesse Davis Chief Planning Manager.

No public comment was received.

OUTGOING CHAIR LIDEN HANDED THE PROVERBIAL GAVEL TO INCOMING CHAIR AKIN.

CHAIR AKIN PRESIDING

9. ADJOURNMENT

There being no further business, the meeting adjourned at 4:35 p.m.

Kristine Lawler, City Clerk

DRAFT



DATE: April 15, 2025
TO: Zoning Administrator
FROM: Katherine Schaefers, Planning Manager
SUBJECT: Request to Renew the existing Major Use Permit to allow for the sale and delivery of cannabis and/or cannabis products from an existing commercial structure located at 195 Seminary Avenue, Ukiah, 95482; APN 002-272-16; File No. 25-000215; Permit No. PA25-000005

SUMMARY

PROPERTY OWNER/APPLICANT: Dylan McGinty
LOCATION: 195 Seminary Avenue, Ukiah, 95482 (APN 002-272-16)
TOTAL ACREAGE: ±0.07 acres
GENERAL PLAN: Community Commercial (CC)
ZONING DISTRICT: Community Commercial (C-1)
AIRPORT COMPATABILITY ZONE: Zone “4” Outer Approach/Departure Zone; Urban Overlay
ENVIRONMENTAL DETERMINATION: Project is exempt from further environmental review per California Environmental Quality Act (CEQA) Guidelines §15061(b)(3), Review for Exemption
RECOMMENDATION: Conditional Approval (see Draft Findings in Attachment 1 and Draft Conditions of Approval in Attachment 2)

BACKGROUND

On February 23, 2022, the Planning Commission approved Major Use Permit File No. 21-6584, allowing the operation of a cannabis retail business at 195 Seminary Avenue. The approved project includes the use of the existing 2,040 square-foot, one-story commercial building for the dispensation and delivery of cannabis and related products. In addition, the project includes the following components:

Staff Report
Local Roots Dispensary Use Permit Renewal
195 Seminary Ave.
File No. 25-000215

- Interior tenant improvements;
- Installation of three street trees along School Street, and one street tree along Seminary Avenue;
- Update of the exterior paint, including Graycloth (PPU26-09) with Moroccan Red (1301) accent;
- Installation of awning replacements along Seminary Avenue and School Street;
- Installation of signage, including a 4' x 8' "Local Roots" sign along Seminary Street, as well as an 8' x 17' wall-sign along School Street;
- Installation of security features such as cameras, alarms, card reader entry;
- Operating hours of Mon.-Fri. 9:00 a.m. to 9:00 p.m., Sat. 9:00 a.m. to 9:00 p.m., Sun. 9:00 a.m. to 9:00 p.m.;
- Conversion of an on-street parking space along School Street into a designated 'Loading Zone';
- Always staffing of a minimum of three employees.

PROJECT DESCRIPTION

In accordance with Ukiah City Code §9174.2, Use Permits for cannabis-related businesses are subject to a one-year review period following issuance. After this period, the Use Permit may be renewed subject to a review by Staff and approval by the Zoning Administrator. This review includes an inspection of the business to ensure compliance with the conditions of approval set by the Planning Commission.

Local Roots, LLC received its Department of Cannabis Control license as a Cannabis Retailer on December 16, 2023, and began operations on March 16, 2024. An application for renewal was submitted by the applicant on February 28, 2025. No changes to the previously approved Use Permit, or associated approved plans are proposed. All original Conditions of Approval are applicable to the proposed renewal and will remain in effect. Application materials are included as Attachment 3.

SURROUNDING LAND USES

The Project Site is located at the intersection of Seminary Avenue and South School Street at 195 Seminary Avenue. It maintains a Ukiah 2040 General Plan land use and corresponding zoning designation of Community Commercial. It is located just outside of the 'Downtown Zoning District', but within the 'Downtown Design District'. Seminary Avenue is one of the City's two boulevards. It is a wide, multi-lane thoroughfare, divided with a central median that includes areas for parking and wide sidewalks for pedestrian usage. The central median of Seminary Ave. features landscaping that is now well integrated into the Downtown Streetscape Improvement Project. The boulevard's western terminus concludes at the Ukiah Civic Center, which is adjacent to the Ukiah Memorial Veteran's Hall.

The Project Site is adjoined to the south, east and west by commercial uses including a salon and professional office (APN 002-272-15), CrossFit Gym (APN 002-272-03), and a professional office complex that includes a hair salon, driving school and internet service provider (APN 002-271-03). The adjacent easterly parcel (002-272-15) also features two residential units (173 & 177

Staff Report
 Local Roots Dispensary Use Permit Renewal
 195 Seminary Ave.
 File No. 25-000215

Seminary Ave.). To the north, on the opposite side of Seminary Avenue, there is a multi-story motel undergoing renovations.

The Project Site features no combining districts or other zoning restrictions and is not subject to any mapped flood or seismic hazards.

Additionally, there are no water courses, wildlife, wildlife-habitat, or designated floodway, nor are there any identified environmentally sensitive habitat areas on or within proximity to the subject property. Neither the property, nor its structure, are included on the City of Ukiah’s Historic and Architectural Inventory Table. A summary of zoning designations and nearby uses is provided below in **Table 1**. A Ukiah 2040 Land Use Map is depicted in **Figure 1**, a Zoning Map is depicted in **Figure 2**, an aerial map in **Figure 3**, and a current street view in **Figure 4**.

Table 1 - Surrounding Zoning and Land Uses

ZONING		USE
NORTH	GU - General Urban	Multi-Story Motel
EAST	Community Commercial (C-1)	Hair Salon; Commercial Storefront
SOUTH	Community Commercial (C-1)	CrossFit Gym
WEST	Community Commercial (C-1)	Professional Office

Figure 1. General Plan Land Use

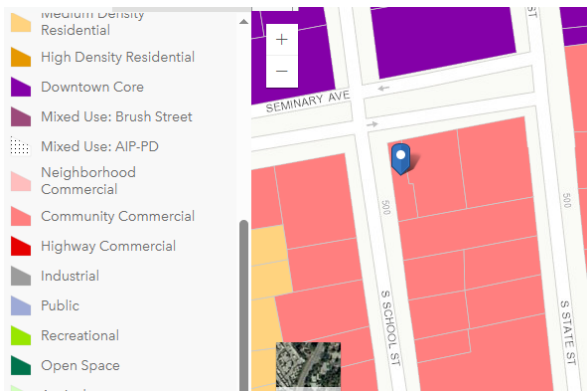


Figure 2. Zoning Designation

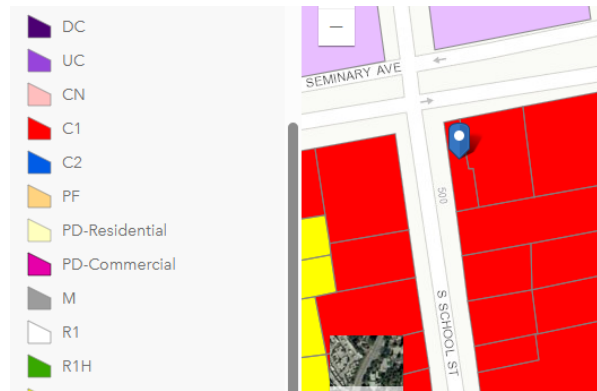


Figure 3. Aerial View

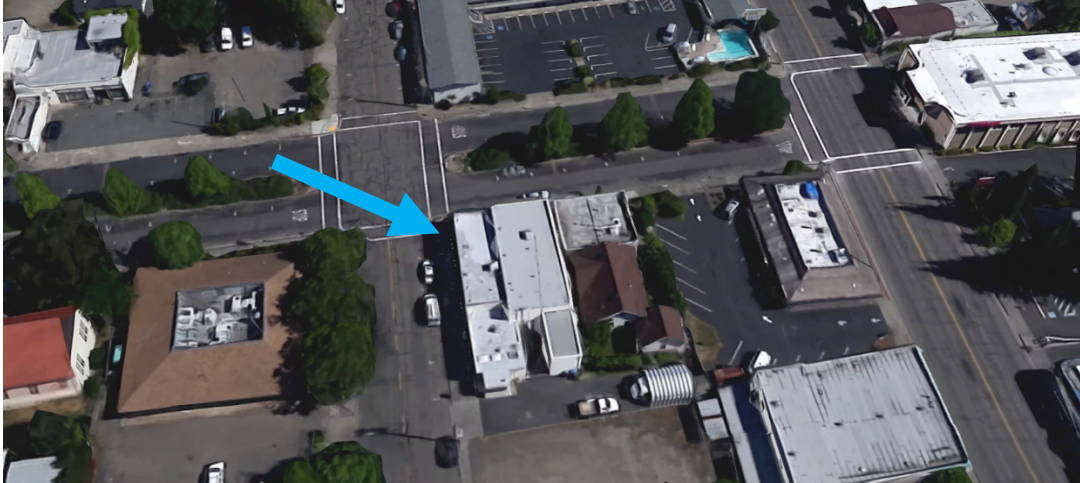


Figure 4. Street View



AGENCY CONSIDERATIONS \$ REFERRAL

On March 11, 2025, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project (See **Table 2**). No comments were received for this renewal application.

Staff Report
Local Roots Dispensary Use Permit Renewal
195 Seminary Ave.
File No. 25-000215

Table 2 – Agency Comments

AGENCY	COMMENT
City Community Development Director	No Response
City Building Official	No Response
City Public Works Department	No Response
Ukiah Valley Fire Authority	No Response
City Policy Department	No Comment
City Electrical Utility Department	No Comment
Ukiah Municipal Airport Operations Manager	No Response
Airport Land Use Commission	No Response
Mendocino County Planning & Building Services	No Comment
Department of Cannabis Control	No Response

STAFF ANALYSIS

General Plan and Zoning Consistency, and Airport Compatibility

General Plan

The parcel carries a Ukiah 2040 General Plan Land Use designation and corresponding zoning designation of Community Commercial (CC). The original Use Permit and associated use were determined to be consistent with the (1995) General Plan and zoning code at the time that permit was approved. The project continues to be aligned with the Ukiah 2040 General Plan, and the City’s intention to encourage and facilitate the development of local-serving retail that is more resilient (**Goal ED-10**), in this case from the market fluctuations associated with the cannabis industry, while offering visitors with services that make their stay in Ukiah more enjoyable. Accordingly, Visit Mendocino has identified the cannabis tourism sector as an important area for future tourism and growth (**Goals ED-4 and ED-6**).

Zoning

Per UCC §9082, Cannabis Retail is a Permitted Use within the C-1 zoning districts upon securing a Use Permit as required by UCC §9262. The stated purpose of the Community Commercial (C-1) Zoning District is to provide a broad range of commercial land use opportunities along primary transportation corridors. The C-1 district is intended to promote and provide flexibility for commercial development, including cannabis related businesses.

Airport Compatibility

Staff Report
 Local Roots Dispensary Use Permit Renewal
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The site is located approximately ±5,596 ft (1.06 miles) northwest of the Ukiah Municipal Airport and is within Compatibility Zone 4 (Extended Approach/ Departure Zone).

Per Table 3A of the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP), the request was originally analyzed under the 'Local Retail' land use category, which features a typical occupancy load factor of approximately 300 sf per person. Per Table 3a (Basic Compatibility Criteria), the use was and is still considered 'Conditionally Compatible' with Zone 4, using the following intensity criteria:

Zone 4 'Intensity/Density' Criteria Allowances

- **Max. Sitewide Avg. Intensity Allowed (people/acre):** 150 Persons per acre
- **Max. Single-Acre Intensity Allowed (people/acre):** 450 Persons per acre

The building area remains 2,040 sq ft and the parcel size is .07 acres. For the purposes of the facilitating a building code-based methodology, the request features the following occupancy groups:

- **Group M:** 834 sq ft
- **Group B-1:** 990 sq ft
- **Group S-1:** 216 sq ft

The intensity of use for the subject structure, or the number of maximum persons, is therefore estimated as follows based on the UBC standards for each occupancy group:

- **Group M:** 834 sq ft per 60 sq ft = 7 Persons Max
 - **Group B-1:** 990 sq ft per 100 sq ft = 10 Persons Max
 - **Group S-1:** 216 sq ft per 500 sq ft = 1 Person Max
 - Maximum Occupancy under UBC Assumptions is 7+10+1=**18 Persons Max**
 - Assume typical peak occupancy is 50%=**9 Persons**
- 9 Persons/.07 Acres = **128 Persons per acre**, which is within the site-wide average intensity for the requested use.

The single acre intensity is equal to the building occupancy, as the building footprint is less than an acre. Therefore, the projected maximum single acre intensity is also **128 persons per acre**. The project has not changed since the original approval and occupancy projections and remains compatible with Zone 4.

Renewal

Per UCC §9174.2, Use Permits issued for cannabis-related businesses shall be subject to review once after the first year of operation. In determining whether to renew a cannabis Use Permit, the Zoning Administrator must consider specific criteria (UCC §9174.2(D)(2)). Renewal criteria, as well as Staff’s analysis of consistency are included in Table 3 below.

Under the City’s current cannabis regulations, upon approval of the proposed renewal, the Use Permit will no longer expire within one year but is subject to the City’s revocation procedures for cannabis-related Use Permits (UCC §9174.2(E9174.2(D))) and standard Use Permit expiration regulations (UCC §9262(h)).

Table 3 – Criteria for Permit Renewal

UCC 9174.2 (D)	
Renewal Criteria	Staff Analysis
a. Whether the cannabis-related business operated pursuant to the use permit has generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the cannabis-related business.	The Ukiah Police Department has not conveyed excessive calls for service related to the business at this location.
b. Whether there have been excessive secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, cannabis use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, odors, or lewd conduct.	The Ukiah Police Department has not conveyed excessive secondary criminal or public nuisance issues to adjacent areas because of the business.
c. Whether the cannabis-related business operating pursuant to a use permit has a history of inadequate safeguards or procedures that show it is likely that it will not comply with any operating requirements and standards required in the conditions of approval	Operation of the business continues to follow all original Conditions of Approval. Additionally, the Ukiah Police Department has not conveyed there are inadequate safeguards or procedures that would affect compliance.
d. Whether the cannabis-related business has failed to pay fees, penalties, or taxes required by the conditions of approval of the use permit or by this code or State law, or has failed to comply with any requirements for the production of records or other reporting requirements of this code.	To the knowledge of the Community Development Department, all required fees have been paid. According to the State of California Department of Cannabis Control (DCC), the business maintains an “active” license (No. C10-0001418-LIC). As noted in Attachment 1, on May 15, 2024, the DCC conducted an inspection of the facility

	and noted 9 minor violations, issuing a Notice to Comply on May 20, 2024. On June 8, 2024, the permittee sent in a compliance report to the DCC, noting the minor violations of the California Code of Regulations had been rectified.
e. Whether the operator of the cannabis-related business or one or more of its officers, employees, partners, managers or members with management responsibilities ("managers") has been convicted of a felony, or has engaged in misconduct that is substantially related to the qualifications, functions or duties of an operator of a cannabis-related businesses. A "conviction" within the meaning of this chapter means a plea or verdict of guilty, or a conviction following a plea of nolo contendere. Notwithstanding the above, an application shall not be denied solely on the basis that the applicant or any manager has been convicted of a felony, if the person convicted has obtained a certificate of rehabilitation (expungement of felony record) under California law or under a similar Federal statute or State law where the expungement was granted.	All current owners and employees of the business have been fingerprinted and subject to a Live Scan background process. All persons associated with future changes in staffing and ownership will be required to obtain a successful Live Scan from the Police Department.
f. Whether the operator or managers of the cannabis-related business have previously or are currently engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.	See criterion c through e above.

