Planning Commission

Regular Meeting

AGENDA

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

February 12, 2020 - 6:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4.a. Approval of Regular Meeting Minutes 1/8/2020

Recommended Action: Review and approve draft minutes.

Attachments:

1. 2020-01-08 PC Draft Minutes

5. APPEAL PROCESS

All determinations of the Planning Commission regarding major discretionary planning permits are final unless a written appeal, stating the reasons for the appeal, is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by 5:00 p.m. on February 24, 2020.

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

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

7. SITE VISIT VERIFICATION

8. VERIFICATION OF NOTICE

9. PLANNING COMMISSIONERS REPORT

10. DIRECTOR'S REPORT

11. CONSENT CALENDAR

12. NEW BUSINESS

12.a. Request for Review of a Major Use Permit and Major Exception to Allow Operation of a Cannabis Microbusiness to Include Cultivation, Distribution, and Dispensary/Retail in an Existing Building at 270, 272, & 274 East Smith Street; APN 002-191-23; File No. 19-4635. (Continued from January 8, 2020)

Recommended Action: Conditional Approval

Attachments:

1. 12a Staff Report
2. ATT 1 Draft Findings
3. ATT 2 Draft Conditions
4. ATT 3a Application
5. ATT 3b Site Plans
6. ATT 3c Lighting Plans
7. ATT 3d Odor Control
8. ATT 3e Standard Operating Procedures
9. ATT 4 CC Minutes 20191002
10. ATT 5 Public Input from 20200108
11. ATT 6 Agency Comments
12. ATT 7 Draft Minutes of PC 2020-01-08
13. ATT 8 ALUC Interim Referral Procedure

13. UNFINISHED BUSINESS

13.a. Appointment of New Chair and Vice Chair, and Planning Commission Reorganization.

Recommended Action: Appoint Vice Chair Laura Christensen to the position of Chair and nominate and appoint the position of Vice Chair for the 2020 calendar year, and for immediate seating and Planning Commission reorganization.

Attachments:

1. 13a Staff Report
2. Attachment 1-Exhibit A- Ukiah PC Procs.of.Conduct

14. ADJOURNMENT

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

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

CITY OF UKIAH
PLANNING COMMISSION MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
January 8, 2020
6:00 p.m.

1. **CALL TO ORDER**
The City of Ukiah Planning Commission met at a Regular Meeting on January 8, 2020, having been legally noticed on December 29, 2019. Chair Wetzel called the meeting to order at 6:00 p.m.

CHAIR WHETZEL PRESIDING.

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

3. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chair Whetzel.

4. **APPROVAL OF MINUTES**
   a. **Approval of the January 8, 2020 Regular Meeting Minutes.**

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

5. **APPEAL PROCESS**
No matters eligible for appeal were heard.

6. **COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**
No public comment was received.

7. **SITE VISIT VERIFICATION**
Confirmed by Commissioners. Not visited by Van Antwerp.

8. **VERIFICATION OF NOTICE**
Confirmed by Staff.

9. **PLANNING COMMISSIONERS' REPORT**
Presenter: Chair Whetzel.

10. **PLANNING COMMISSION DIRECTOR'S REPORT**
Presenter: Craig Schlatter, Community Development Director.

DRAFT

11. CONSENT CALENDAR

a. Make recommendation of Approval to the City Council of Final Major Subdivision Map for Gobbi Commons, and Authorize the Chair of the Planning Commission to sign the Certification; project located at 250 West Gobbi Street; APN 001-306-06. File No: 19-4625.
Motion/Second: Vice Chair Christensen/Commissioner Sander motion carried to recommend of Approval to the City Council.

12. NEW BUSINESS

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

Motion/Second: Commissioner Sander/Vice Chair Christensen Motion to move to a future date **carried** by the following roll call vote: AYES: Van Antwerp, Christensen, Sanders, Hilliker, and Chair Whetzel. NOES: None. ABSENT: None. ABSTAIN: None.

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Public comment: Letter from Brent Schultz at County of Mendocino Dept of Planning and Building Services, email from Robert & Thelma Levy, email from Jan Hoyman Studio, letter from Douglas L Losak of Law Office of Duncan M. James.

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

Motion/Second: Commissioner Sander/Vice Chair Christensen Motion to move to a future date **carried** by the following roll call vote: AYES: Van Antwerp, Christensen, Sanders, Hilliker, and Chair Whetzel. NOES: None. ABSENT: None. ABSTAIN: None.

Public comment: Letter from Brent Schultz at County of Mendocino Dept of Planning and Building Services, Letter from Ronald J. Meaux from Meaux Architecture Group.

13. UNFINISHED BUSINESS

14. ADJOURNMENT

There being no further business, the meeting adjourned at 6:17 p.m.

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Pamela Mathias, Deputy Clerk

DRAFT

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

DATE: February 12, 2020

TO: Planning Commission

FROM: Mireya G. Turner, Associate Planner

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

SUMMARY

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

PROJECT DESCRIPTION AND BACKGROUND

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

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

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

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

to closing the retail/dispensary by 6:00 p.m. on Wednesdays and remaining closed all day on Sunday, met the appropriate buffer intent of the code to approve the waiver. The Minutes of the October 2, 2019 City Council meeting are included as **Attachment 4**.

Consideration of the Major Use Permit was scheduled before the Planning Commission at the January 8, 2020 meeting. However, the item was continued to a later date prior to the hearing; no action was taken on the Major Use Permit. Public correspondence received from the January 8, 2020 hearing is included as **Attachment 5**.

SURROUNDING LAND USE AND ZONING

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

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

Figure 1. Zoning Designation

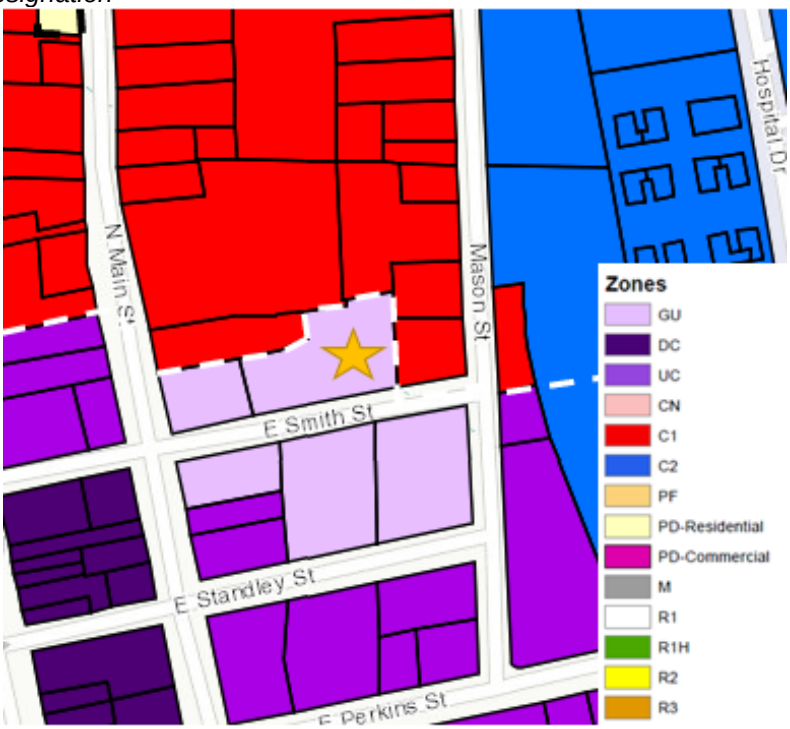
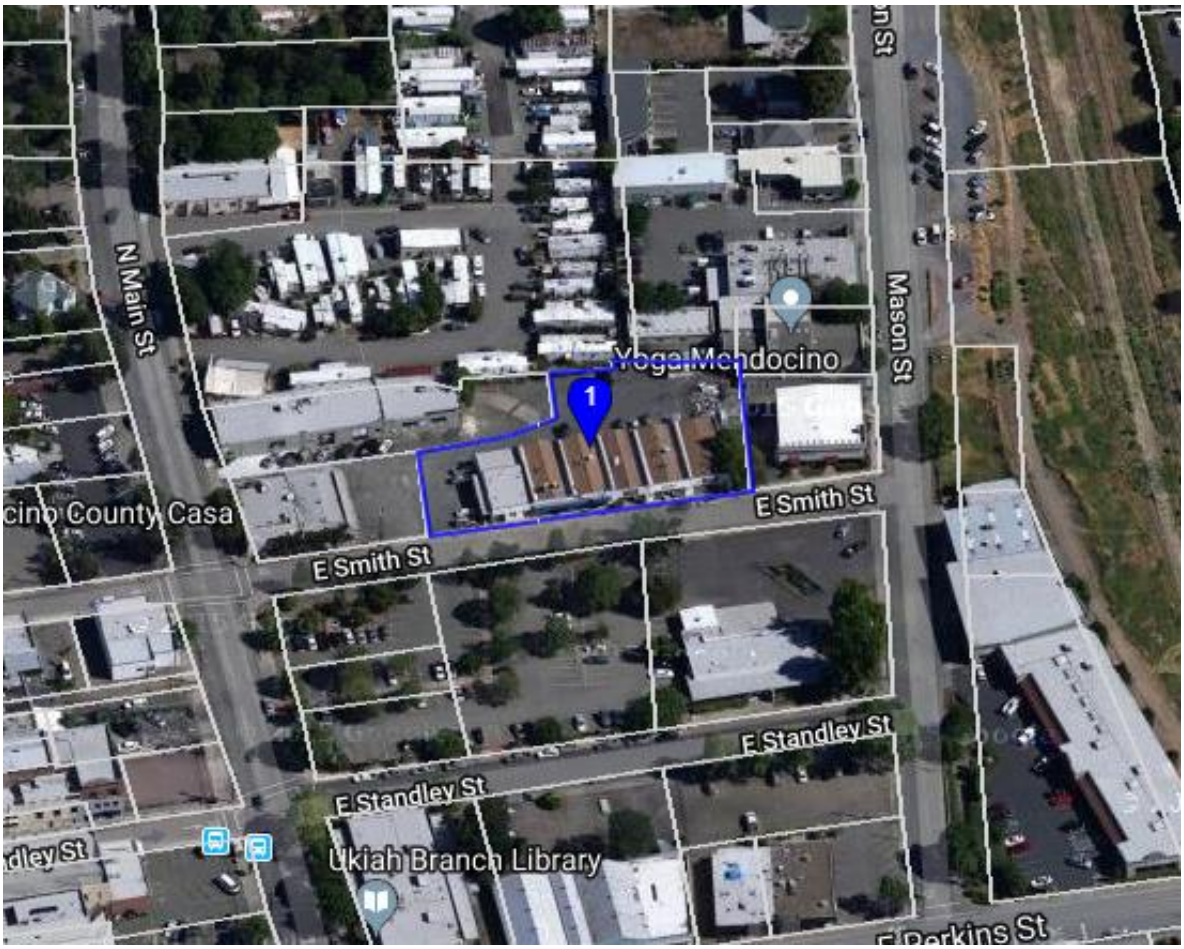


Figure 2. Aerial Map



AGENCY COMMENTS

Project referrals were sent to the following responsible or trustee agencies with interest or jurisdiction over the project: City of Ukiah Building Division, City of Ukiah Electric Utility Department, City of Ukiah Police Department, City of Ukiah Department of Public Works, Ukiah Valley Fire Authority, and State Department of Social Services. The agencies' comments are included as **Attachment 6**, and recommended Conditions of Approval are contained in **Attachment 2**.

STAFF ANALYSIS

General Plan and Zoning Consistency

Use. The parcel carries a General Plan Land Use designation of Commercial (C) and is zoned General Urban (GU). Per UCC §9215, cannabis related businesses including microbusinesses are allowed in GU zoning districts with approval of a Major Use Permit. Findings required for

approval of Use Permits per UCC §9262(e) are included in **Attachment 1** and subject to Conditions of Approval contained within **Attachment 2**. In addition to the findings required in §9262 of this Code, the Planning Commission shall consider additional criteria related to security and crime in determining whether to grant or deny a Dispensary Use Permit (UCC §5710) which are also included as **Attachment 1**.

UCC §9174.2.F lists location limitations for proposed cannabis businesses, including proximity to youth-oriented facilities, and residentially zoned parcels. §9174.2.F.2 allows for a waiver from these restrictions, with approval and findings from the Planning Commission. As previously mentioned, Wine Country Cannasseurs applied for this waiver, due to the proximity of the church in the adjacent two suites, and the mobile home park adjacent to the north. The Planning Commission denied the waiver at its August 28, 2019 meeting. The applicant appealed this decision to the Council at its October 2, 2019 meeting. The Council approved the appeal, granting the waiver request, and allowing the project to continue its process. The minutes for the meeting are included as **Attachment 7**.

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

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

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

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

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

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

Signage. Per UCC Section 3227, allowed signage is calculated by one and one-half (1 1/2) square feet of sign area for every ground level linear foot of parcel frontage. In no case shall the total square footage of signs on a building frontage exceed the number of linear feet in the frontage or five hundred (500) square feet, whichever is the lesser figure. The Project Site includes three suites, each thirty feet (30') in width. Based on these methods of calculation, the applicant is allowed approximately 135 sf of signage.The applicant has submitted preliminary sign information with the site plans. Proposed is a single, 45 sf sign above the entrance to the Retail/Dispensary suite. Additionally, a 15 sf parking directional sign is proposed above the suite at 262 E. Smith Street, signalling the parking available along the western side of the parcel. A Condition of Approval has been included to require the Applicant to obtain a Sign Permit, in compliance with all applicable sign regulations.

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

Airport Compatibility

The project site is located within the B2 Compatibility Zone (Extended Approach/Departure Zone) of the Ukiah Municipal Airport Master Plan and the Mendocino County Airport Comprehensive Land Use Plan (ACLUP).

Use: The historic and existing use of the property (established in 1952) is commercial/retail. Table 2A of the Mendocino County Airport Comprehensive Land Use Plan (ACLUP) and Table 7A of the Ukiah Municipal Master Plan lists single-story offices, low-intensity retail, office, and low-intensity manufacturing as normally acceptable uses in the B2 zone. The project best fits the description and intent of low-intensity retail and manufacturing (cultivation, retail and distribution).

Density: The B2 zone allows for 60 people per acre for nonresidential uses. Based on the parcel size, 38 people maximum are allowed on-site at any one time (0.63 ac x 60= 38 people). Per the analysis below, the project would be consistent with this criteria.

The project proposes six employees per shift and estimates no more than 10 customers at one time, resulting in a maximum density of 16 persons at any one time.

Density was also calculated by using the Parking Ordinance methodology for calculating density (Appendix C of ACLUP), which uses the amount of parking spaces to calculate an estimated number of people generated by the use. The project proposes to use the 15 existing spaces on-site (nine employee and delivery spaces in the fenced parking lot parking lot and six additional parking spaces, accessed via an existing driveway along East Smith Street). Using this methodology, nine people are anticipated for the project (15 spaces x 1 person = 15/ 0.63 ac = 9 persons).

Height. One-story structures are acceptable in the B2 zone. The project proposes to use the exiting one-story building and does not propose expansion of the footprint or height.

Open Land: Table 2a of the ACLUP recommends 30% open land. The project would occupy an existing building with six ±1,800 sf suites for a total of a 10,800 sf structure on a 27,442.8 sf parcel, resulting in 39.3% being occupied, leaving 60.7% of open land.

Based on the above analysis, the project is consistent within the compatibility criteria for the B2 zone with the ALUCP. As described in the Mendocino County Airport Land Use Commission Interim Referral Procedure, adopted by City Council (Resolution 2018-39-**Attachment 8**), a Major Use Permit project within the B2 zone only requires referral to the County ALUC staff planner if a question of compatibility exists. Therefore, the project was not referred to the County for review.

ENVIRONMENTAL DOCUMENTATION

The proposed project is subject to the California Environmental Quality Act (CEQA). The project qualifies for a categorical exemption pursuant to CEQA Guidelines Article 19 Section 15301, Existing Facilities, Class 1(a) which consists of the operations, repair, maintenance, or minor alteration of existing public or private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

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

NOTICE

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

- Published in the Ukiah Daily Journal on February 1, 2020
- Posted on the Project site on January 29, 2020
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing
- Mailed to property owners within 300 feet of the project parcel on January 29, 2020.

RECOMMENDATION

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

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Project Application Materials
    a. Application
    b. Site Plans
    c. Lighting Specifications
    d. Odor Control Details
    e. Standard Operating Procedures
4. Minutes of the City Council Meeting on October 2, 2019

5. Public Correspondence Received at the January 8, 2020 Planning Commission Hearing
6. Agency Comments
7. Draft Minutes of the January 8, 2020 Planning Commission Meeting
8. Mendocino County Airport Land Use Commission Interim Referral Procedure, adopted December 5, 2018 (Resolution 2018-39).

Attachment 1

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

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

Major Use Permit Findings

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

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

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

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

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

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

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

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

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

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

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

   See Finding No. 4 above.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

    See Finding Number 10.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DRAFT

Attachment 2

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

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

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

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

City of Ukiah Special Conditions

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

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

City of Ukiah Standard Conditions

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

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

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

14. Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Engineering Department of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Planning Commission such standards shall be met.

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

16. In addition to any particular condition which might be imposed; any construction shall comply with all building, fire, electric, plumbing, occupancy, and structural laws, rules, regulations, and ordinances in effect at the time the Building Permit is approved and issued.

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

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

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

20. As outlined in Article 20, Administration and Procedures, of the Zoning Code this planning permit may be revoked through the City's revocation process if the approved project related to this Permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.

Department of Public Works Conditions

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

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

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

Electric Utility Department Conditions

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

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

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

27. Developer/customer shall incur all costs of this future project to include (labor, materials, equipment and future services).
28. There shall be an easement provided to the EUD for any electric service that transverses through the property. Or around any City owned Electric equipment.

Building Department Conditions

29. Prior to issuance of building permits and prior to commencing operations, expired Permit #721 to convert commercial space to residential space must be closed, with a completed department inspection of the premises to confirm Unit #262 has no residential use.
30. Submit plans and building permit application. Please submit three complete plan sets, two wet stamped and signed
31. The design and construction of all site alterations shall comply with the 2016 California Building Code, 2016 Plumbing Code, 2016 Electrical Code, 2016 California Mechanical Code, 2016 California Fire Code, 2016 California Energy Code, 2016 Title 24 California Energy Efficiency Standards, 2016 California Green Building Standards Code and City of Ukiah Ordinances and Amendments, or current code cycle at date of submission.