Based on the above analysis and a site visit conducted by the Zoning Administrator, the business and renewal request are consistent with all Ukiah City Code regulations and the Conditions of Approval associated with the issued Use Permit. Findings for approval are included in Attachment 1 and Conditions of Approval are included in Attachment 2.

ENVIRONMENTAL DOCUMENTATION

The original Use Permit to allow for renovations to an existing commercial structure that was historically used for manufacturing and commercial/retail activities was found to be categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301, Existing Facilities (a) - Interior or exterior alterations.

For this renewal, CEQA Guidelines §15061(b)(3), Review for Exemption states that a project is exempt from CEQA if “The activity is covered under the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the

Staff Report
Local Roots Dispensary Use Permit Renewal
195 Seminary Ave.
File No. 25-000215

environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA”.

Because the project involves renewal of an existing Use Permit and does not propose any changes to the Use Permit, the existing building, or operations of the approved project, it can be said with certainty that there is no potential for the project to result in an impact to the environment.

NOTICE

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

- Published in the Ukiah Daily Journal on April 6, 2025;
- Posted on the Project site on March 28, 2025;
- 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 parcel on April 04, 2025.

RECOMMENDATION

Staff recommends the Zoning Administrator approve the Use Permit renewal, based on the Findings in Attachment 1 and subject to the Conditions of Approval in Attachment 2.

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Application Materials

**DRAFT FINDINGS FOR
RENEWAL OF THE EXISTING USE PERMIT
AT 195 SEMINARY AVENUE; APN 002-272-16; File No. 25-000215**

The following findings are supported by and based on information contained in the approved Major Use Permit (File No.21-6584), as well as information contained within the Staff Report (dated April 15, 2025), the application materials and documentation, and the public record, in accordance with Ukiah City Code (UCC) §9262 and §9174.

1. The original Use Permit and associated use were determined to be consistent with the General Plan and zoning code at the time that permit was approved. The proposed renewal of the existing Use Permit for a commercial retail business is also consistent with both the Community Commercial land use (CC) and zoning (C-1) designations. The project, as conditioned, is also consistent with goals and policies contained within the Economic Development and Land Use elements of the General Plan related to commercial and economic development.
2. The project, as conditioned, is consistent with UCC 9174.2 as described in the Staff Report.
3. Pursuant to UCC §9174.2(D), the proposed renewal was reviewed by Planning staff and the Police Department. As discussed in Table 3 of the staff report (April 15, 2025), no enforceable issues have been reported and all criterion for renewal has been met.
4. The approved Use Permit was determined to be compatible with surrounding land uses and will not be detrimental to the public's health, safety and general welfare. No changes to the business or operation are proposed.
5. The original Use Permit analysis determined that the establishment of on-site consumption at this commercial cannabis businesses did not meet any of the thresholds that would trigger a significant environmental impact, and thus according to the "general rule exemption" (§15061 (b)(3) of the CEQA Guidelines, no further environmental analysis was required. The proposed renewal does not propose any changes to the Use Permit, the existing building, or operations of the approved project, and can also be said with certainty that there is no potential for th project to result in an impact to the environment.
6. A notice of public hearing was provided in accordance with UCC §9262.
7. Based on the above findings and information contained within the Staff Report (April 15, 2025) and associated documents, the findings required to approve renewal of the Use Permit can be made by the Zoning Administrator, in accordance with UCC §9174.2(D)(2).

**DRAFT CONDITIONS OF APPROVAL
FOR RENEWAL OF THE EXISTING USE PERMIT AT 195 SEMINARY AVENUE; APN
002-272-16; File No. 25-000215**

Renewal of a Use Permit to allow the operation of a cannabis retail business at 195 Seminary Avenue. Conditions of Approval from the original approved Major Use Permit (File No. 21-6584) remain in effect and are included below.

CITY OF UKIAH SPECIAL CONDITIONS

1. No consumption of cannabis or cannabis-related products shall occur on-site, including adjacent sidewalks, alleys and parking areas.
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 Dispensary Use Permit is valid for one-year from the date of approval. Dispensary Use Permits must be renewed on an annual basis by the Zoning Administrator following the procedure described in Section 5704 of the UCC.
4. As outlined in Article 20, Administrations 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 a certificate of occupancy and commencing operations, the Applicant shall submit proof of State licensure to operate the cannabis related business to the Community Development Department.
6. Prior to issuance a certificate of occupancy or commencing operations, the Applicant and all employees shall successfully complete a Live Scan background and provide proof of such completion.
7. No persons will live on-site. If the Applicant wishes to have a live-in manager in the future, they shall consult with the Planning and Community Development Department and obtain any necessary permits.
8. The business is required to obtain a City of Ukiah business license prior to occupancy.

CITY OF UKIAH STANDARD CONDITIONS

9. This approval is not effective until the 10-day appeal period applicable to this Dispensary 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.
10. All Conditions of Approval shall be printed on all sets of building permit project plans pertaining to any site preparation work or construction associated with the development of the retail/dispensary structure and ancillary site improvements.
11. All use, construction and the location thereof, or occupancy, shall conform to the application and to any supporting documents submitted therewith, including any maps, sketches, or plot plans accompanying the application or submitted by Applicant in support thereof.
12. Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Engineering Department of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Planning Commission such standards shall be met.
13. Building permits shall be issued within two years after the effective date of the Use Permit or same shall be null and void.
14. In addition to any particular condition which might be imposed; any construction shall comply with all building, fire, electric, plumbing, occupancy, and structural laws, rules, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
15. The Applicant shall obtain all required Sign Permits, in compliance with Division 3, Chapter 7, Signs, of the UCC.
16. The Applicant shall submit verification of all applicable permits or approvals in compliance with all local, state and federal laws to the Community Development Department prior to issuance of building permits.

DEPARTMENT OF PUBLIC WORKS

- 17. Existing sewer laterals planned to be utilized as part of this project shall be cleaned and tested, and repaired or replaced if required.
- 18. Standard street tree requirements include spacing approximately every 30 feet along public streets, and installation within tree-wells when feasible. Street trees shall be installed in accordance with City Standard Drawing No. 601. The species and location of the trees shall be provided to the City Engineer and planted after approval.
- 19. To facilitate conversion of a 'Loading Zone' along South School Street, the Applicant must submit an 'Loading Zone Request' to the City Council for review and approval.

BUILDING DEPARTMENT CONDITIONS

- 20. A permit will be required for T.I. (Tenant Improvements). Please submit plans, building permit application, and hardship form see links below. Please submit four complete plan sets, two wet stamped and signed.
- 21. The design and construction of all site alterations shall comply with the 2019 California Building Code, 2019 Plumbing Code, 2019 Electrical Code, 2019 California Mechanical Code, 2019 California Fire Code, 2019 California Energy Code, 2019 Title 24 California Energy Efficiency Standards, 2019 California Green Building Standards Code and City of Ukiah Ordinances and Amendments.

UKIAH POLICE DEPARTMENT

- 22. Prior to occupancy, the Permittee shall provide the Ukiah 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.
- 23. "Dispensary staff shall receive appropriate training for their intended duties to ensure understanding of rules and procedures regarding dispensing in compliance with State and local law, and the dispensary shall employ properly trained or use professionally hired security personnel in accordance with the conditions of its permit. All security personnel hired or contracted for by the dispensary shall comply with Business and Professions Code Division 3, Chapters 11.4 and 11.5, or as may be amended.". Duration of Use: No juvenile or person under the age of 21 shall be on the manufacturing site or operate a cannabis manufacturing business in any capacity, including, but not limited to, as a manager, staff, employee, contractor, or volunteer.
- 24. Security surveillance cameras shall be installed to monitor the main entrance and exterior of the premises to discourage loitering, crime, illegal or nuisance activities. Security video shall be maintained for 90 days per 5708H7.



City of Ukiah

Community Development Department
 Planning Division
 300 Seminary Ave., Ukiah CA 95482
 Email: planningdivision@cityofukiah.com
 Phone: (707) 463 -6207

Planning Permit Application

PROJECT NAME Local Roots Dispensary					
PROJECT ADDRESS/CROSS STREETS 195 Seminary Ave Ukiah CA 95482				AP NUMBER(S):	
APPLICANT/AUTHORIZED AGENT Dylan McGinty		PHONE NO: 707 489 4162	FAX NO:	E-MAIL ADDRESS: Dylan@LocalRootsMendo.com	
APPLICANT/AUTHORIZED AGENT ADDRESS: 10580 Gibson Lane			CITY: Potter Valley	STATE/ZIP: CA 95469	
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT:		PHONE NO:	FAX NO:	E-MAIL ADDRESS:	
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT			CITY:	STATE/ZIP:	
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
<input type="checkbox"/> AIRPORT LAND USE COMM. DETERMINATION REFERRAL 100.0800.611.003	\$	<input type="checkbox"/> REZONING – PLANNED DISTRICT 100.0800.611.001	\$	<input type="checkbox"/> USE PERMIT – AMENDMENT 100.0400.449.001	\$
<input type="checkbox"/> ANNEXATION 100.0800.611.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	\$	<input type="checkbox"/> USE PERMIT – MAJOR 100.0400.449.001	\$
<input type="checkbox"/> APPEAL 100.0400.449.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT – MAJOR 100.0400.449.001	\$	<input checked="" type="checkbox"/> USE PERMIT – MINOR 100.0400.449.001	\$
<input type="checkbox"/> GENERAL PLAN AMENDMENT 100.0800.611.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT – MINOR 100.0400.449.001	\$	<input type="checkbox"/> VARIANCE – MAJOR 100.0400.449.001	\$
<input type="checkbox"/> MURAL PERMIT 100.0400.449.001	\$	<input type="checkbox"/> SPECIFIC/MASTER PLAN 100.0800.611.003	\$	<input type="checkbox"/> VARIANCE – MINOR 100.0400.449.001	\$
<input type="checkbox"/> PRE-DEVELOPMENT MEETING 100.0800.611.003	\$	<input type="checkbox"/> MINOR SUBDIVISION/TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	\$	<input type="checkbox"/> ZONING AMENDMENT MAP OR TEXT 100.0800.611.001	\$
<input type="checkbox"/> STAFF RESEARCH (MORE THAN 1 HOUR) 10023100.41153	\$	<input type="checkbox"/> MAJOR SUBDIVISION/TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	\$	<input type="checkbox"/> REZONING 100.0800.611.001	\$
<input type="checkbox"/> LOT LINE ADJUSTMENT OR MERGER 100.0800.610.001	\$	<input type="checkbox"/> OTHER	\$	<input type="checkbox"/> 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.

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

PROPERTY OWNER SIGNATURE

DATE

I, Dylan McGinty, 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.

Dylan McGinty
 OWNER / AUTHORIZED AGENT

DATE

INDEMNIFICATION AGREEMENT

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

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

I have read and agree to all of the above.

Dylan McGinty
 PROPERTY OWNER / AUTHORIZED AGENT
(PLEASE PRINT NAME)

Dylan McGinty
 PROPERTY OWNER / AUTHORIZED AGENT
(SIGNATURE)

DATE

Revised 02/06/2024

Local Roots Dispensary
Dylan McGinty
195 Seminary Ave.
Ukiah, CA 95482
NO - 21-6584
ATTN: Planning Department - City of Ukiah

February 27, 2025

To the City of Ukiah Planning Department,

I am writing you in regards to the Local Roots Dispensary's annual renewal, located at 195 Seminary Ave. I am requesting a renewal to continue doing business at our location.

Throughout the past year we have participated in and sponsored many local community events throughout Mendocino County, including being a primary sponsor for *Sundays in the Park*. At the moment, we are employing 10 local residents and recently participated in *Best of Lake and Mendocino County* and won first place awards for *Best Cannabis Flower* and *Best Budtender Education*, and second for *Best Dispensary in Mendocino County*, which we were proud to receive after being open less than a year. We have already gained a steady customer base where we see anywhere from 50-80 people a day, with many being returning daily customers and maintaining about two to five new customers daily. We are happily bringing new patrons and economy to the downtown area.

The company has maintained compliance with both state and local laws, and have completed the year with no law enforcement or code enforcement issues. We continue to maintain a low key, professional looking storefront that has created no issues amongst our neighborhood or road ways. We have continued to be locally owned and operated, with a commitment to remain in and for the greater Ukiah and Mendocino area.

Local Roots continues to stay compliant with our use permit requirements. As stated in our Compliance Findings on file with the City of Ukiah, "1. *The proposed project is consistent with the City's 1995 General Plan goals and policies related to enhancing economic growth, the regulations & standards of the Community Commercial (C-1) zoning district, and City Code as it pertains to 'Cannabis-Related Businesses' and 'Dispensary Use Permits.'* The request is further supported by General Plan and Specific Plan/Ukiah Valley Area Plan (UVAP) goals that promote business development, emphasizing local ownership that retain capital and jobs within the region. With the inclusion of operational and standard conditions that address related business components, this finding can be made."

"2. *The proposed project would be similar in use and intensity to past on-site activities, as well as adjacent land uses. The surrounding area features a*

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

In conclusion Local Roots Dispensary has maintained compliance with all written requirements from the City of Ukiah for its Dispensary Use Permit.

3. That the Dispensary Use Permit is consistent with the intent of the Compassionate Use Act of 1996, the AUMA, the MAUCRSA, and related State law, the provisions of this Chapter and the City Code, including the application submittal and operating requirements herein. The applicant has submitted all of the required information as a part of their application in accordance with all City Codes. As conditioned, the applicant will be required to operate in compliance with all State laws under a State License.

4. That the Dispensary location is not identified as having significant crime issues (e.g., based upon crime reporting statistics as maintained by the Police Department). The Ukiah Police Department did not indicate that crime issues are significantly higher near the subject property as compared to other areas within the City in their correspondence with City Planning Staff. Crime information related to operation of this specific project will be reviewed and analyzed during the annual renewal process for the Use Permit.

5. That there have not been significant numbers of calls for police service, crimes or arrests in the area or to an existing Dispensary location. The Ukiah Police Department did not indicate that crime issues are significantly higher near the subject property as compared to other areas within the City in their correspondence with City Planning Staff. Crime information related to operation of this specific project will be reviewed and analyzed during the annual renewal process for the Use Permit.

6. That an applicant or employee is not under twenty- one (21) years of age. The applicant has demonstrated that they are over 21 years of age by providing a copy of their driver's license. All employees require verification by the Ukiah Police Department, which stipulates that individuals must be older than 21 years of age. Per State Law §15000.6., employees or persons retained by a licensee to work within or on a licensed premises or to handle cannabis or cannabis products shall 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. Final

Findings I Dispensary Use Permit Local Roots - Retail and Delivery 195 Seminary Avenue File No.: 21-6584 3 All required application materials have been submitted. The project as proposed, would be in compliance with operating requirements contained within the City Code and adopted related cannabis ordinances.

8. That all required application or annual renewal fees have been paid and reporting requirements have been satisfied in a timely manner. Application fees have been paid and the applicant will be required to pay renewal fees as a Condition of Approval.