Ukiah Police Department Conditions

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

32. The business permittee shall provide the Police Department with the current name and primary and secondary telephone numbers of at least one 24-hour on-call manager to address and resolve complaints and to respond to operating problems or concerns associated with the business.
33. The business permittee shall provide the City with the current name and primary and secondary telephone numbers of at least one manager to communicate with the surrounding neighborhoods and businesses. The business shall make good faith efforts to encourage neighborhood residents to call this person to solve problems, if any, before any calls or complaints are made to the City or Police Department.
34. The business permittee shall immediately report to the City Police Department all criminal activity occurring on the business site.
35. Video from the security surveillance cameras must be recording at all times (24 hours a day, seven days a week) and the recording shall be maintained for at least 90 days. In the event of a crime on site or anywhere within range of the dispensary's security cameras, the Permitee shall provide the Chief of Police with a useable digital copy of the security video upon request or at the earliest convenience.
36. Duration of Use: Security system shall be equipped with at least 24 hours of continued operation time in case of power failure.
37. Electronic "point of sale" age verification system is required which scans and authenticates ID, identifies fake ID's, records dates and times of transactions, has the ability to create a "banned patron" list.
38. All applicable state and local licenses or permits shall be displayed in the lobby or waiting area of the main entrance to the building.

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

57. Tree canopies shall not interfere with, or block lighting.
58. Any proposed revisions to the approved Security Plan shall be made in writing and subject to approval of the Ukiah Police Department.
59. An inspection shall be conducted by the Department in order to confirm compliance with approved Security Plan prior to building permit final.

Ukiah Valley Fire Authority Conditions

60. All exit doors shall be equipped with lighted exit signage and emergency lighting with a battery backup.
61. Main entry door must swing in direction of egress travel “out”.
62. There may be other minor Fire Code additions when plans are submitted, ie. Address location, and the need for additional fire extinguishers.
63. New and existing buildings shall have approved address numbers placed in a position to be plainly legible from the street or road fronting the property (CFC 505.1). Address number shall be placed on the South facing exterior and East facing wall at corner of main building. Fire Marshal can verify with contractor.
64. Fire extinguishers shall be required. Fire Marshal can assist with location and number of required extinguishers.
65. Fire sprinkler system shall be maintained and modified as necessary.
66. All exits shall be clearly marked. Means of egress shall be illuminated when the building space is occupied (CFC §1008.2).
67. Exit signs shall be internally or externally illuminated at all times; signs shall be connected to an emergency power system that provides illumination for not less than 90 minutes in case of primary power loss (CFC 1013.3 & 1013.6.3).
68. In the event of power supply failure, an emergency electrical system shall automatically illuminate the means of egress (CFC 1008.3).
69. A “Knox Box” key security safe shall be required, and mounted on the exterior at a location specified by the Fire Marshal.
70. The business permittee shall provide the Fire Department with the current name and primary and secondary telephone numbers of at least one 24-hour on-call manager for emergency contact.

Mendocino County Air Quality Management District Conditions

71. The applicant may be required to obtain an Authority to Construct permit from the District prior to beginning construction.
72. Diesel Engines – Stationary and Portable Equipment and Mobile Vehicles:
    - Any stationary onsite diesel IC engines 50 horsepower or greater (i.e. large power generators or pumps) or any propane or natural gas engines 250 horsepower or greater may require a permit from the District.
    - Portable diesel powered equipment that may be used during the proposed project are required to be registered with the state Portable Equipment Registration Program (PERP) or obtain permits from the District.

- Projects located adjacent to sensitive receptors (schools, child care facilities, health care facilities, senior facilities, businesses, and residences, etc.) during the construction phase of this project have the potential for exposure to diesel particulate.
- Heavy duty truck idling and off-road diesel equipment or other diesel engine idling is limited to less than 5 minutes.

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

    - Prior to receiving a Demolition / Renovation Permit from the Planning & Building Agency the applicant is required to:
        1) Have an Asbestos Survey conducted by a licensed Asbestos contractor for the presence of asbestos containing materials,
        2) Submit a completed Asbestos Demolition/Renovation form, all test results and applicable notification fees to the District at least 10 days prior to beginning the project,
        3) Have any Asbestos containing materials abated by a licensed abatement contractor prior to beginning any demolition or renovation activities.
        4) Obtain written authorization from the District indicating that all requirements have been met prior to receiving.

Planning & Community Development Department
300 Seminary Avenue
Ukiah, CA 95482
Email: planning@cityofukiah.com
Web: www.cityofukiah.com
Phone: (707) 463 -6203
Fax: (707) 463-6204

City of Ukiah

Planning Permit Application

PROJECT NAME: J.P.J. and Associates LLC, doing business as Wine Country Cannasseurs			
PROJECT ADDRESS/CROSS STREETS: 270, 272, 274 East Smith Street, Ukiah, CA			AP NUMBER(S): 002-191-023
APPLICANT/AUTHORIZED AGENT: J.P.J. and Associates LLC - agent Jay Donnellan	PHONE NO: 707-889-3987	FAX NO: N/A	E-MAIL ADDRESS: WineCountryCannasseurs@gmail.com
APPLICANT/AUTHORIZED AGENT ADDRESS: 2727 Beecham Street	CITY: Napa		STATE/ZIP: CA, 94558
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: Robert Gitlin	PHONE NO: 707-671-4335	FAX NO: N/A	E-MAIL ADDRESS: RobGitlin@hotmail.com
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT 7221 Evan Ave.	CITY: Sebastopol		STATE/ZIP: CA, 95472
HAS YOUR PROJECT RECEIVED A PRELIMINARY REVIEW? ☐ YES [X] NO			

☐ AIRPORT LAND USE COMM. DETERMINATION 100.0800.611.003	$	☐ REZONING 100.0800.611.001	$	☐ USE PERMIT – AMENDMENT 100.0400.449.001	$
☐ ANNEXATION 100.0800.611.001	$	☐ REZONING – PLANNED DISTRICT 100.0800.611.001	$	☒ USE PERMIT – MAJOR 100.0400.449.001	$
☐ APPEAL 100.0400.449.001	$	☐ SITE DEVELOPMENT PERMIT – AMENDMENT 100.0400.449.001	$	☐ USE PERMIT – MINOR 100.0400.449.001	$
☐ BOUNDARY LINE ADJUSTMENT 100.0800.610.001	$	☐ SITE DEVELOPMENT PERMIT – MAJOR 100.0400.449.001	$	☐ VARIANCE – MAJOR 100.0400.449.001	$
☐ GENERAL PLAN AMENDMENT 100.0800.611.001	$	☐ SITE DEVELOPMENT PERMIT – MINOR 100.0400.449.001	$	☐ VARIANCE – MINOR 100.0400.449.001	$
☐ MURAL PERMIT 100.0400.449.001	$	☐ SPECIFIC/MASTER PLAN 100.0800.611.003	$	☐ ZONING AMENDMENT – MAP 100.0800.611.001	$
☐ PRELIMINARY REVIEW (PC) 100.0800.611.003	$	☐ SUBDIVISION EXCEPTION 100.0800.610.001	$	☐ ZONING AMENDMENT– TEXT 100.0800.611.001	$
☐ PRELIMINARY REVIEW (PRC) 100.0800.611.003	$	☐ TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	$	☐ OTHER	$
☐ PRELIMINARY REVIEW (STAFF) 100.0800.611.003	$	☐ TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	$	☐ OTHER	$

COUNTY CEQA FILING FEE: CHECK PAYABLE TO MENDOCINO CO.	$	MAJOR PERMIT DEPOSIT:	$	FILING DATE:
COUNTY CEQA (NEG DEC) FEE: CHECK PAYABLE TO MENDOCINO CO.	$	MINOR PERMIT FEE:	$	TOTAL AMOUNT PAID: $
COUNTY CEQA (EIR) FEE: CHECK PAYABLE TO MENDOCINO CO.	$	TOTAL FEE:	$	RECEIPT NUMBER:

APPLICATION NUMBER(S):

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

Project Description

The purpose of the project description is to assist Staff in understanding the project. Providing complete information will help expedite the project review process and in determining what additional information, if any, related to the project and required environmental review is required.

Environmental Review and Reports

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

Use Information

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

Description of Building & Site			
Parcel Size: 25,951 square feet	**Building Size:** 3,600 square feet	**Number of Floors:** 1	
Use of Building (check all that apply)	**Description**	**Square Footage**	**Number of Units/Suites**
☐ **Office (business/professional)**	N/A	N/A	N/A
☐ **Office (medical/dental)**	N/A	N/A	N/A
☒ **Retail**	Sales floor + Lobby	1,073 sq. ft.	1
☒ **Light Industrial**	Cultivation	1,270 sq. ft.	1
☐ **Residential**			
☒ **Other:**	Distribution	1,660 sq. ft.	1

Operating Characteristics			
Days and Hours of Operation: Dispensary: Mon-Sat 9 a.m. - 9 p.m., Sun 1 p.m. - 9 p.m.; Distribution: Mon-Fri 10 a.m. - 4 p.m.; Cultivation: Mon-Sat 8:30 a.m. - 5 p.m., Sun 1 p.m. - 3 p.m.			
Number of Shifts: 3	**Days and Hours of Shifts:** Dispensary Mon - Fri: 8:30 - 4:30, 9:00 - 5:00, 1:00 - 9:00 / 8:30 - 4:30, 4:00 - 9:30, Sun: one shift Distribution: one shift Cultivation: one shift		
Number of Employees/Shift: Between 4 and 6 over all three facilities			
Loading Facilities: ☒ Yes ☐ No	**Type/Vehicle Size:** 2007 Prius, 4 door sedan		
Deliveries: ☒ Yes ☐ No	**Type:** Distribution	**Number** (day/week/month): TBD	**Time(s) of Day:** 10:00 - 4:00
Outdoor areas associated with use? (check all that apply) ☒ Yes ☐ No	**Sales area:** ☐ Yes ☒ No Square Footage: 826	**Unloading of deliveries:** ☒ Yes ☐ No Square Footage: 423	**Storage:** ☒ Yes ☐ No Square Footage: 613
Noise Generating Use? ☐ Yes ☒ No		**Description:**	

To Be Completed by Staff

General Plan Designation:	**Zoning District:**	**Airport Land Use Designation:**
City's Architectural & Historic Inventory: ☐ YES ☐ NO	**Age of Building:**	**Demolition Policy:**
Hillside: ☐ YES ☐ NO	**Flood Designation FIRM Map:**	**Flood Designation Floodway Map:**

Tree Policies	
General Plan Open Space Conservation ☐ NO ☐ YES GOAL/POLICY #:	**Community Forest Management Plan** ☐ NO ☐ YES GOAL/POLICY #:
Landscaping and Streetscape Design Guidelines ☐ NO ☐ YES GUIDELINE #:	**Commercial Development Design Guidelines** ☐ NO ☐ YES GUIDELINE #:
Tree Protection and Enhancement Policy ☐ NO ☐ YES NOTES:	**Tree Planting and Maintenance Policy** ☐ NO ☐ YES NOTES:
UCC: Street Tree Policy, Purpose and Intent ☐ NO ☐ YES NOTES:	**Other:**

Notes

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

5/16/19

PROPERTY OWNER SIGNATURE DATE

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

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

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

5/16/19

X ☐ OWNER / ☐AUTHORIZED AGENT DATE

INDEMNIFICATION AGREEMENT

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

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

I have read and agree to all of the above.

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

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

Revised 02/09/2016

Attachment 3b

WINE COUNTRY CANNASSEURS

270, 272 & 274 E. SMITH STREET

UKIAH, CA 95428

APN: 002-191-023

CONTACT DATA

PROP. OWNER: ROB GITLIN
201 E. CLAY STREET
UKIAH, CA 95482
707-671-4335

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

ARCHITECT: WALTERS ARCHITECTURE
739 HUMBOLDT STREET
SANTA ROSA, CA 95404
WILLIAM WALTERS C-20271
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STRUCT. ENG. MARL LEVEL
LEVEL STRUCTURAL ENGINEERING
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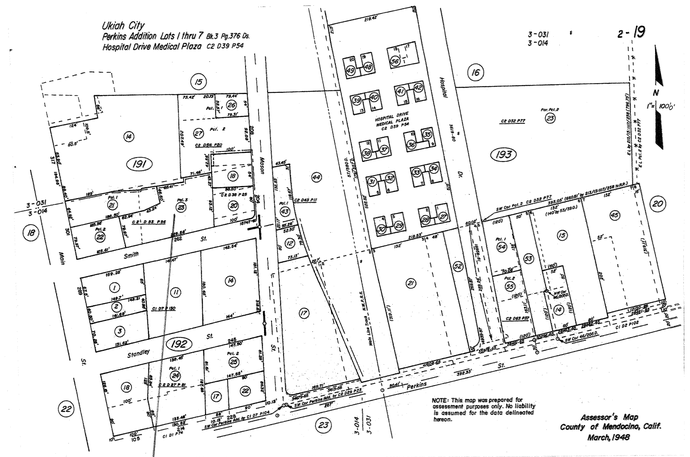
P. O. BOX 1302
SEBASTOPOL, CA 95473
LEVELSE@SONIC.NET

CALGREEN TITLE-24

SPRINKLER ENG.

HVAC ENG. CARL BEACH
CARL BEACH HEATING AND AIR
2314 WEST AVENUE
SANTA ROSA, CA 95407
707-479-9189

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



2 VICINITY MAP

NORTH

SITE AND BUILDING DATA

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

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

LOT DIMS: VARY. SEE SITE PLAN

LOT AREA: 25,951 SF OR .6 ACRES

ALLOWABLE LOT COVERAGE: 50%

EXISTING LOT COVERAGE: 10,800 SF

EXIST BUILDINGS FOOTPRINT FOOTPRINT: 10,800 SF

PROPOSED BLDGS. FOOTPRINT: SAME

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

SCOPE OF WORK

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

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

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

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

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

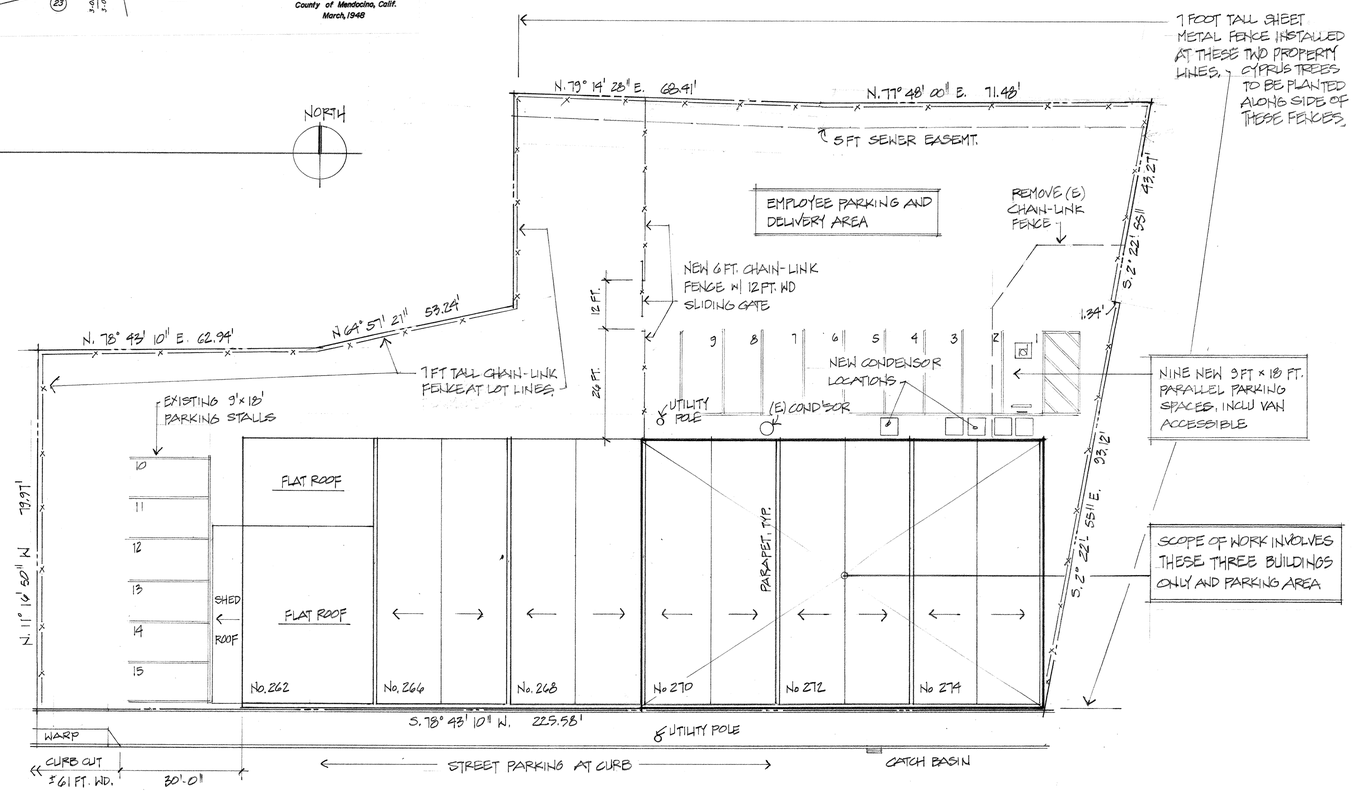
BUILDING 272 WILL PROVIDE FOR THE ADDITION OF ONE NEW WALL AND DOOR TO SEPARATE THE REAR AREA AND THE UPGRADE OF THE RESTROOM. NEW AREAS PROVIDED WILL INCLUDE A SAFE ROOM, DISTRIBUTION/STORAGE AREA, WEIGHING AND PACKAGING AREA AND SIGN-IN. OPEN TRUSS
'CEILING' TO REMAIN.