9. That the location is not prohibited by the provisions of this chapter or any local or State law, statute, rule or regulation and no significant nuisance issues or problems are anticipated or have resulted from dispensary operations. The project site is not located within 600 feet of any school or educational facility, nor within 250 feet of another cannabis dispensary. The parcel does not abut any youth oriented facilities or schools, nor does it contain a residential land-use. The Project Site is zoned Community Commercial. All adjacent parcels are zoned Community Commercial or General Urban. While residential development is allowed by right in these zoning districts, the underlying general land use intent is to facilitate a broad range of commercial land use opportunities. A Security Plan, Standard Operating Procedures and odor control measures are included as a part of the project to ensure no significant issues will arise from the project. The project has also been reviewed by the Ukiah Police Department, Ukiah Valley Fire Authority, and other agencies to ensure public safety.

10. That the site plan, floor plan, and security plan have incorporated features necessary to assist in reducing potential crime-related problems and as specified in the operating requirements in section 5708 of this Code. These features may include, but are not limited to, security on site; procedure for allowing entry: openness to surveillance and control of the premises, the perimeter, and surrounding properties: reduction of opportunities for congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage loitering and nuisance behavior. The project includes a Security Plan with the features listed above such as access control gates, alarms, surveillance, perimeter fencing, etc. In addition, crime prevention-related Conditions of Approval have been included on behalf of the Ukiah Police Department. The Applicant reviewed considerations and concerns of the UPD, and updated their security plan to address delivery considerations. Video surveillance and other security measures, including automatic locks, card readers, and documented safety protocols ensure the security of the subject structure and surrounding properties.

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

Final Findings I Dispensary Use Permit Local Roots - Retail and Delivery 195 Seminary Avenue File No.: 21-6584 4 resulting in disturbances, vandalism, crowd control inside or outside the premises, traffic control problems, marijuana use in public, or creation of a public or private nuisance, or interference with the operation of another business. The project includes a Security Plan with the features listed above such as security alarms, surveillance, secured entry, etc. In addition, crime prevention-related Conditions of Approval have been included on behalf of the Ukiah Police Department.

13. That the dispensary would not adversely affect the health, peace or safety of persons living or working in the surrounding area, overly burden a specific neighborhood with special needs or high impact uses, or contribute to a public nuisance; or that the dispensary has resulted in repeated nuisance activities including disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct, or police detentions or arrests. The project site is surrounded by other commercial uses. The cultivation and consumption of cannabis will not occur on-site. Furthermore, the proposed business will operate with similar hours to nearby businesses. As components of this finding rely on the operation of a dispensary to understand the impacts, the project will be further evaluated upon renewal.

14. That any provision of the City Code or condition imposed by a City issued permit, or any provision of any other local or State law, regulation, or order, or any condition imposed by permits issued in compliance with those laws has not been violated. N/A, the business is not yet operational. However, once operational, this criterion will be reviewed as a part of the permit renewal process.

15. That the applicant has not violated any local or State law, statute, rule or regulation respecting the distribution, possession, or consumption of marijuana. The applicant has successfully completed the Live Scan process through the Ukiah Police Department, demonstrating that they have not violated any laws that would disqualify them from operating the business. 16. That the applicant has not knowingly made a false statement of material fact or has knowingly omitted to state a material fact in the application for a permit. The applicant certifies that they have not knowingly made a false statement or omitted information from this application.

17. That the applicant, his or her agent or employees, or any person who is exercising managerial authority on behalf of the applicant has not been convicted of a felony, or of a misdemeanor involving moral turpitude, or has engaged in misconduct related to the qualifications, functions or duties of a permittee. See Finding Number 15. In addition, Live Scan Background Review are required for all employees as a Condition of Approval.

18. That the applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices. Final Findings I Dispensary Use Permit Local Roots - Retail and Delivery 195 Seminary Avenue File No.: 21-6584 5 The

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

19. That adequate parking for medical cannabis dispensaries will be provided at a rate of one space for every two hundred (200) gross square feet of retail space, office space, and similar floor areas, pursuant to section 9198(F)(1) of this Code. Furthermore, that adequate parking for Cannabis Retailers generally will be provided at a rate of one space for every two hundred fifty (250) square feet of gross, leasable space, pursuant to section 9198(B)(1) of this Code. However, if the dispensary to be operated by the applicant does not dispense cannabis to patients or eligible Adult Use patrons on site but services qualified patients and patrons through deliveries in compliance with Section 5717 of this Code, then adequate parking will be provided at a rate of one space for every four hundred (400) square feet of gross leasable space, pursuant to Section 9198(G)(3) of this Code. N/A, per §9199, all existing commercial structures as of January 1, 1979, within the area defined as the city of Ukiah Parking District No. 1, shall be exempt from the required off street parking requirements prescribed in §9198. While the building maintains no dedicated off-street parking, the immediate vicinity of the project features numerous on-street parking facilities. The Site maintains easy access to a variety of available on-street parking, with spaces provided along Seminary and School Street in a variety of time increments.”

Please contact me with any questions or concerns.

Thank you,

Dylan McGinty
Owner - Local Roots Dispensary

Construction Best Management Practices (BMPs)

Construction projects are required to implement the stormwater best management practices (BMP) on this page, as they apply to your project, all year long.



Water Pollution Prevention Program
Clean Water. Healthy Community



Materials & Waste Management

- Non-Hazardous Materials**
 - Berm and cover stockpiles of sand, dirt or other construction material with tops when rain is forecast or if not actively being used within 14 days.
 - Use (Out-Govt owned) rebar/water (or dust cover).
- Hazardous Materials**
 - Label all hazardous materials and hazardous waste (such as pesticides, paints, thinners, solvents, fuel, oil, and greases) in accordance with city, county, state and federal regulations.
 - Store hazardous materials and waste in water-tight, cover-tops, above ground secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecast.
 - Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
 - Arrange for appropriate disposal of all hazardous waste.

- Waste Management**
 - Cover waste disposal containers securely with tarps at the end of every work day during wet weather.
 - Check vehicle cleanup containers frequently for leaks and if leaks are observed, they are not certified. Never hose down a tarp on the construction site.
 - Check for spilled portulacastrum, and stamped them frequently for leaks and spills.
 - Dispose of all wastes and debris properly. Reusable materials and wastes that can be recycled (such as asphalt, concrete, aggregate, saw materials, wood, dry board, PPE, etc.) should be recycled.
 - Dispose of liquid residues from paints, thinners, solvents, glues and cleaning fluids in hazardous waste.
 - Construction Excavation and Perimeter
 - Establish and maintain effective perimeter controls and establish all sediment discharge from site and tracking off site.
 - Sweep or vacuum and street tracking immediately and ensure no sediment enters streeting. Never hose down storm drains to clean up tracking.

Recycling
Non-Residential Mandatory Materials section 5-40b for construction waste management of recycling or reuse of a minimum 15% of non-hazardous demolition waste. For information on waste management, visit: www.ci.westvale.ca.us or call: 925-435-7000



Earthwork & Contaminated Soils

- Trailer Control**
 - Stabilize and level all trailers and equipment before use.
 - Stabilize all dewatered areas, small and large, before use.
 - Use mats on areas where dewatering is required.
 - Use mats on areas where dewatering is required.
- Spill Prevention and Control**
 - Do not clean vehicles or equipment inside using soap, solvents, degreasers, down cleaning equipment, etc.
 - Spill Prevention and Control
 - Keep spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
 - Inspect vehicles and equipment frequently for oil and repair leaks promptly. Use drip pans to catch leaks until repairs are made.
 - Clean up spills or leaks immediately and dispose of cleanup materials properly.
 - Do not hose down work area where fluids have spilled. Use dry cleanup methods (absorbent materials, oil filter, etc.) for spill.
 - Sweep up spilled dry materials immediately. Do not try to wash them away with water, or bury them.
 - Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
 - Report significant spills immediately. You are required by law to report all significant releases of hazardous materials, including oil. To report a spill: 1) Call the State's Office of Emergency Services (800) 852-3350 (24 hours) Warning Center.



Paving / Asphalt Work

- Avoid paving and seal coating in wet weather, or when rain is forecast before that job can be completed.
- Cover storm drain inlets and manholes when applying seal coat, tack coat, slurry seal, fog seal, etc.
- Collect and recycle or appropriately dispose of excess slurry seal or seal coats.
- Do NOT sweep or wash slurry seal or asphalt concrete per permit.
- Remove and Recycle & Asphalt Concrete
 - Completely seal or clean the storm drain inlet when seal coating. Use fiber fabric catch basin inlet (fiberglass or gravel) to catch slurry seal or other sealants.
 - Seal, slurry, slurry seal or seal coat storm drain inlets as soon as you are finished in one location or at the end of each work day (inlet or in a storm drain).
 - If seal-out slurry enters a catch basin, clean it up immediately.



Concrete, Grout & Mortar Application

- Wash out concrete equipment (buckets, shovels, etc.) into the catch basin or into the storm drain.
- Wash out concrete equipment (buckets, shovels, etc.) into the catch basin or into the storm drain.
- Collect the wash water from washing exposed aggregate concrete and remove it for appropriate disposal (if firm).
- Dewatering
 - Effectively manage all run-off from the site and avoid track-out.
 - When dewatering, notify and obtain approval from the local municipality before discharging water to any stream, gutter or storm drain.
 - Filter water or dewater through a filter, tank or sediment trap if required.



Painting & Paint Removal

- Never clean brushes or paint pails containing paint into a gutter, storm drain or surface water.
- For water-based paints, paint out brushes into the same pails. For oil-based paints, paint out brushes into a separate pail. Dispose of used paint in a hazardous waste facility.
- For oil-based paints, paint out brushes into a separate pail. Dispose of used paint in a hazardous waste facility.
- Paint Removal
 - Chemical paint stripping involves and ships and dust from various paints or pigments containing lead or chromium that must be disposed of in hazardous waste.
 - Paint that drips and dust from non-hazardous dry stripping and sand blasting may be swept up and placed into plastic bags and disposed of as trash.



Landscaping Materials

- Store and dispose of landscaping materials by storing them under tarps when they are not actively being used.
- Stack or store these materials when they are not actively being used or applied.
- Discontinue application of any readily erodible landscaping material within 2 days before a forecast rain event or during wet weather.

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DRYAN MCGINTY
195 SEMINARY AVE
UKIAH, CA 95482
APN: 002-191-23

PROJECT NO: 195 SEMINARY AVE
DATE: 11/14/2023
SCALE: AS SHOWN

PROJECT 1 OF 14
T1.2

NON-RESIDENTIAL MANATORY MEASURES NOTATIONS

2019 CBC 1003.1.3 For films, spread view, settings of interior wall and ceiling finishes, precast concrete, and other decorative finishes, the minimum fire-resistance rating shall be Class A for interior exit stairways, ramps, and exit passageways, and a minimum of Class B for corridors, exitways for exit access stairways and ramps, and a minimum of Class C for all other rooms, and enclosed spaces.

2019 CBC 1008.1.1 The means of egress illumination level shall be not less than 1 foot-candle (10.76 lux) at the walking surface, and the minimum illumination level at the walking surface shall be permitted to be illuminated to not less than 0.2 foot-candle (2.15 lux).

2019 CBC 1008.1.2 Illumination shall be provided along the path of travel for the egress route from each exit to the public way, with the exception that illumination shall not be required where the path of the exit discharge meets both of the following requirements:

1. The path of exit discharge is illuminated from the exit to a safe exit.
2. The safe disposal area shall be illuminated to a level not less than 1 foot-candle (11 lux) at the walking surface.

2019 CBC 1008.3 The power supply for means of egress illumination shall normally be provided by the premises electrical supply.

2019 CBC 1008.3.4 The emergency power system shall provide power for a duration of not less than 30 minutes and shall consist of storage batteries, a generator, or other approved means of emergency power system shall be in accordance with 2019 CBC Section 2002.

2019 CBC 1008.3.5 Emergency lighting fixtures shall be arranged to provide uniform illumination of the egress route from each exit to the public way, and minimum of 0.2 foot-candle (2.15 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to dip to 0.05 foot-candle (0.5 lux) average and a minimum at any point of 0.05 foot-candle (0.5 lux) at the end of the emergency lighting time duration. A minimum illumination uniformity ratio of 40 to 1 shall not be exceeded.

2019 CBC 1004.9 Every room or space that is an assembly occupancy shall have the egress route from each exit to the public way, and the egress route shall be marked with illuminated directional signs that are visible from the room or space, for the intended configuration, posted signs shall be of an approved legible permanent design, and note on the plans that they shall be maintained by the owner or the owner's authorized agent.

2019 CBC 1013.1.1 Exit and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. The path of egress travel to exits and within exits shall be marked by readily visible exit signs to indicate the location of exits and the direction of egress travel. The path of egress travel shall be marked by readily visible to the occupant. The marking of egress doors within exits shall be marked by exit signs. Exit sign placement shall be such that any point in an exit access corridor or exit passageway is within 100 feet of the nearest visible exit sign, whichever is less, from the nearest visible exit sign.

2019 CBC 1013.3 All exit signs shall be internally or externally illuminated, except for tactile signs required by Section 1013.4 which need not be provided with illumination.

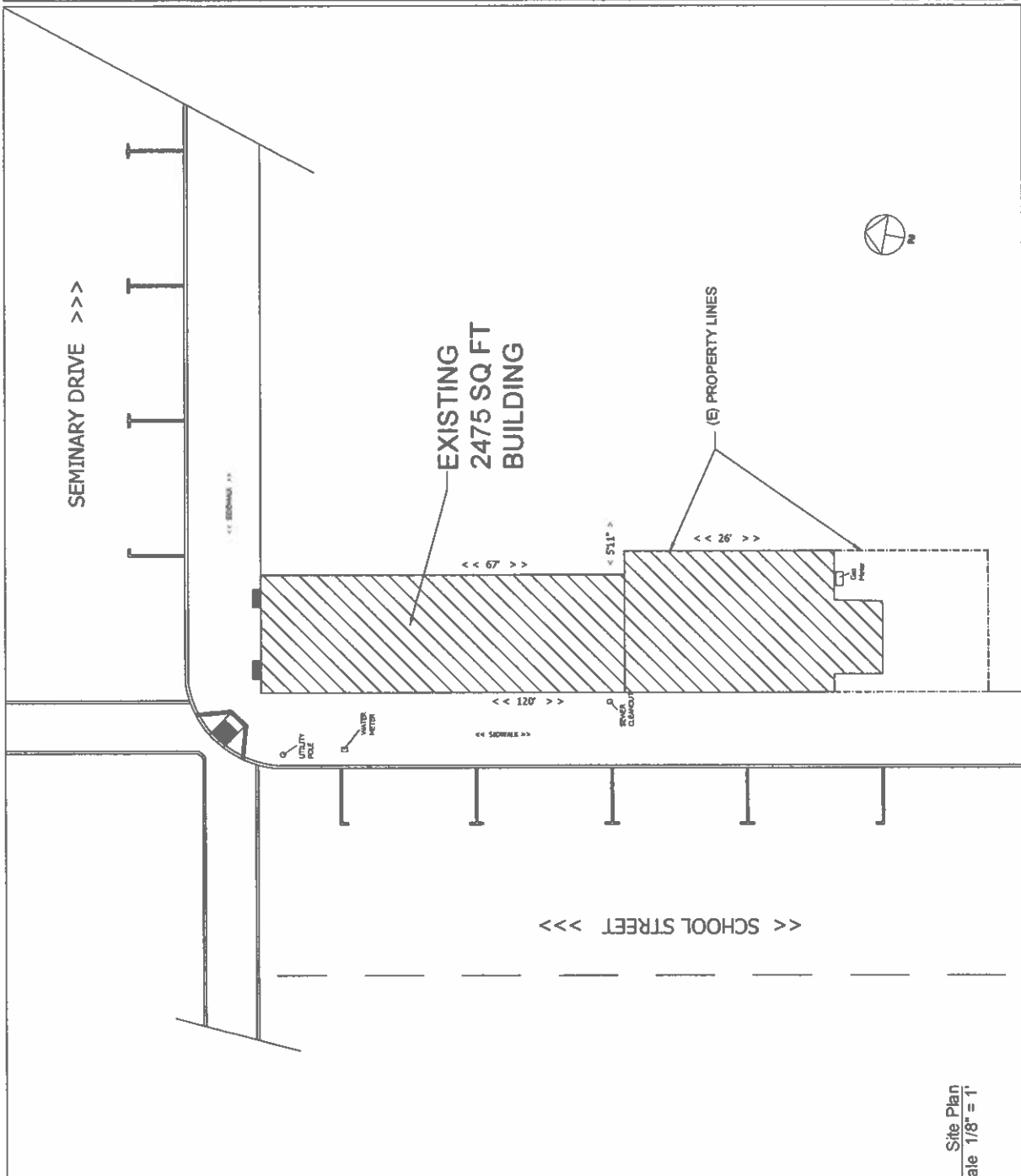
2019 CBC 1013.4 Illuminated character and tactile tactile exit signs shall be required at the following locations:

1. Each individual exterior exit door that is required to comply with Section 1013.1, shall be identified by a tactile exit sign with the words, "EXIT".
2. Each exit door that is required to comply with Section 1013.1, and that leads directly to a grade-level exterior exit by means of an exit enclosure shall be identified by a tactile exit sign with the words, "EXIT ENCLOSURE".
3. Each exit access door from an interior room or area to a corridor or hallway that is required to comply with Section 1013.1, shall be identified by a tactile exit sign with the words, "EXIT ROUTE".