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

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

ALL THREE BUILDINGS WILL HAVE FULL TITLE 24- ADA COMPLIANCE AND PARKING COMPLIANCE.
BUILDINGS 272 AND 274 WILL HAVE FULL ELECTRICAL AND MECHANICAL UPGRADES AND NEW SPRINKLER INSTALLATION. (270 COMPLIES)

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



1 SITE PLAN

NORTH

BUILDING 270

BLDG TYPE: SNR

BLDG. HEIGHT: APPROX.16'-0"

ZONING: GU

EXISTING USES: RETAIL HAIR SALON

PROPOSED USE: RETAIL SALES

OCCUPANCY: M

OCCUPANT LOAD:

FULLY-SPRINKLERED

BUILDING 272

BLDG TYPE: SNR

BLDG. HEIGHT: APPROX.16'-0"

ZONING: GU

EXISTING USES: RETAIL UPHOLSTRY SHOP

PROPOSED USE: DISTRIBUTION

OCCUPANCY: M

OCCUPANT LOAD:

FULLY-SPRINKLERED

BUILDING 274

BLDG TYPE: SNR

BLDG. HEIGHT: APPROX.16'-0"

ZONING: GU

EXISTING USES: VACANT RETAIL

PROPOSED USE: CULTIVATION

OCCUPANCY: M

OCCUPANT LOAD:

FULLY-SPRINKLERED

REVISIONS	BY
9 JUNE 2019	WW
20 AUG. 19	WW
10 SEPT 19	WW

WALTERS ARCHITECTURE
739 HUMBOLDT STREET
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415-412-2219

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

Date 20 APRIL '19
Scale 1/16" = 1'-0"
Drawn WALTERS
Job
Sheet A-0.0
Of Sheets

24 X 36 CLEARPRINT®

WINE COUNTRY CANNASSEURS

270, 272 & 274 E. SMITH STREET

UKIAH, CA 95428

APN: 002-191-023

CONTACT DATA

PROP. OWNER: ROB GITLIN
201 E. CLAY STREET
UKIAH, CA 95482
707-671-4335

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

ARCHITECT: WALTERS ARCHITECTURE
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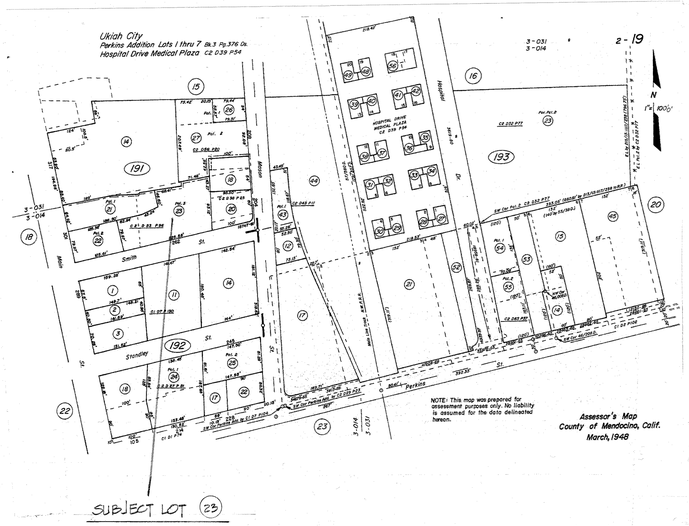
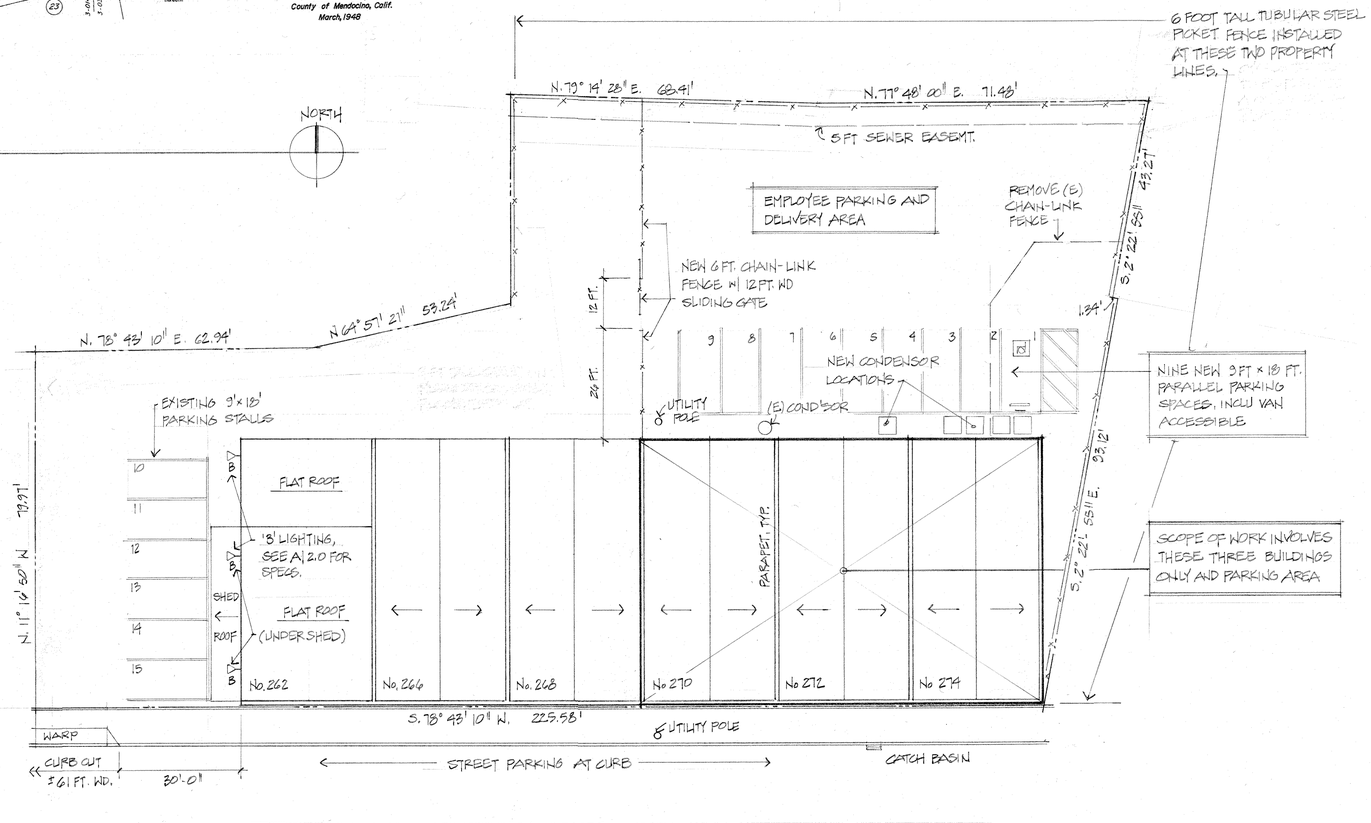


2 VICINITY MAP

NORTH



1 SITE PLAN

NORTH

BUILDING 270

BLDG TYPE: 5NR

BLDG. HEIGHT: APPROX.16'-0"

ZONING: GU

EXISTING USES: RETAIL HAIR SALON

PROPOSED USE: RETAIL SALES

OCCUPANCY: M

OCCUPANT LOAD:

FULLY-SPRINKLERED

BUILDING 272

BLDG TYPE: 5NR

BLDG. HEIGHT: APPROX.16'-0"

ZONING: GU

EXISTING USES: RETAIL UPHOLSTRY SHOP

PROPOSED USE: DISTRIBUTION

OCCUPANCY: M

OCCUPANT LOAD:

FULLY-SPRINKLERED

BUILDING 274

BLDG TYPE: 5NR

BLDG. HEIGHT: APPROX.16'-0"

ZONING: GU

EXISTING USES: VACANT RETAIL

PROPOSED USE: CULTIVATION

OCCUPANCY: M

OCCUPANT LOAD:

FULLY-SPRINKLERED

REVISIONS	BY
4 JUNE 2019	WW
20 AUG. 19	WW
10 SEPT 19	WW

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

Date 20 APRIL '19
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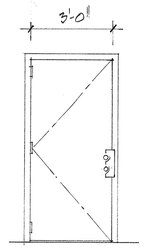
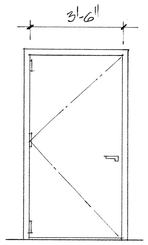
Job
Sheet A-0.0
Of Sheets



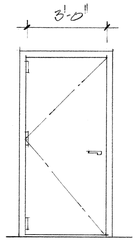
EXIST. HOLLOW MTL DOOR ASSEMBLY TO REMAIN. PROVIDE NEW SECURITY HDWE AS PER OWNER.

(A) DOOR



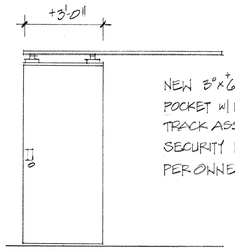
EXIST. HOLLOW MTL DOOR ASSEMBLY REVERSE DR. SWING TO OPEN OUT. SECURITY HDWE PER OWNER