All raised character and tactile exit signs shall comply with Chapter 11, A, Section 1143A or Chapter 11B, Sections 11B-703.1, 11B-703.2, 11B-703.3 and 11B-703.5.

2019 CBC 1013.5 Internally illuminated exit signs, electrically powered, self-luminous, and photoluminescent exit signs shall be listed and labeled in accordance with UL 924 and shall be installed in accordance with the manufacturer's instructions and CBC Chapter 27. Exit signs shall be illuminated at all times.

	RYAN MCGINTY PE 44522 STATE OF CALIFORNIA LICENSED PROFESSIONAL ENGINEER
RUFF + ASSOCIATES Architecture Planning Development 100 West Seminary Street, Ukiah, CA 95422 Phone: 707-727-0225 Fax: 707-474-7202 E-mail: info@ruffassociates.com	DYLAN MCGINTY 195 SEMINARY AVE UKIAH, CA 95482 APN: 002-191-23
PROJECT TITLE HONORIFIC CENTRAL MANATORY SHEET 2	SHEET NO. 11.4 OF 12
DRAWN BY DATE CHECKED BY DATE APPROVED BY DATE	SCALE AS NOTED



Legend:

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

THE DISCHARGE OF POLLUTANTS TO ANY STORM DRAINAGE SYSTEM IS PROHIBITED. NO SOLID WASTE OR LIQUID WASTE, INCLUDING BUT NOT LIMITED TO CONSTRUCTION WASTE MATERIALS OR WASTEWATER GENERATED ON CONSTRUCTION SHALL BE PLACED OR DISCHARGED INTO THE STREET, GUTTER OR STORM DRAIN SYSTEM.

1 APN: 002-272-16 Site Plan Scale 1/8" = 1'

EXISTING DOOR SCHEDULE

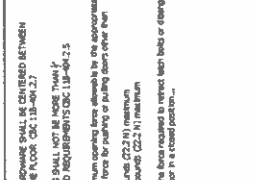
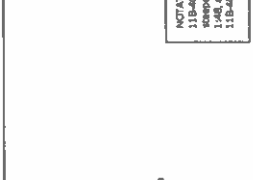
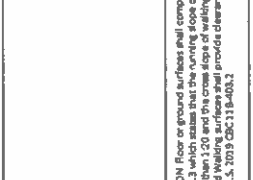
(E) 101 - 30" x 68" - EXTERIOR ALUMINUM GLASS THERMALLY-BREAKED PUSH-PULL
 (E) 102 - 30" x 68" - EXTERIOR ALUMINUM GLASS THERMALLY-BREAKED PUSH-PULL
 (E) 103 - 30" x 68" - EXTERIOR WOOD-SOLID CORE LH/LC
 (E) 104 - 30" x 68" - INTERIOR WOOD-SOLID CORE LH/LC
 (E) 105 - 30" x 68" - INTERIOR WOOD-SOLID CORE LH/LC
 (E) 106 - 30" x 68" - INTERIOR WOOD-SOLID CORE LH/LC
 (E) 107 - 30" x 68" - INTERIOR WOOD-SOLID CORE LH/LC
 (E) 108 - 30" x 68" - INTERIOR WOOD-SOLID CORE LH/LC
 (E) 109 - 30" x 68" - EXTERIOR METAL FRAME MATED LH/LC
 (E) 110 - 30" x 68" - EXTERIOR METAL FRAME MATED LH/LC

NOTE: ALL EXTERIOR DOORS AND WINDOWS TO MEET THE REQUIREMENTS OF CBC SECTION 708.2.2.

EXISTING WINDOW SCHEDULE

101 - 48" x 72" x 60" - SINGLE PANE PLATE THERMALLY-BREAKED LOW E
 102 - 48" x 72" x 60" - SINGLE PANE PLATE THERMALLY-BREAKED LOW E
 103 - 51" x 53" x 60" - SINGLE PANE PLATE THERMALLY-BREAKED LOW E
 104 - 51" x 53" x 60" - SINGLE PANE PLATE THERMALLY-BREAKED LOW E
 105 - 33" x 55" x 60" - SINGLE PANE PLATE THERMALLY-BREAKED LOW E
 106 - 33" x 55" x 60" - SINGLE PANE PLATE THERMALLY-BREAKED LOW E
 107 - 60" x 72" - DOUBLE PANE SLIDER LOW E
 108 - 60" x 72" - DOUBLE PANE SLIDER LOW E

NOTE: ALL WINDOWS TO MEET THE REQUIREMENTS OF CBC SECTION 708.2.2.



POSSIBLE ACTIVATED CASTERS	MIN. SPACING (MIN. EDGE DISTANCE) (IN)	MIN. SPACING (MIN. EDGE DISTANCE) (IN)	MIN. SPACING (MIN. EDGE DISTANCE) (IN)	MIN. SPACING (MIN. EDGE DISTANCE) (IN)
Ø 1/4\"	1 1/4\"	5 1/4\"	4\"	90\"

WOOD STUD PARTITION BRACE DETAIL

1 1/2" x 12" x 12" TO MEET THE REQUIREMENTS OF CBC SECTION 708.2.2.

WOOD STUDS RUNNING PERPENDICULAR TO ROOF JOISTS- FULL HEIGHT

1 1/2" x 12" x 12" TO MEET THE REQUIREMENTS OF CBC SECTION 708.2.2.

WOOD STUDS RUNNING PARALLEL TO ROOF JOISTS FULL HEIGHT

1 1/2" x 12" x 12" TO MEET THE REQUIREMENTS OF CBC SECTION 708.2.2.

FLOOR PLATE ATTACHMENT

1 1/2" x 12" x 12" TO MEET THE REQUIREMENTS OF CBC SECTION 708.2.2.

NOTATION Floor or ground surfaces shall comply with Section 11B-307, and 11B-402.3 which states that the turning slope of existing surfaces shall not be increased. New surfaces shall be finished with a minimum slope of 1/4" per foot. Existing and new walls shall comply with Section 11B-402.5, 2019 CBC 11B-402.2.

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PLANNING DEVELOPMENT
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 195 SEMINARY AVE
 UPIAH, CA 95482
 APN: 002-191-23

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 UPIAH, CA 95482
 APN: 002-191-23

PROPOSED FLOOR PLAN
 Scale 1/4" = 1'



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NO.	REVISIONS	DATE	BY
1	SHEET REVISIONS	6/11/2023	PH



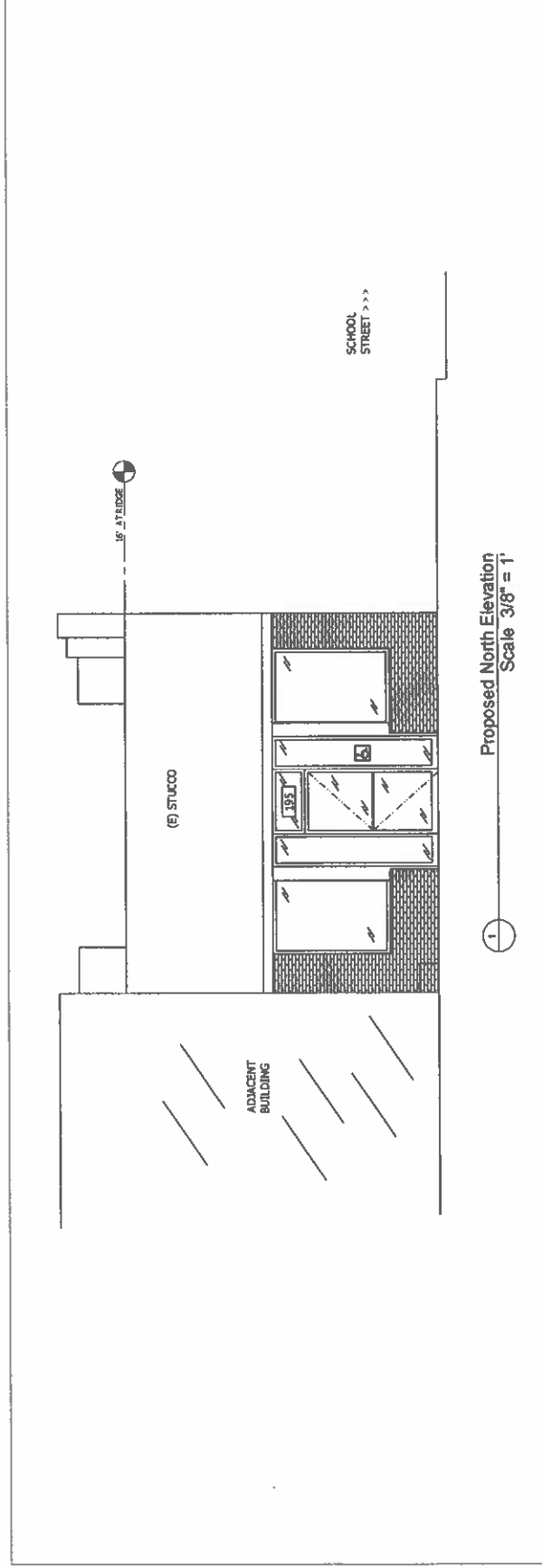
RUFF + ASSOCIATES
 Architecture Planning Development
 150 Main Street, Ukiah, CA 95482
 Phone: 707-472-0238 Fax: 707-472-0622
 Email: info@ruffassoc.com
 Copyright © by Ruff + Associates. All Rights Reserved.



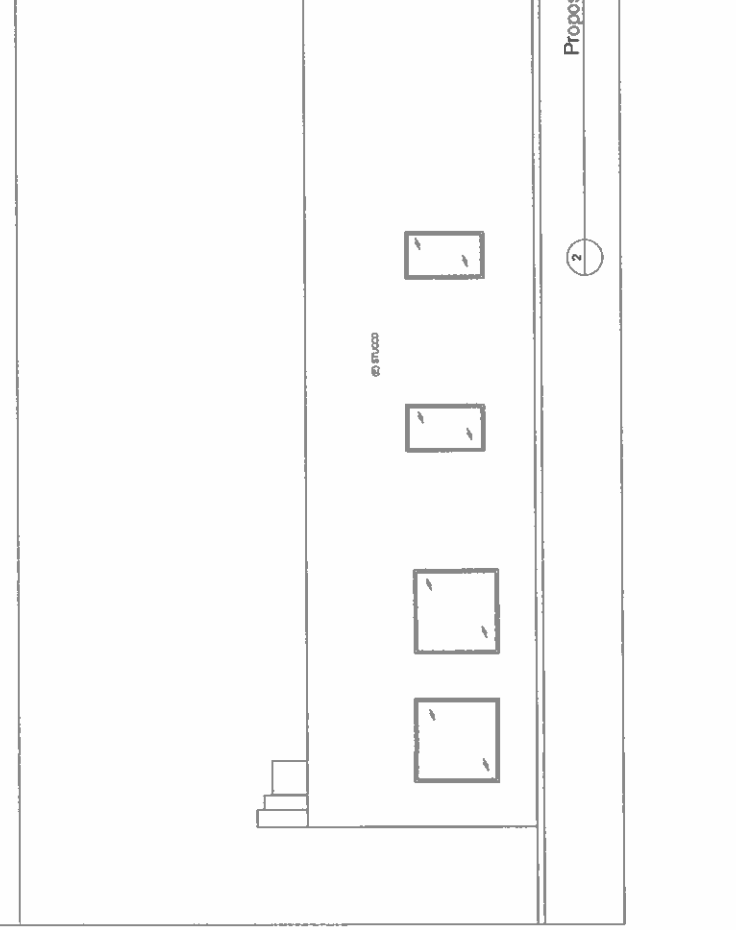
DYLAN MCGINTY
 195 SEMINARY AVE
 UKIAH, CA 95482
 APN: 002-191-23

SHEET TITLE	OUTLINE
DRAWN BY	PHM
CHECKED BY	PHM
DATE	6-11-2023
SCALE	AS SHOWN

A3.1
 PAGE 10 OF 14



502.1 Address Identification. New and existing buildings shall be provided with approved address numbers or letters. Each character shall be not less than 4 inches (102 mm) in height for residential properties and a minimum of 6 inches high for non-residential properties and not less than 0.5 inch (12.7 mm) in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. When required by the city building official, address numbers shall be provided in additional appropriate locations such as utility enclosures, fire hydrants, and emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address Identification shall be maintained.



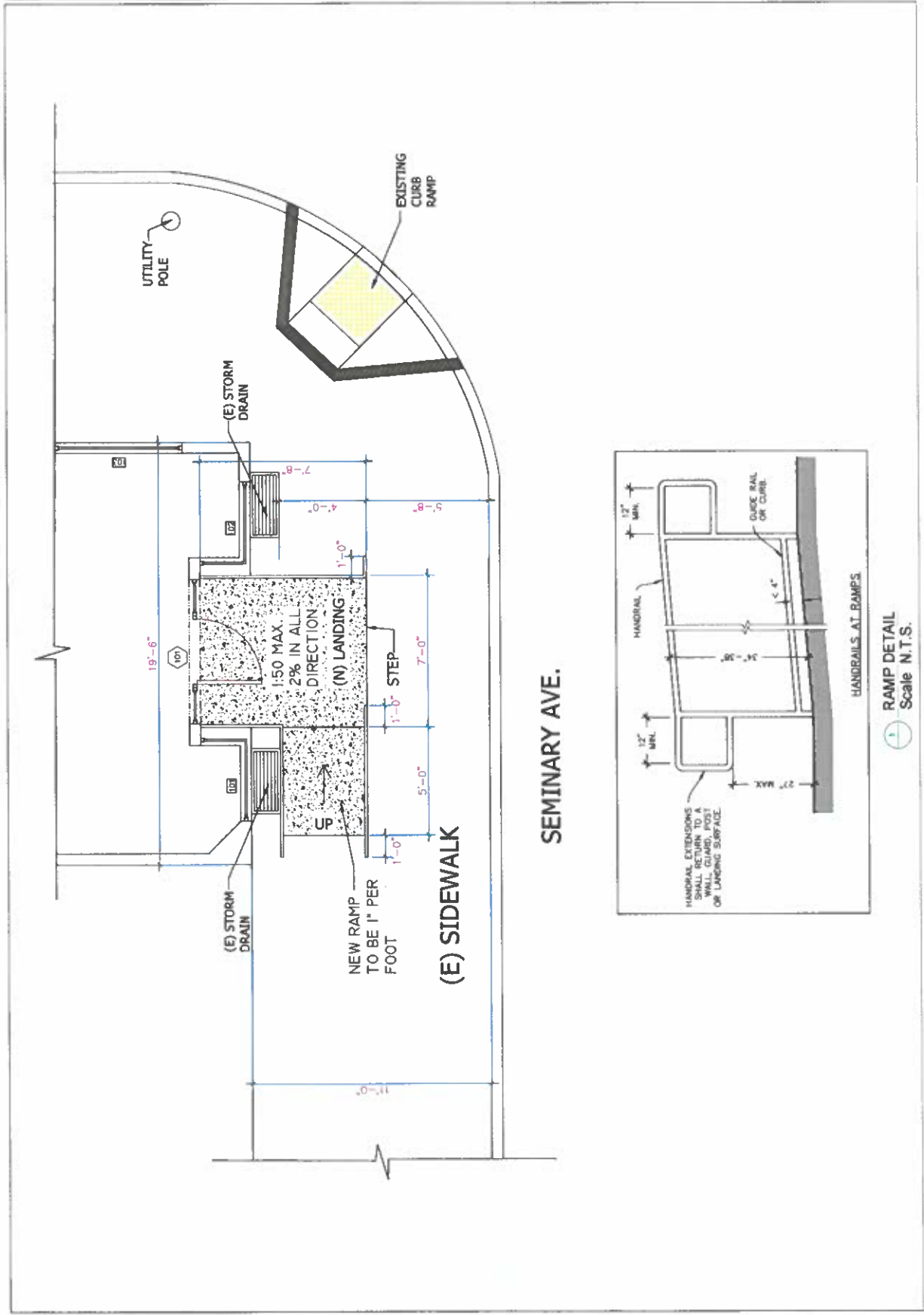
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BY	AK
REVISION	
NO.	



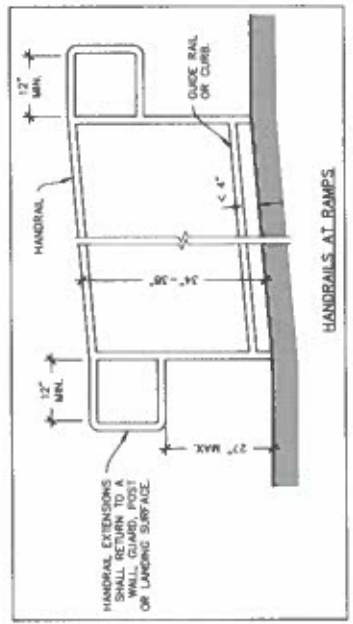
RUFF + ASSOCIATES
 Architects Planning Development
 100 West Broadway Street, Suite 200, San Diego, CA 92101
 Phone: 619-437-0225 Fax: 619-437-0227
 Website: www.ruffassociates.com
 I hereby certify that I am a duly Licensed Professional Engineer in the State of California, License No. 50542, Exp. 12/31/2024.

RYAN MCGINTY
 195 SEMINARY AVE
 UKIAH, CA 95482
 APN: 002-191-23

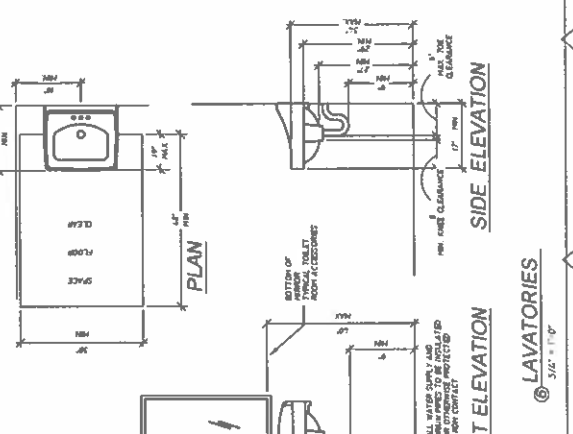
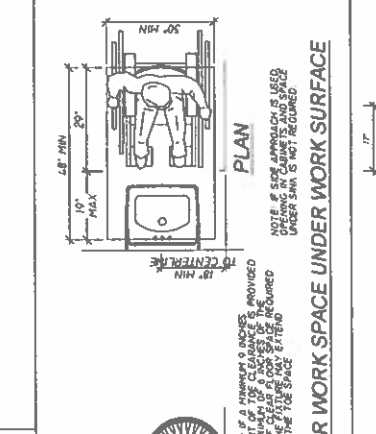
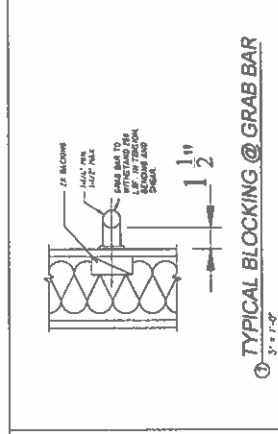
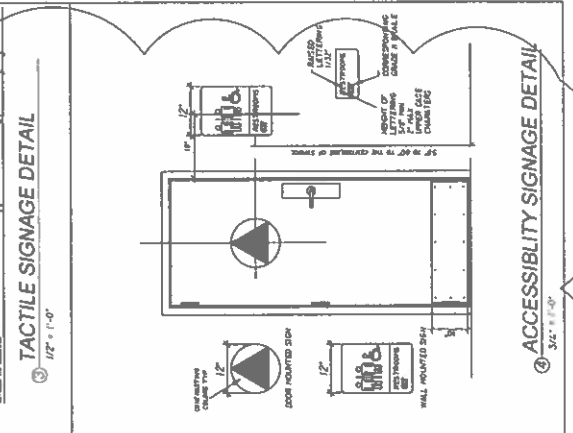
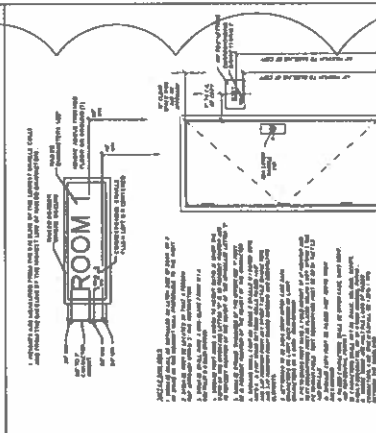
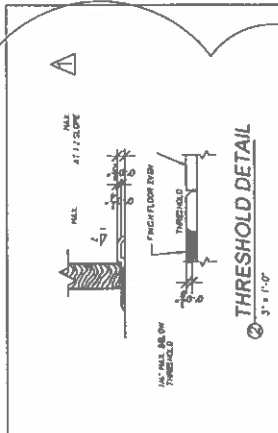
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DATE	4-12-2023
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SCALE	AS SHOWN
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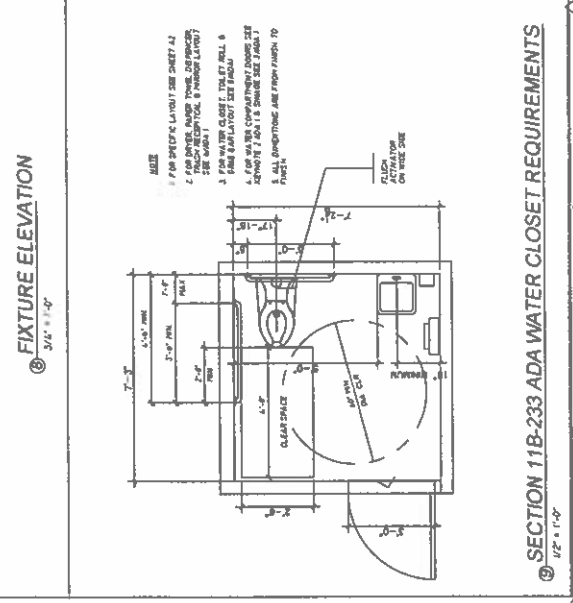
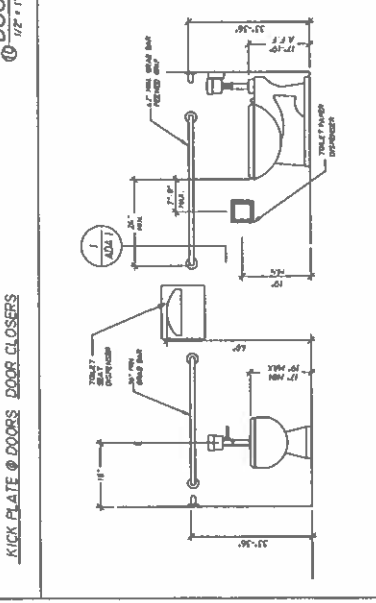
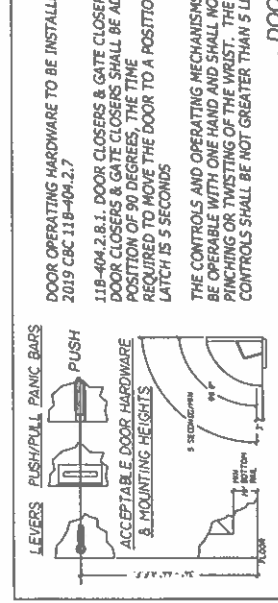
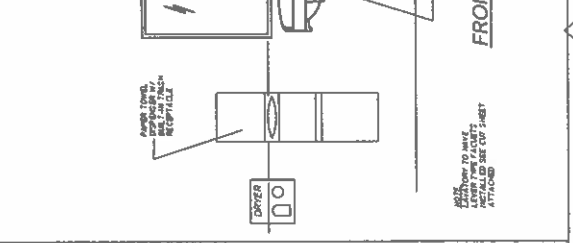
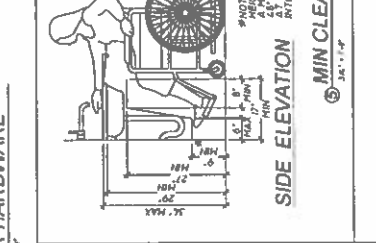
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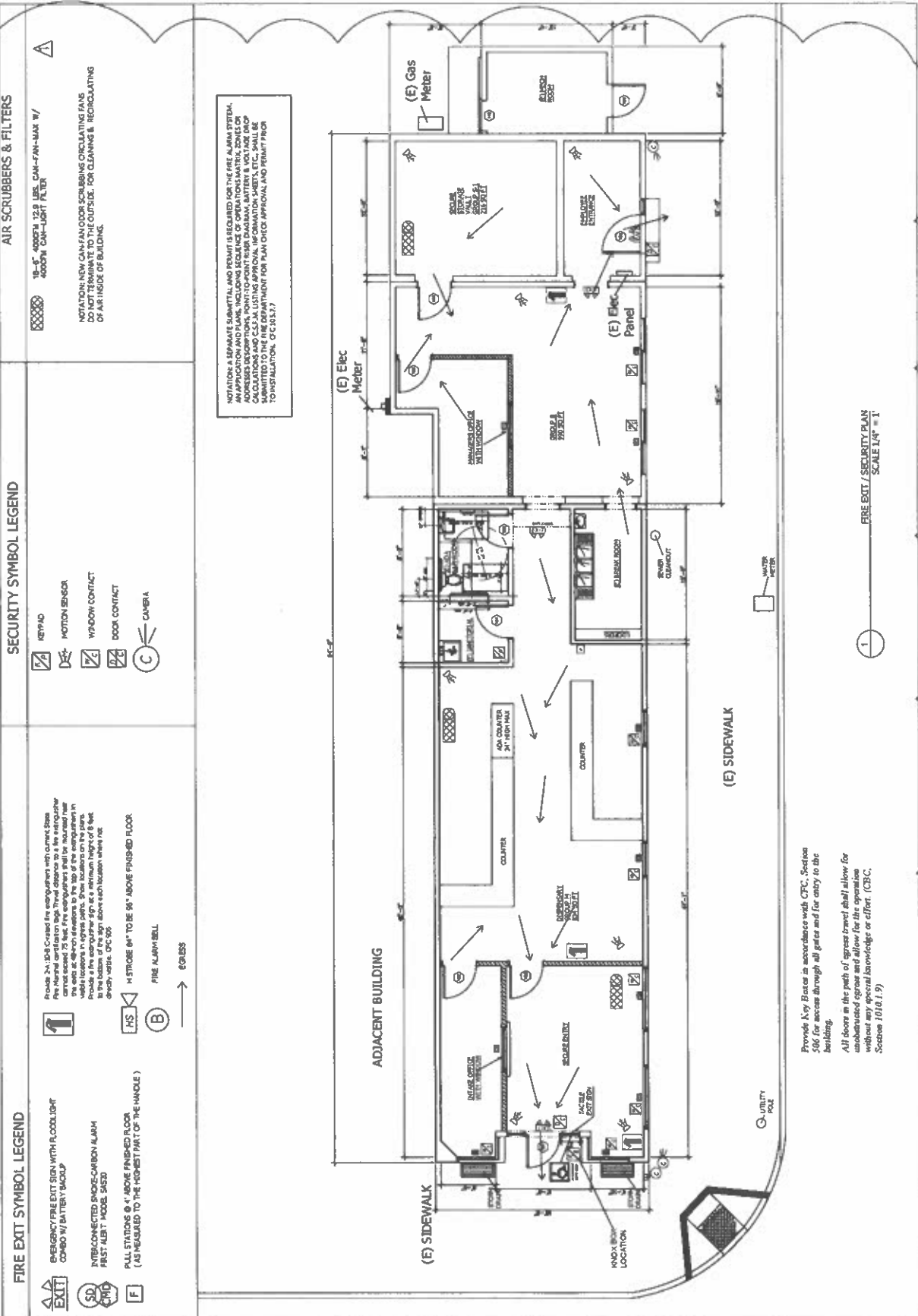


RAMP DETAIL
 Scale N.T.S.



DOOR OPERATING HARDWARE TO BE INSTALLED 34"-44" A.F.F.
 2019 CBC 11B-409.2.7
 11B-404.2.8.1. DOOR CLOSERS & GATE CLOSERS
 DOOR CLOSERS & GATE CLOSERS SHALL BE ADJUSTED SO THAT FROM AN OPEN
 POSITION OF 90 DEGREES, THE TIME
 REQUIRED TO MOVE THE DOOR TO A POSITION OF 12 DEGREES FROM THE
 LATCH IS 5 SECONDS
 THE CONTROLS AND OPERATING MECHANISMS ON WINDOWS AND DOORS SHALL
 BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING,
 PINCHING OR TWISTING OF THE HANDS. THE FORCE REQUIRED TO ACTIVATE
 CONTROLS SHALL BE NOT GREATER THAN 5 LBS. FORCE.