(B) DOOR



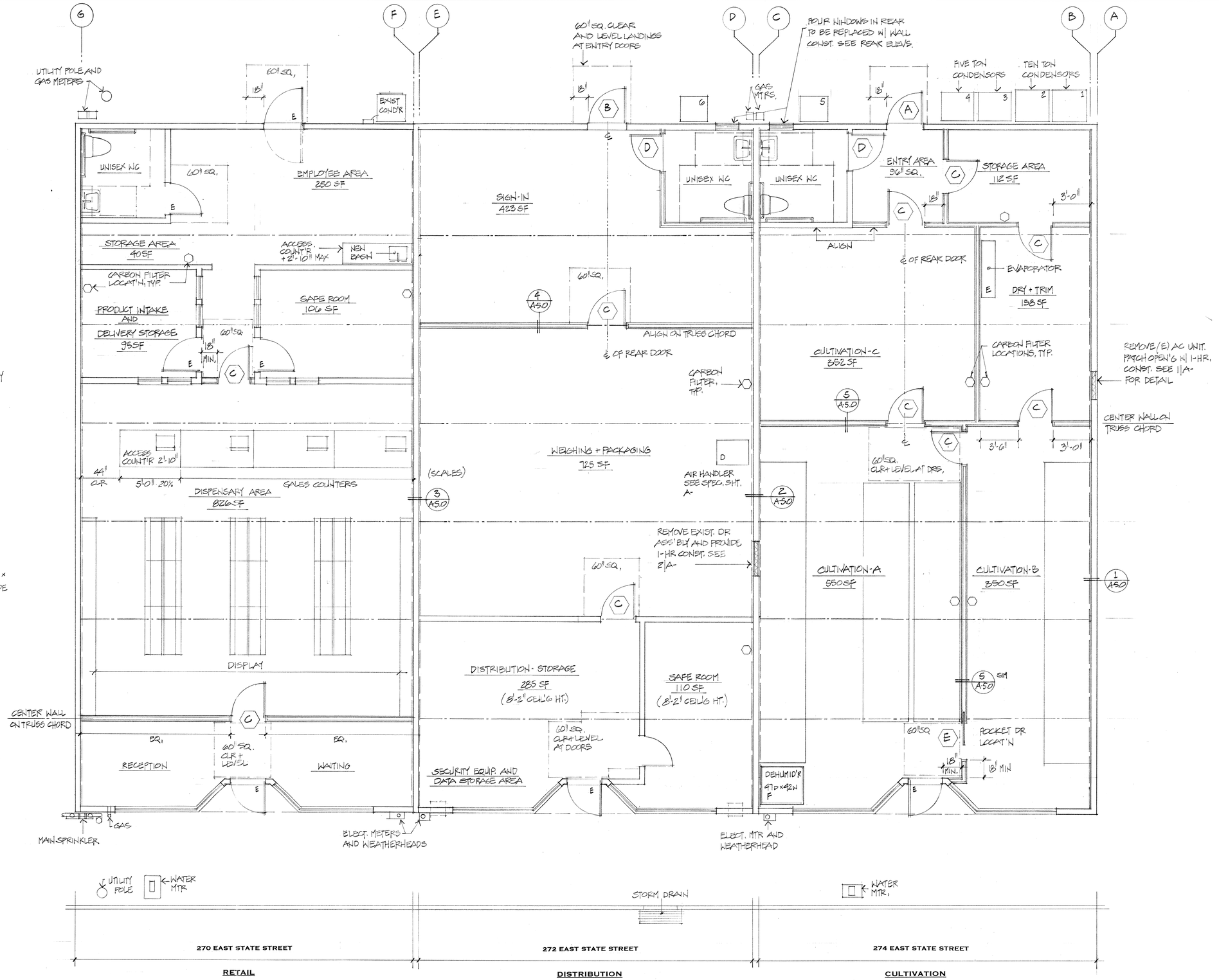
NEW 3'x6'8"x1 3/4" S.C. HANDED DR W/ HOLLOW MTL FRAME. 1 1/2 HINGES x LEVER HDWRE - PROVIDE TWO-LOCK CYLINDER. INSIDE LOCK CYLIN'R ON 'D' DOORS.

(C) + (D) SIM



NEW 3'6"x6'8"x1 3/4" S.C. POCKET W/ HEAVY-DUTY TRACK ASSEMBLY. SECURITY HDWE PER OWNER

(E) DOOR



REVISIONS	BY
25 APRIL 13	MWJ
4 JUNE 2013	MWJ

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APN: 002-191-023

Date 1 APRIL '13
Scale 1/4" = 1'-0"
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Job
Sheet A-1.0
Of Sheets

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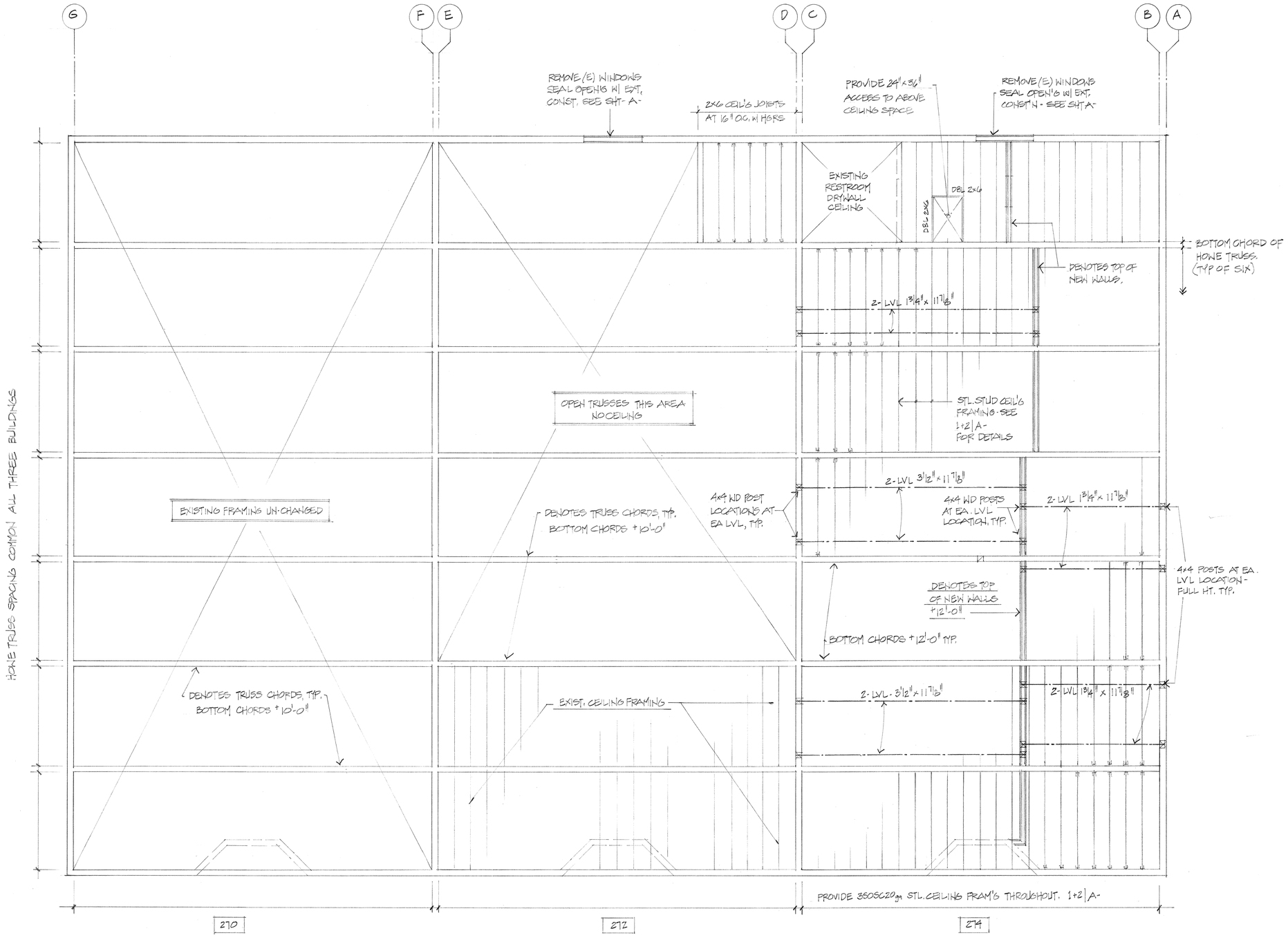

1/- CEILING FRAMING PLAN

COLD FORMED STEEL (LIGHT GAUGE) FRAMING

A. MATERIAL
1. TABLES, SCHEDULES, AND CALLOUTS ON THESE DRAWINGS ARE BASED ON PRODUCTS FROM THE STEEL STUD MANUFACTURING ASSOCIATION (SSMA) SPECIFICATION BOOKLET CORRESPONDING TO I.C.B.O. ER NO. 1943P. ALL SUBSTITUTIONS SHALL HAVE AT LEAST THE SAME STRUCTURAL PROPERTIES AND BE SUBMITTED TO THE ARCHITECT FOR APPROVAL.
2. FRAMING MEMBERS AND ALL ACCESSORIES SHALL CONFORM TO THE FOLLOWING, U.N.O.:
   A. 16 GA. AND HEAVIER, ASTM A446, FY = 50 K.S.I. MIN.
   B. 18 GA. AND LIGHTER, ASTM A446, FY = 33 K.S.I. MIN.
   C: DOUBLE L HEADERS SHALL HAVE A YIELD STRENGTH OF 50 K.S.I. REGARDLESS OF THE GAUGE SPECIFIED.
3. ALL STEEL FRAMING COMPONENTS SHALL BE GRADE STAMPED OR BE CERTIFIED IN WRITING BY THE MANUFACTURER TO ASSURE CORRECT STEEL GRADE AND SHALL HAVE A GALVANIZED FINISH CONFORMING TO ASTM A525, G60 COATING.