FIRE EXIT / SECURITY PLAN
SCALE 1/4" = 1'

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Local Roots Dispensary

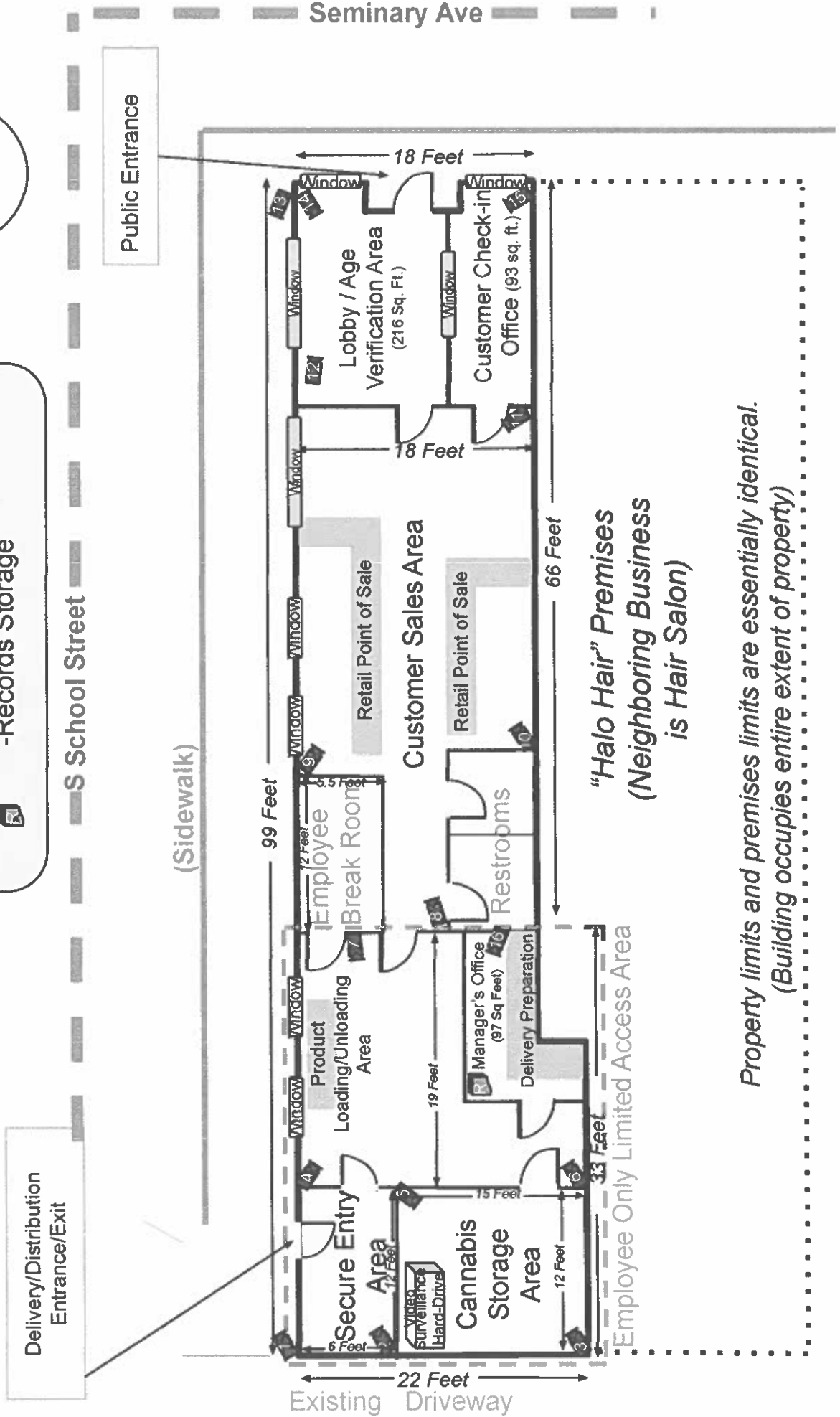
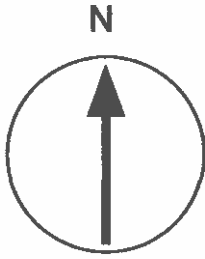
195 Seminary Ave, Ukiah CA 95482

Owner: Local Roots, LLC

APN: 002-272-16

LEGEND

- Camera
- Alarm Monitored Window
- Limited Access Area
- Records Storage



*Property limits and premises limits are essentially identical.
(Building occupies entire extent of property)*



Cannabis Retailer License Adult-Use and Medicinal

Business Name:
LOCAL ROOTS, LLC

Local Roots

License Number: C10-0001418-LIC
License Type: Retailer
(Storefront)

The license authorizes LOCAL ROOTS, LLC to engage in commercial cannabis Retail (Storefront) at the premises address listed above until the expiration date of this license. This license issued is pursuant to Division 10 of the California Business and Professional Code and is not transferable to any other person or premises location. This license shall always be displayed in a prominent place at the licensed premises. This license shall be subject to suspension or revocation if the licensee is determined to be in violation of Division 10 of the Business and Professions Code or regulations adopted thereunder.

Premises Address:
195 SEMINARY AVE
UKIAH, CA 95482

Valid: 12/16/2023
Expires: 12/15/2025

Scan to verify this
license.



Non-Transferable

Post in Public View

Scan to verify this license.



Valid:
12/16/2023

Expires:
12/15/2025

License No:
C10-0001418-LIC

Legal Business Name:
LOCAL ROOTS, LLC
Local Roots

Premises Address:
195 SEMINARY AVE
UKIAH, CA 95482

1. Use your smartphone camera to scan the QR code for licensing information.
2. If your camera doesn't have scanning functionality, you can look up a location at CApotcheck.com using license number C10-0001418-LIC.



Department of
Cannabis Control
CALIFORNIA

DISPLAY THIS PERMIT CONSPICUOUSLY AT THE PLACE OF BUSINESS FOR WHICH IT IS ISSUED

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION
SELLER'S PERMIT



PERMIT NUMBER

201390368 - 00001

LOCAL ROOTS
195 SEMINARY AVE
UKIAH CA 95482-5439

START DATE:
September 20, 2023

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX
LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE
PERSONAL PROPERTY AT THE ABOVE LOCATION.

YOU ARE REQUIRED TO OBEY ALL FEDERAL AND
STATE LAWS THAT REGULATE OR CONTROL
YOUR BUSINESS. THIS PERMIT DOES NOT ALLOW
YOU TO DO OTHERWISE.

THIS PERMIT IS NOT VALID AT ANY OTHER ADDRESS.

PLEASE RETAIN THIS DOCUMENT FOR YOUR
RECORDS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE.
FOR GENERAL TAX QUESTIONS, PLEASE CALL OUR CUSTOMER SERVICE CENTER AT 1-800-400-7115 (CRS:711).
FOR INFORMATION ON YOUR RIGHTS, CONTACT THE TAXPAYERS' RIGHTS ADVOCATE OFFICE AT 1-888-324-2798.

CDTFA-442-R REV. 20 (2-22)

A MESSAGE TO OUR PERMIT HOLDER

As a permittee, you have certain rights and responsibilities under the Sales and Use Tax Law. For assistance, we offer the following resources:

- Our website at www.cdtfa.ca.gov.
- Our toll-free Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 7:30 a.m. to 5:00 p.m. (Pacific time), except state holidays.

As a permittee, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a California Department of Tax and Fee Administration (CDTFA) representative when requested. You are also required to know and charge the correct sales or use tax rate, including any local and district taxes.

You must notify us if you are buying, selling, adding a location, or discontinuing your business; adding or dropping a partner, officer, or member; or when you are moving any or all of your business locations. This permit is valid only for the owner specified on the permit. A person who obtains a permit and ceases to do business, or never commenced business, shall surrender their permit by immediately notifying CDTFA in writing at this address: California Department of Tax and Fee Administration, Field Operations Division, P.O. Box 942879, Sacramento, CA 94279-0047. You may also surrender the permit to a CDTFA representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with CDTFA, please contact the Taxpayers' Rights Advocate Office for help by calling 1-888-324-2798 or by faxing 1-916-323-3319.

As authorized by law, information provided by an applicant for a permit may be disclosed to other government agencies.

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

CANNABIS RETAILER EXCISE TAX PERMIT



PERMIT NUMBER

234944800-00001

LOCAL ROOTS
195 SEMINARY AVE
UKIAH CA 95482-5439

THIS PERMIT HAS BEEN ISSUED TO YOU UNDER
SECTION 34014 OF THE CALIFORNIA REVENUE
AND TAXATION CODE.

PLEASE RETAIN THIS DOCUMENT FOR YOUR
RECORDS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE.
FOR GENERAL TAX QUESTIONS, PLEASE CALL OUR CUSTOMER SERVICE CENTER AT 1-800-400-7115 (CRS:711).
FOR INFORMATION ON YOUR RIGHTS, CONTACT THE TAXPAYERS' RIGHTS ADVOCATE OFFICE AT 1-888-324-2798.

CDTFA-442-CRE (8-22)

A MESSAGE TO OUR PERMIT HOLDER

As a permittee, you have certain rights and responsibilities under the Cannabis Tax Law. For assistance, we offer the following resources:

- Our website at www.cdtfa.ca.gov.
- Our toll-free Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 7:30 a.m. to 5:00 p.m. (Pacific time), except state holidays.

As a permittee, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a California Department of Tax and Fee Administration (CDTFA) representative when requested.

You must notify us if you are buying, selling, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving. This permit is valid only for the owner specified on the permit. A person who obtains a permit and ceases to do business or never commenced business, shall surrender their permit by immediately notifying the CDTFA in writing at this address: California Department of Tax and Fee Administration, Business Tax and Fee Division, P.O. Box 942879, Sacramento, CA 94279-0088. You may also surrender the permit to a CDTFA representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with CDTFA, please contact the Taxpayers' Rights Advocate Office for help by calling 1-888-324-2798 or by faxing 1-916-323-3319.

As authorized by law, information provided by an applicant for a permit may be disclosed to other government agencies.



February 24, 2022

Dylan McGinty
195 Seminary Avenue
Ukiah, CA, 95482

VIA EMAIL: d.mcginty@live.com

Subject: Request for a 'Dispensary Use Permit' to conduct the sale and delivery of cannabis and/or cannabis products from an existing commercial structure located at 195 Seminary Avenue, Ukiah, 95482; APN 002-272-16-00; File No. 21-6584.

Dear Applicant,

On February 23, 2022, the Planning Commission reviewed your request to conduct the sale and delivery of cannabis and/or cannabis products from an existing commercial structure located at 195 Seminary Avenue, Ukiah, 95482; APN 002-272-16-00; File No. 21-6584. At the conclusion of the hearing the Planning Commission approved the request subject to the attached Findings and Conditions of Approval.

Please sign and return a copy of this letter as acknowledgement of receipt of the attached documents, and as agreement to comply with the Conditions of Approval. The signed letter must be returned before the Dispensary Use Permit Permit is deemed valid.

Please also enclose a check for \$50, payable to the Mendocino County Clerk/Recorder so staff can file the Notice of Exemption, pursuant to the California Environmental Quality Act. You can mail the check to myself at 300 Seminary Avenue, Ukiah.

If you have any questions, please feel free to contact me at jdavis@cityofukiah.com .

Sincerely,

A handwritten signature in blue ink that reads "Jesse Davis".

Jesse Davis, Planning Manager

Attachments: 1. Final Findings
2. Final Conditions of Approval

ATTACHMENT 1

FINAL FINDINGS FOR A FOR A 'DISPENSARY USE PERMIT' TO CONDUCT THE SALE AND DELIVERY OF CANNABIS FROM AN EXISTING COMMERCIAL STRUCTURE; 195 SEMINARY AVENUE, UKIAH, 95482; APN 002-272-16-00; File No. 21-6584.

Recommendation for the Approval of the Use Permit and Findings: Per Ukiah City Code (UCC), a "Dispensary" is a facility, fixed or mobile, operated in accordance with State and local regulations, where cannabis and/or cannabis products are offered for retail sale. This includes establishments that deliver cannabis and/or cannabis products. The application and project description are included as **Attachment 3**. Specific project components, improvements and requests, include:

- Operation of a dispensary/retail and delivery of recreational and medicinal cannabis products within an existing 2,040 sf, one story commercial structure.
- Installation of three street trees along School Street, and one street tree along Seminary Ave.;
- Update the exterior paint selection, including Graycloth (PPU26-09) with Moroccan Red (1301) accent as conveyed in **Attachment 3**;
- Installation of awning replacements along Seminary Avenue and School Street;
- Installation of signage, including a 4' x 8' "Local Roots" sign along Seminary Street, as well as an 8' x 17' wall-sign along School Street;
- Installation of security features such as surveillance cameras, alarms, card reader entry;
- Operating hours for Local Roots would be as follows:
 - **Monday-Friday** 9:00 a.m. to 9:00 p.m.
 - **Saturday**: 9:00 a.m. to 9:00 p.m.
 - **Sunday**: 9:00 a.m. to 9:00 p.m.
- Conversion of an on-street parking space along School Street into a designated 'Loading Zone';
- The business will be staffed with a minimum of three employees at all times.

Use Permit Findings

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

The proposed project is consistent with the City's 1995 General Plan goals and policies related to enhancing economic growth, the regulations & standards of the Community Commercial (C-1) zoning district, and City Code as it pertains to 'Cannabis-Related Businesses' and 'Dispensary Use Permits.' The request is further supported by General Plan and Specific Plan/Ukiah Valley Area Plan (UVAP) goals that promote business development, emphasizing local ownership that retain capital and jobs within the region. With the inclusion of operational and standard conditions that address related business components, this finding can be made.

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

The proposed project would be similar in use and intensity to past on-site activities, as well as adjacent land uses. The surrounding area features a mixture of commercial development

with ample on-street parking. Given the provision of a comprehensive security plan and odor control measures, it can be determined that the proposed land use will not be detrimental to the public's health and safety. In addition, the project has been reviewed by the following agencies to ensure compliance with the Ukiah City Code and other regulations relating to health, general welfare, and safety: Ukiah Valley Fire Authority, City of Ukiah Public Works Department, City of Ukiah Police Department, City of Ukiah Electric Utility Department, City of Ukiah Community Development-Building Division, County of Mendocino and State Department of Social Services. As requested, comments have been included as Conditions of Approval, as appropriate, thereby allowing this finding to be made.

Dispensary Use Permit Findings

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

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

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

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

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

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

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

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

The applicant has demonstrated that they are over 21 years of age by providing a copy of their driver's license. All employees require verification by the Ukiah Police Department, which stipulates that individuals must be older than 21 years of age. Per State Law §15000.6., employees or persons retained by a licensee to work within or on a licensed premises or to handle cannabis or cannabis products shall be at least 21 years of age.

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

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

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

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

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

The project site is not located within 600 feet of any school or educational facility, nor within 250 feet of another cannabis dispensary. The parcel does not abut any youth oriented facilities or schools, nor does it contain a residential land-use. The Project Site is zoned Community Commercial. All adjacent parcels are zoned Community Commercial or General Urban. While residential development is allowed by right in these zoning districts, the underlying general land use intent is to facilitate a broad range of commercial land use opportunities. A Security Plan, Standard Operating Procedures and odor control measures are included as a part of the project to ensure no significant issues will arise from the project. The project has also been reviewed by the Ukiah Police Department, Ukiah Valley Fire Authority, and other agencies to ensure public safety.

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

The project includes a Security Plan with the features listed above such as access control gates, alarms, surveillance, perimeter fencing, etc. In addition, crime prevention-related Conditions of Approval have been included on behalf of the Ukiah Police Department. The Applicant reviewed considerations and concerns of the UPD, and updated their security plan to address delivery considerations. Video surveillance and other security measures, including automatic locks, card readers, and documented safety protocols ensure the security of the subject structure and surrounding properties.

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

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

- 12. That all reasonable measures have been incorporated into the plan and/ or consistently taken to successfully control the establishment's patrons' conduct**

resulting in disturbances, vandalism, crowd control inside or outside the premises, traffic control problems, marijuana use in public, or creation of a public or private nuisance, or interference with the operation of another business.

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

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

The project site is surrounded by other commercial uses. The cultivation and consumption of cannabis will not occur on-site. Furthermore, the proposed business will operate with similar hours to nearby businesses. As components of this finding rely on the operation of a dispensary to understand the impacts, the project will be further evaluated upon renewal.

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

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

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

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

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

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

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

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

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

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

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

N/A, per §9199, all existing commercial structures as of January 1, 1979, within the area defined as the city of Ukiah Parking District No. 1, shall be exempt from the required off street parking requirements prescribed in §9198. While the building maintains no dedicated off-street parking, the immediate vicinity of the project features numerous on-street parking facilities. The Site maintains easy access to a variety of available on-street parking, with spaces provided along Seminary and School Street in a variety of time increments

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

7, Signs, of the UCC.

16. The Applicant shall submit verification of all applicable permits or approvals in compliance with all local, state and federal laws to the Community Development Department prior to issuance of building permits.

DEPARTMENT OF PUBLIC WORKS

17. Existing sewer laterals planned to be utilized as part of this project shall be cleaned and tested, and repaired or replaced if required.
18. Standard street tree requirements include spacing approximately every 30 feet along public streets, and installation within tree-wells when feasible. Street trees shall be installed in accordance with City Standard Drawing No. 601. The species and location of the trees shall be provided to the City Engineer and planted after approval.
19. To facilitate conversion of a 'Loading Zone' along South School Street, the Applicant must submit an 'Loading Zone Request' to the City Council for review and approval.

BUILDING DEPARTMENT CONDITIONS

20. A permit will be required for T.I. (Tenant Improvements). Please submit plans, building permit application, and hardship form see links below. Please submit four complete plan sets, two wet stamped and signed.
21. The design and construction of all site alterations shall comply with the 2019 California Building Code, 2019 Plumbing Code, 2019 Electrical Code, 2019 California Mechanical Code, 2019 California Fire Code, 2019 California Energy Code, 2019 Title 24 California Energy Efficiency Standards, 2019 California Green Building Standards Code and City of Ukiah Ordinances and Amendments.

UKIAH POLICE DEPARTMENT

22. Prior to occupancy, the Permittee shall provide the Ukiah 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.
23. "Dispensary staff shall receive appropriate training for their intended duties to ensure understanding of rules and procedures regarding dispensing in compliance with State and local law, and the dispensary shall employ properly trained or use professionally hired security personnel in accordance with the conditions of its permit. All security personnel hired or contracted for by the dispensary shall comply with Business and Professions Code Division 3, Chapters 11.4 and 11.5, or as may be amended.". Duration of Use: No juvenile or person under the age of 21 shall be on the manufacturing site or operate a cannabis manufacturing business in any capacity, including, but not limited to, as a manager, staff, employee, contractor, or volunteer.
24. Security surveillance cameras shall be installed to monitor the main entrance and exterior of the premises to discourage loitering, crime, illegal or nuisance activities. Security video shall be maintained for 90 days per 5708H7.

From: [Jesse Davis](#)
To: [Katherine Schaefer](#)
Cc: [Elizabeth Frausto](#)
Subject: FW: Touching bases 195 Seminary
Date: Friday, January 17, 2025 1:56:39 PM
Attachments: [195 Seminary Avenue - Planning \(Final Comments\).msg](#)
[image001.png](#)

FYI

From: Jesse Davis
Sent: Friday, March 15, 2024 3:47 PM
To: Dylan Mcginty <d.mcginty@live.com>
Cc: Elizabeth Frausto <efrausto@cityofukiah.com>
Subject: RE: Touching bases

Hi Dylan,

My apologies for this delayed response. Thank you for this update. Congratulations on being so close to opening. That's exciting news. I've placed a note that your Cannabis Use Permit will need to be renewed by March 16, 2025. Please ensure that miscellaneous considerations, like maintenance of the tree wells, are addressed. I've attached the message outlining previously conveyed minor considerations for your use and review.

Technically, you are not subject to the Downtown Zoning Code, but design and aesthetic considerations take guidance from the Downtown Design Guidelines: <https://cityofukiah.com/wp-content/uploads/2023/02/Design-Guidelines-Projects-Inside-Downtown-Design-District.pdf>

While I'm not as sure about a tent to help reduce shade or sun, I would see no issue with blinds or other interior shade coverage. Please just let me know if you have any questions, or want to discuss further. Hope this helps and again congratulations.

Best Regards,
Jesse Davis



Jesse Davis, AICP

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

From: Dylan McGinty <d.mcginity@live.com>
Sent: Tuesday, March 12, 2024 3:50 PM
To: Jesse Davis <jdavis@cityofukiah.com>
Subject: Re: Touching bases

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

Hey Jesse

Hope all is well. Just wanted to reach out to tell you we are planning our soft opening for Saturday the 16 and grand opening the following Saturday the 23rd.

I was curious if you can email me the down down design code. And wanted to follow up and possibly of installing some tent or blinds on the step small windows in the show room to try and eliminate some of the glare and sun that comes in

Sent from my iPhone

On Jan 12, 2024, at 3:54 PM, Dylan McGinty <d.mcginity@live.com> wrote:

Okay perfect thanks for responding. I just had my insurance and bank asking for it so yeah whatever I need to do we can get a game plan. Hope you have a good weekend
Sent from my iPhone

On Jan 12, 2024, at 3:48 PM, Jesse Davis <jdavis@cityofukiah.com> wrote:

Hi Dylan,

Yes, I've returned to the City. It's good to be back. Let's touch base next week on final steps to get your business license activated and complete any remaining conditions of approval. I'm out of the office on Monday, but back Tuesday.

Best Regards,
Jesse Davis

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

From: [Jesse Davis](#)
To: [Dylan McGinty](#)
Cc: [Isabelle Grieve](#); [Daniel Flores](#)
Subject: 195 Seminary Avenue - Planning (Final Comments)
Date: Thursday, February 29, 2024 9:11:00 AM
Attachments: [image001.png](#)

Good Morning Dylan,

Greetings, and I hope this message finds you well. Thank you for taking the time to facilitate a planning inspection this past Tuesday. Please see below for additional comments, responses to your questions, and ongoing requirements:

1. Live-Scans & Business Open-Date

- a. Prior to opening, ensure all employees have received a successful background check from the Ukiah Police Department;
- b. Provide Planning staff with the opening date for Local Roots. Upon one year of operation, an annual review is required with the Zoning Administrator.

2. Street Trees

- a. Ensure that the wells for street trees are maintained, staked, regularly watered and feature an appropriate ground-cover, such as wood-chips;

3. Paint Selection – Aesthetics

- a. Weather permitting, finalize the paint color selection for the School Street side of the structure;
- b. Options include unifying the color or extending the paint selection from the Seminary Avenue frontage;
- c. Staff would support a private mural, if desired. Please just let Planning know if you have any questions about process or requirements.

4. Public Works

- a. Discuss with Daniel Flores (Department of Public Works), whom I have cc'd on this message, the following:
 - i. Loading Zone Signage;
 - ii. Placement of a privately maintained trash receptacle;

5. Food-Truck

- a. The City would not be able to permit operation of a food truck within the public right-of-way for a grand-opening. Outside of permitted events, like Farmers Markets, Pumpkinfest, etc., food-trucks are not allowed to operate from a public parking space or right-of-way.
 - i. That being said, if you are able to coordinate with CrossFit Firefly, use of their parking lot for a temporary/event food-truck, is allowable.
 1. Per the Condition of Approval #2, no special events are permitted on-site.

5. Temporary Signage

- a. Should you want to use balloons or banners for the opening, please ensure the following application for temporary banners is submitted to Staff.
 - i. <https://cityofukiah.com/wp-content/uploads/2021/12/Temporary-Banner-Permit-Application2.pdf>

7. Business License

- a. I'm going to prepare a final planning approval letter and completed conditions of approval.
- b. Upon receipt of the Temporary Certificate of Occupancy or Final Certificate of Occupancy, Staff will approve the business license.

As always, should you have any questions, please do not hesitate to contact me or other Community Development Staff.

Best Regards,
Jesse Davis



Jesse Davis, AICP

Chief Planning Manager

Department of Community Development

300 Seminary Avenue, Ukiah, CA 95482

P: 707.463.6207

www.cityofukiah.com/community-development

Notice to Comply

Date of issuance: May 20, 2024

Date of inspection, if applicable: May 15, 2024

Business information

License number: C10-0001418-LIC

License type: Retail

Premises address: 195 Seminary Ave Ukiah, CA 95482

Phone number: 707-354-2449

Notice recipient information

Name and title: Zachary Allen, Owner

Phone number: 707-272-9730

Email address: mendo707norcal@gmail.com

Mailing address: 1922 Grandview Rd Redwood Valley, CA 95470

Method of service: Email

The Department of Cannabis Control (Department) has determined that the licensee referenced above is not in compliance with statutory or regulatory requirements applicable to the license. This Notice to Comply (Notice) is issued pursuant to title 4, California Code of Regulations, section 17801. Failure to correct violation(s) in this Notice may result in disciplinary action. The violations noted in this Notice may not include all violations.

This Notice must be signed and returned to the Department. By signing this Notice below, you are acknowledging its receipt and notice of the violations listed herein. **The signed Notice must be returned to the Department no later than 06/20/2024, along with a written plan if required.** If a written plan is needed to address a specific violation, it will be noted in the Table of Violations that follows.

This Notice must be returned to the Department via email at Emily.Gutierrez@cannabis.ca.gov or by mail at:

Department of Cannabis Control
Attention: Compliance Division/Emily Gutierrez
2920 Kilgore Road
Rancho Cordova, CA 95670

If you have any questions, please contact the Department representative list below and include the license number and this Notice's date of issuance on any correspondence.

Department information

Department representative: Emily Gutierrez ID #: 4065

Signature: *Emily Gutierrez*

Title: Special Investigator, Region 1 **Email address:** Emily.Gutierrez@cannabis.ca.gov

Table A

The table that follows indicates the statutory and regulatory provisions violated, the nature and facts of each violation, and whether a written plan is required to address the violation.

Table of violations number	Violation
1	<p>License Posting Requirements- 4 CCR §15039(c)</p> <p>The licensee failed to post the QR Code certificate in the front window of the licensed premises within three feet of any public entrance to the licensed premises, or in a locked display case mounted on the outside wall of the licensed premises within three feet of any public entrance to the licensed premises. The QR Code certificate shall be posted in a manner that is clearly visible from the outside of the license premises to the public and all persons entering the premises.</p> <p>At the time of inspection, the licensee failed to have the QR Code certificate visible from the outside of the licensed premise to the public and all persons entering the premises.</p> <p>The licensee shall post the QR Code certificate in the front window of the licensed premises within three feet of any public entrance to the licensed premises, or in a locked display case mounted on the outside wall of the licensed premises within three feet of any public entrance to the licensed premises. The QR Code certificate shall be posted in a manner that is clearly visible from the outside of the licensed premises to the public and all persons entering the premises.</p> <p>Requires description and/or documentation of how violation was corrected, or a written plan describing how and when compliance will be achieved (see Table B).</p>
2	<p>Branded Merchandise – 4 CCR §15041.1(b)</p> <p>The licensee failed to have its license number permanently affixed, legible, and clearly visible from the outside of their branded merchandise.</p> <p>At the time of inspection, the license did not have its license number permanently affixed, legible, and clearly visible from the outside on their branded merchandise on T-shirts for sale.</p> <p>The branded merchandise shall identify the license responsible for its content by displaying the licensee’s license number in a manner that is permanently affixed to the merchandise, legible, and clearly visible from the outside of the merchandise.</p> <p>Requires description and/or documentation of how violation was corrected, or a written plan describing how and when compliance will be achieved (see Table B).</p>



3	<p>Designating Trade Samples - 4 CCR §15041.3(a)</p> <p>The licensee failed to designate cannabis and cannabis products as trade samples through the track and trace system.</p> <p>At the time of inspection, the licensee failed to designate cannabis and cannabis products as trade samples through the track and trace system.</p> <p>The licensee shall designate cannabis and cannabis products as trade samples through the track and trace system by adding the words, "trade sample" in front of the item description.</p> <p>Requires description and/or documentation of how violation was corrected, or a written plan describing how and when compliance will be achieved (see Table B).</p>
4	<p>Providing Trade Samples - 4 CCR §15041.4(i)</p> <p>The licensee failed to properly record trade samples in the track and trace system.</p> <p>At the time of inspection, the licensee failed to include the employees name or licensee-assigned employee number of the employee and the date and time the cannabis and cannabis products were provided to the employee.</p> <p>The licensee shall properly record trade samples in the track and trace system. The adjustment note must include the name or licensee-assigned employee number of the employee and the date and time the cannabis and cannabis products were provided to the employee.</p> <p>Requires description and/or documentation of how violation was corrected, or a written plan describing how and when compliance will be achieved (see Table B).</p>
5	<p>Video Surveillance System - 4 CCR §15044(d)(1)</p> <p>The licensee failed to have areas where cannabis or cannabis products are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the licensed premises be recorded on video surveillance.</p> <p>At the time of inspection, the cameras installed in the "Cannabis Storage area" did not capture all cannabis and cannabis products on the video surveillance system.</p> <p>The licensee shall make sure areas where cannabis or cannabis products are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the licensed premises be recorded on video surveillance.</p> <p>Requires description and/or documentation of how violation was corrected, or a written plan describing how and when compliance will be achieved (see Table B).</p>



6	<p>Security Personnel - 4 CCR §15045(a)</p> <p>The licensee failed to have all security personnel hired or contracted for by the licensee licensed by the Bureau of Security and Investigative Services and comply with chapters 11.4 and 11.5 of division 3 of the Business and Professions Code.</p> <p>At the time of inspection, the licensee did not have security personnel hired or contracted for by the licensee licensed by the Bureau of Security and Investigative Services and comply with chapters 11.4 and 11.5 of division 3 of the Business and Professions Code.</p> <p>The licensee shall have all security personnel hired or contracted for by the licensee shall be licensed by the Bureau of Security and Investigative Services and shall comply with chapters 11.4 and 11.5 of the division 3 of the Business and Professions Code.</p> <p>Requires description and/or documentation of how violation was corrected, or a written plan describing how and when compliance will be achieved (see Table B).</p>
7	<p>Use of Harvest Batch Names and Package Tags - 4 CCR §15048.5(c)</p> <p>The licensee failed to have the package tag affixed to the container holding the cannabis or cannabis products.</p> <p>At the time of inspection, the licensee did not have all package tags with the cannabis and cannabis product stored in the "cannabis storage area."</p> <p>The licensee shall have the package tag affixed to the container holding the cannabis or cannabis products. If cannabis or cannabis products are held in multiple containers, the package tag shall be affixed to one of the containers and the other containers shall be labeled with the applicable UID number. Each unit within the container shall be labeled with the applicable UID number. All containers with the same UID number shall be placed contiguous to one another to facilitate identification by the Department.</p> <p>Requires description and/or documentation of how violation was corrected, or a written plan describing how and when compliance will be achieved (see Table B).</p>
8	<p>Track and Trace Reporting – 4 CCR §15049(b)(1)</p> <p>The licensee failed to record the receipt of cannabis or cannabis products in the track and trace system within 24 hours of occurrence.</p> <p>At the time of inspection, the following manifests were not recorded within 24 hours of receipt:</p> <ul style="list-style-type: none"> • 0006847727 • 0006792856 • 0006687165 <p>The licensee shall record the receipt of cannabis or cannabis products in the track and trace system within 24 hours of occurrence.</p> <p>Requires description and/or documentation of how violation was corrected, or a written plan describing how and when compliance will be achieved (see Table B).</p>



9	<p>Waste Management – 4 CCR §17223(c)</p> <p>The licensee failed to maintain cannabis waste in a secured waste receptacle or secured area on the licensed premises until the time of disposal.</p> <p>At the time of inspection, the licensee did not maintain cannabis waste in a secured waste receptacle or secured area on the licensed premises until the time of disposal.</p> <p>The licensee shall maintain any cannabis waste in a secured waste receptacle or secured area on the licensed premises until the time of disposal.</p> <p>Requires description and/or documentation of how violation was corrected, or a written plan describing how and when compliance will be achieved (see Table B).</p>
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Table B

Please indicate in Table B below how each violation has been addressed and compliance was achieved or will be achieved if the violation requires a written plan. Entries of violations should match those listed in Table A above.