B. CONNECTIONS
1. CONNECTIONS TO FRAMING SHALL BE SCREWED, BOLTED, WELDED, OR PINNED AS INDICATED ON THE DRAWINGS.
2. WELDED CONNECTIONS SHALL BE MADE USING ARC WELDING OR RESISTANCE WELDING METHODS. ALL WELDING SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST RECOMMENDATIONS OF THE AWS C1.3 AND AWS D1.3. PROTECTION OF THE WELD AREA AFTER WELDING SHALL BE ACCOMPLISHED USING A ZINC BASED GALVANIZING REPAIR PAINT.
3. ALL LIGHT GAUGE TO LIGHT GAUGE MEMBER CONNECTIONS SHALL BE MADE WITH NO. 10-16 SELF-TAPPING OR SELF-DRILLING GALVANIZED SCREWS. SCREW POINTS SHALL CONFORM TO ASTM C-954. SCREW LENGTHS SHALL BE A MINIMUM OF 1/2" LONGER THAN THE SUM OF THE STELL THICKNESSES BEING CONNECTED. A MINIMUM OF 3 STEEL THREADS SHALL BE EXPOSED BEYOND THE CONNECTED STEEL MEMBERS. SCREW HEADS SHALL BE EITHER PAN HEAD, WAFER HEAD, OR HEX WASHER HEAD. SCREWS SHALL BE DRIVEN AT 90 DEGREES TO THE CONNECTION SURFACE. THE UNDERSIDE OF THE SCREW HEAD SHALL BE IN FULL CONTACT WITH AND FLUSH TO THE THINNER MEMBER BEING CONNECTED. SCREWS SHALL NOT BE SPACED CLOSER THAN (3) THREE NOMINAL SCREW DIAMETERS (I.E. 3/4" FOR NO. 10 SCREWS) TO EACH OTHER OR TO ANY EDGE OF A STEEL SHEET OR ACCESSORY BEING CONNECTED.

4. ALL PLYWOOD TO STEEL MEMBER CONNECTIONS SHALL BE MADE WITH 0.120 " DIA. PNEUMATICALLY DRIVEN, HARDENED AND KNURLED STEEL PINS. STEEL PINS SHALL BE I.C.B.O. APPROVED AND HAVE A MINIMUM HEAD DIA. OF 1/4" AND SHALL PENETRATE THE STEEL FRAMING A MINIMUM OF 1/4". FASTENERS SHALL BE PLACED IN (1) ONE SHOT SUCH THAT THE HEAD OF THE PIN IS FLUSH WITH THE SURFACE OF THE PLYWOOD. FASTENERS SHALL BE DRIVEN WITH (1) ONE SHOT. HAMMERING AN ALREADY PLACED PIN IS NOT ALLOWED. UNDERDRIVEN PINS SHALL BE REMOVED AND ANOTHER FASTENER INSTALLED. OVERDRIVEN FASTENERS SHALL REQUIRE ANOTHER REPLACEMENT FASTENER LOCATED AT A MINIMUM (3) THREE DIAMETER DISTANCE.
5. METAL FRAMING CONNECTORS SHOWN ON THE DRAWINGS ARE BY SIMPSON STRONG-TIE U.N.O. SCREWS SHALL BE PLACED IN EVERY PUNCHED CONNECTOR HOLE PER MANUFACTURER'S SPECIFICATIONS. U.N.O.
6. ALL PLYWOOD DIAPHRAGM CONNECTIONS TO LIGHT GAUGE STEEL FRAMING SHALL BE MADE WITH EITHER OF THE FOLLOWING:
   A. NO. 10-16 SCREWS.
   B. 0.120" DIA. PNEUMATICALLY DRIVEN STEEL PINS.

REVISIONS	BY
25 APRIL '19	MN
4 JUNE 2019	MN

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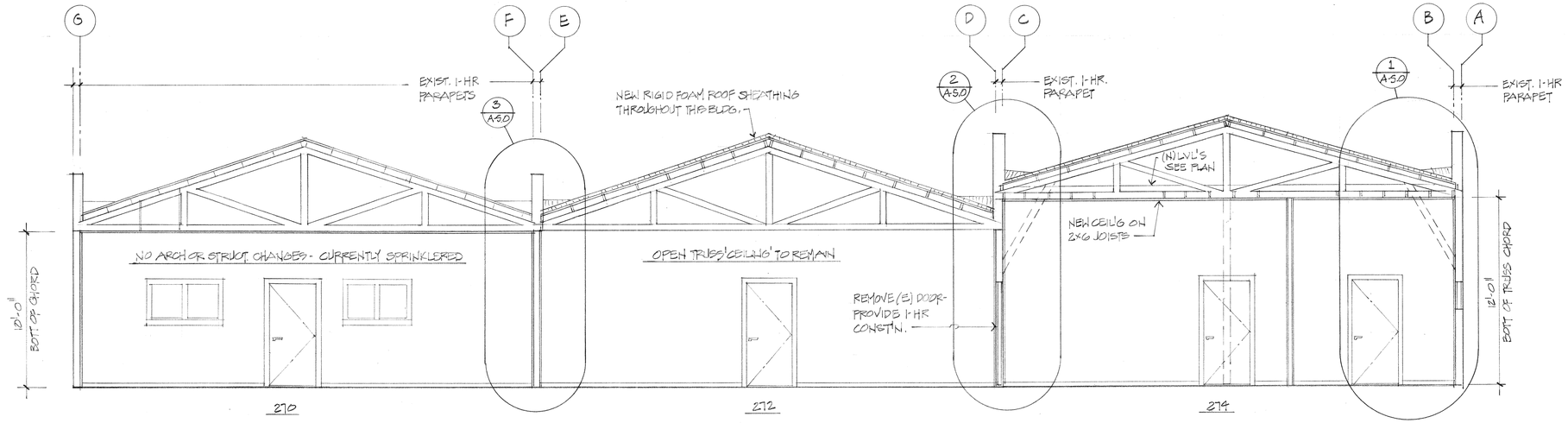
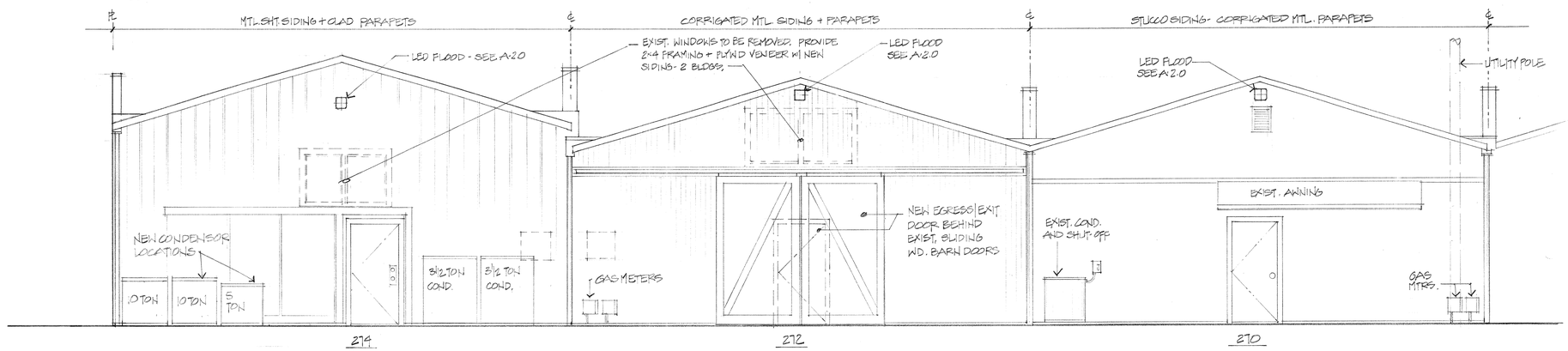
APN: 002-191-023

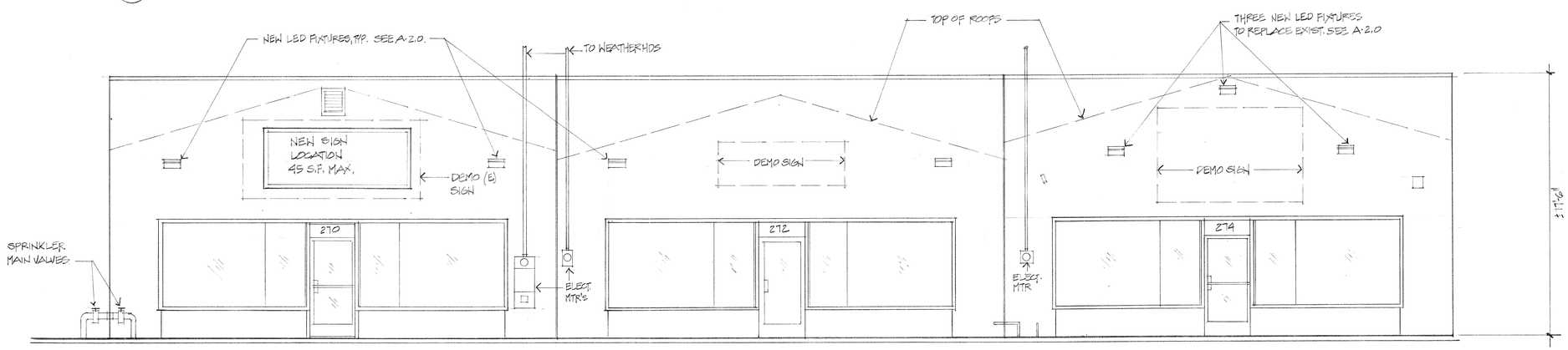
Date 25 MAR. '19
Scale 1/4" = 1'-0"
Drawn WALTERS
Job
Sheet A-3.0
Of Sheets