Table of violations number	Statutes/regulations violated	How compliance was achieved or will be achieved if a written plan is required
1	4 CCR §15039(c)	Click or tap here to enter text.
2	4 CCR §15041.1(b)	Click or tap here to enter text.
3	4 CCR §15041.3(a)	Click or tap here to enter text.
4	4 CCR §15041.4(i)	Click or tap here to enter text.
5	4 CCR §15044(d)(1)	Click or tap here to enter text.
6	4 CCR §15045(a)	Click or tap here to enter text.
7	4 CCR §15048.5(c)	Click or tap here to enter text.
8	4 CCR §15049(b)(1)	Click or tap here to enter text.
9	4 CCR §17223(c)	Click or tap here to enter text.

The violations referenced in this Notice have been corrected and compliance has been achieved as described above and in documentation submitted to the Department in response to this Notice. If a written plan was required, the violations addressed in that plan will be corrected and compliance will be achieved as required in the Department's approval of the written plan.

I understand that providing the Department with inaccurate or false information may be cause for disciplinary action.

Printed name of licensee: Zachary Allen

Date: Click or tap here to enter text.

Signature of licensee:



From: [Dylan McGinty](#)
To: [Jesse Davis](#)
Subject: Fwd: DCC Responses - Inspection 05/15/2024
Date: Friday, February 28, 2025 1:10:04 PM

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

Sent from my iPhone

Begin forwarded message:

From: Dylan McGinty <dylan@localrootsmendo.com>
Date: June 8, 2024 at 6:05:12 PM PDT
Subject: Fwd: DCC Responses - Inspection 05/15/2024

Sent from my iPhone

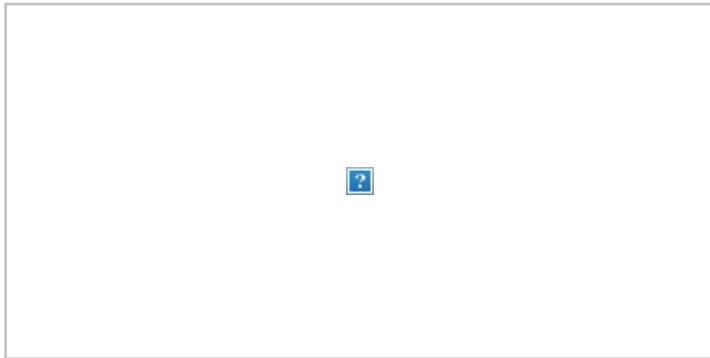
Begin forwarded message:

From: Michelle Chandler <michellec@localrootsmendo.com>
Date: June 8, 2024 at 3:08:51 PM PDT
To: Dylan McGinty <dylan@localrootsmendo.com>
Subject: DCC Responses - Inspection 05/15/2024

Local Roots, LLC - 195 Seminary Ave, Ukiah CA 95482	C10-0001418-LIC	Date of inspection: 05/15/2024
Table of Violations number	Statutes/regulations violated	How compliance was achieved or will be achieved if a written plan is required
1	4 CCR 15039(c)	Local Roots DCC license and QR code has been posted in the front window, facing the public sidewalk, allowing the public to scan the QR code for confirmation of license.
2	4 CCR 15041.1(b)	All branded merchandise that does not have a license number permanently affixed to the outside of the merchandise has been removed. Moving forward, all merchandise will be double checked for license number visibility.
3	4 CCR 15041.3(a)	Moving forward, all trade samples will be edited to read "Trade Sample" within the name of the item in the Metrc system, if the item received does not clearly designate it as a trade sample prior.
4	4 CCR 15041.4(i)	Moving forward, all trade samples provided to staff members will be properly recorded with the employee's name, the employee's assigned staff number, along with the date and time the trade sample was provided to the staff member in the adjustment notes within Metrc.
		We have begun the process of moving storage shelves in order for cameras to view and record all cannabis products and activities within the storage room. Compliance will be fully achieved by July 1,

5	4 CCR 15044(d)(1)	2024.
6	4 CCR 15045(a)	Since the inspection, all staff members have begun training to receive a California Guard Card. Three staff members have completed the training and the Live Scan required for CA Guard Card. We expect the BSIS to send out the first cards in the coming weeks. Full compliance will be achieved by July, 31 2024.
7	4 CCR 15048.5(c)	All blue Metrc Tags have been placed in the front of storage bins for ease of legibility by any regulating agencies. Any products that are low in stock and are in the front showroom area now have blue Metrc Tags placed with them. Once a package is "finished" in Metrc, blue tags are filed for record retention.
8	4 CCR 15049(b)(1)	Moving forward all manifests/products will be accepted in the Metrc system within 24 hours of delivery receipt.
9	4 CCR 17223(c)	A secured waste receptacle has been designated and labeled within the secured primary office, and holds all cannabis waste until time of proper disposal.

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PROJECT REVIEW REFERRAL
Please provide comments by:

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

TO:	
City Planning Manager	Mendocino County Planning and Building
City Building Official	Mendocino County Surveyor/Assessor
City Public Works Dept.	Mendocino Transit Authority
Ukiah Valley Fire Authority	US Army Corps of Engineers
City Police Dept. Captain	Regional Water Quality Control Board
City Police Dept. Community Service Officer	CA Dept. of Fish and Wildlife
City Electric Utility Dept.	CA Dept. of Transportation
Ukiah Municipal Airport Operations Manager	Sonoma State Northwest Information Center
Airport Land Use Commission	AT & T
Mendocino County Air Quality	PG & E (gas)
Mendocino County Environmental Health	PG & E (Land Rights)
California Military Land Use Office	Other:
FROM PROJECT PLANNER:	

PROJECT INFORMATION:	
Project Name & Permit #:	
Site Address & APN:	
General Plan:	
Zoning:	
Airport Compatibility Zone:	
Date Filed:	
Resubmittal:	
Date Referred:	
Prev. Projects on Site (include file #)	
Applicant/Agent Name:	
Phone:	
Email:	
Project Summary:	

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) _____

- No Comment
- Comments / Conditions of Approval Attached

Signature **Date**

PROJECT REVIEW REFERRAL
Please provide comments by: March 25, 2025

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

TO:	
<input checked="" type="checkbox"/> City Planning Manager	<input checked="" type="checkbox"/> Mendocino County Planning and Building
<input checked="" type="checkbox"/> City Building Official	<input type="checkbox"/> Mendocino County Surveyor/Assessor
<input checked="" type="checkbox"/> City Public Works Dept.	<input type="checkbox"/> Mendocino Transit Authority
<input checked="" type="checkbox"/> Ukiah Valley Fire Authority	<input type="checkbox"/> US Army Corps of Engineers
<input checked="" type="checkbox"/> City Police Dept. Captain	<input type="checkbox"/> Regional Water Quality Control Board
<input type="checkbox"/> City Police Dept. Community Service Officer	<input type="checkbox"/> CA Dept. of Fish and Wildlife
<input checked="" type="checkbox"/> City Electric Utility Dept.	<input type="checkbox"/> CA Dept. of Transportation
<input checked="" type="checkbox"/> Ukiah Municipal Airport Operations Manager	<input type="checkbox"/> Sonoma State Northwest Information Center
<input checked="" type="checkbox"/> Airport Land Use Commission	<input type="checkbox"/> AT & T
<input type="checkbox"/> Mendocino County Air Quality	<input type="checkbox"/> PG & E (gas)
<input type="checkbox"/> Mendocino County Environmental Health	<input type="checkbox"/> PG & E (Land Rights)
<input type="checkbox"/> California Military Land Use Office	<input checked="" type="checkbox"/> Other: Dept of Cann. Control
FROM PROJECT PLANNER: Katherine Schaefer, Planning Manager	

PROJECT INFORMATION:	
Project Name & Permit #:	Local Roots Dispensary MaUP Renewal/Permit No. PA25-000005
Site Address & APN:	195 Seminary Avenue (APN: 002-272-16)
General Plan:	Community Commercial (CC)
Zoning:	Community Commercial (C-1)
Airport Compatibility Zone:	Zone 4 (Outer Approach/Departure Zone)
Date Filed:	03/10/25
Resubmittal:	
Date Referred:	03/11/25
Prev. Projects on Site (include file #)	File #21-6584 MaUP 'Dispensary Use Permit'
Applicant/Agent Name:	Dylan McGinty
Phone:	707-489-4162
Email:	Dylan@LocalRootsMendo.com
Project Summary:	"Dispensary Use Permit" renewal to allow sale/delivery of cannabis/cannabis products. See attached for details.

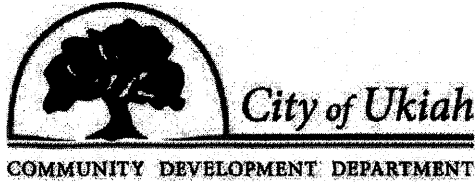
Please indicate whether you have comments and sign and date below. Return this Project Referral Form by the date noted above to the Project Planner listed.

Name and Affiliation/Department (please print) MAX BRAZILL / UKIAH POLICE DEPT.

- No Comment
 Comments / Conditions of Approval Attached

Max Brazill
Signature

3/17/25
Date



PROJECT REVIEW REFERRAL
Please provide comments by: March 25, 2025

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

TO:			
<input checked="" type="checkbox"/>	City Planning Manager	<input checked="" type="checkbox"/>	Mendocino County Planning and Building
<input checked="" type="checkbox"/>	City Building Official	<input type="checkbox"/>	Mendocino County Surveyor/Assessor
<input checked="" type="checkbox"/>	City Public Works Dept.	<input type="checkbox"/>	Mendocino Transit Authority
<input checked="" type="checkbox"/>	Ukiah Valley Fire Authority	<input type="checkbox"/>	US Army Corps of Engineers
<input checked="" type="checkbox"/>	City Police Dept. Captain	<input type="checkbox"/>	Regional Water Quality Control Board
<input type="checkbox"/>	City Police Dept. Community Service Officer	<input type="checkbox"/>	CA Dept. of Fish and Wildlife
<input checked="" type="checkbox"/>	City Electric Utility Dept.	<input type="checkbox"/>	CA Dept. of Transportation
<input checked="" type="checkbox"/>	Ukiah Municipal Airport Operations Manager	<input type="checkbox"/>	Sonoma State Northwest Information Center
<input checked="" type="checkbox"/>	Airport Land Use Commission	<input type="checkbox"/>	AT & T
<input type="checkbox"/>	Mendocino County Air Quality	<input type="checkbox"/>	PG & E (gas)
<input type="checkbox"/>	Mendocino County Environmental Health	<input type="checkbox"/>	PG & E (Land Rights)
<input type="checkbox"/>	California Military Land Use Office	<input checked="" type="checkbox"/>	Other: Dept of Cann. Control
FROM PROJECT PLANNER: Katherine Schaefers, Planning Manager			

PROJECT INFORMATION:	
Project Name & Permit #:	Local Roots Dispensary MaUP Renewal/Permit No. PA25-000005
Site Address & APN:	195 Seminary Avenue (APN: 002-272-16)
General Plan:	Community Commercial (CC)
Zoning:	Community Commercial (C-1)
Airport Compatibility Zone:	Zone 4 (Outer Approach/Departure Zone)
Date Filed:	03/10/25
Resubmittal:	
Date Referred:	03/11/25
Prev. Projects on Site (include file #)	File #21-6584 MaUP 'Dispensary Use Permit'
Applicant/Agent Name:	Dylan McGinty
Phone:	707-489-4162
Email:	Dylan@LocalRootsMendo.com
Project Summary:	"Dispensary Use Permit" renewal to allow sale/delivery of cannabis/cannabis products. See attached for details.

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) _____

- No Comment
 Comments / Conditions of Approval Attached

[Handwritten Signature]
Signature

3/13/2025
Date

PROJECT REVIEW REFERRAL

Please provide comments by: March 25, 2025

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

TO:			
<input checked="" type="checkbox"/>	City Planning Manager	<input checked="" type="checkbox"/>	Mendocino County Planning and Building
<input checked="" type="checkbox"/>	City Building Official	<input type="checkbox"/>	Mendocino County Surveyor/Assessor
<input checked="" type="checkbox"/>	City Public Works Dept.	<input type="checkbox"/>	Mendocino Transit Authority
<input checked="" type="checkbox"/>	Ukiah Valley Fire Authority	<input type="checkbox"/>	US Army Corps of Engineers
<input checked="" type="checkbox"/>	City Police Dept. Captain	<input type="checkbox"/>	Regional Water Quality Control Board
<input type="checkbox"/>	City Police Dept. Community Service Officer	<input type="checkbox"/>	CA Dept. of Fish and Wildlife
<input checked="" type="checkbox"/>	City Electric Utility Dept.	<input type="checkbox"/>	CA Dept. of Transportation
<input checked="" type="checkbox"/>	Ukiah Municipal Airport Operations Manager	<input type="checkbox"/>	Sonoma State Northwest Information Center
<input checked="" type="checkbox"/>	Airport Land Use Commission	<input type="checkbox"/>	AT & T
<input type="checkbox"/>	Mendocino County Air Quality	<input type="checkbox"/>	PG & E (gas)
<input type="checkbox"/>	Mendocino County Environmental Health	<input type="checkbox"/>	PG & E (Land Rights)
<input type="checkbox"/>	California Military Land Use Office	<input checked="" type="checkbox"/>	Other: Dept of Cann. Control
FROM PROJECT PLANNER: Katherine Schaefer, Planning Manager			

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 Comments / Conditions of Approval Attached

Signature *Scott Bozzoli*

Date 3/13/2025