3/- BUILDING CROSS SECTIONS



2/- NORTH ELEVATIONS - REAR FACADES



1/- SOUTH ELEVATIONS - STREET FACADES

REVISIONS	BY
25 APRIL '19	WMJ
4 JUNE 2019	WMJ

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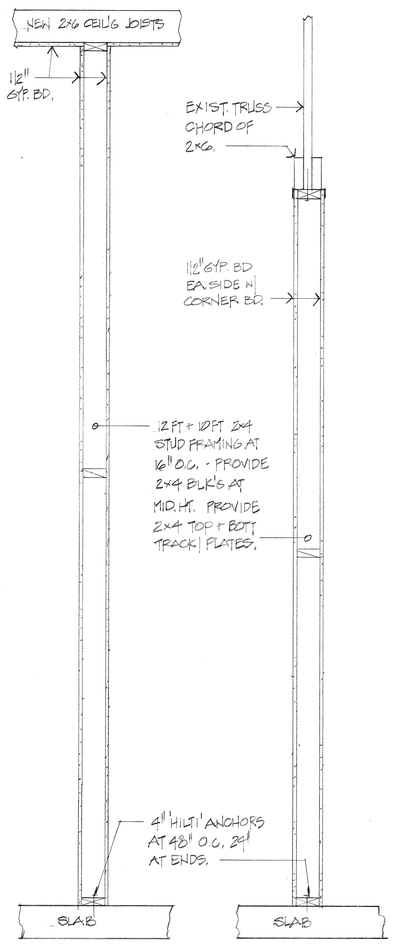
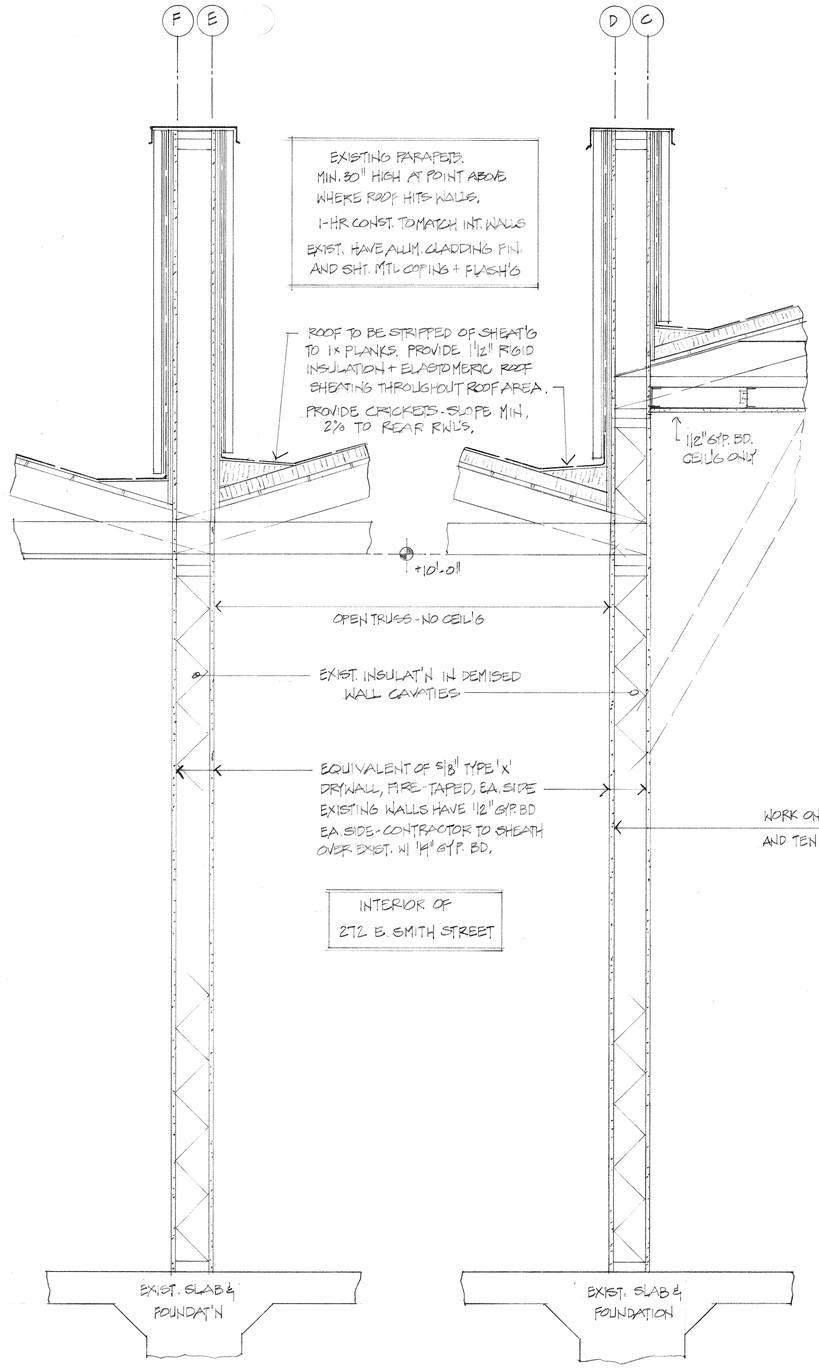
Of Sheets



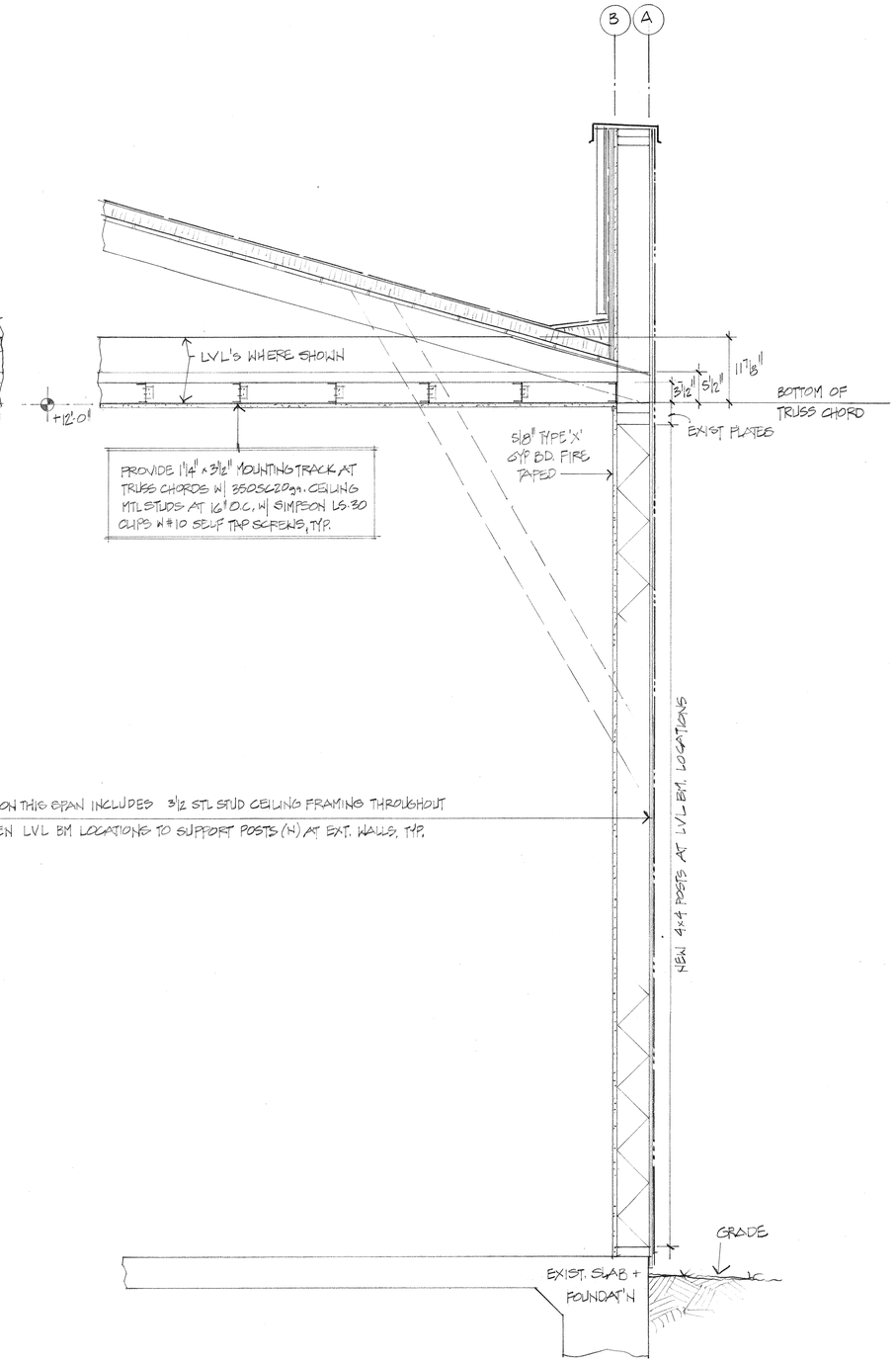
5 FULL HEIGHT WALL SECT



4 CEILING HT. WALL SECT

3 COMMON WALL SECT – 1 HR.

2 COMMON WALL SECT 1-HR.



1 EXT. WALL SECTION – 1 HR.

REVISIONS	BY
25 APRIL '19	MW
4 JUNE 2019	MW

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Date	7 APRIL '19
Scale	1" = 1'-0"
Drawn	WALTERS
Job	
Sheet	A-5.0
Of	Sheets

Attachment 3c

MECHANICAL EQUIPMENT SPEC LIST

A. INDOOR AIR HANDLER 10 TON AMERICAN STANDARD TWE120A44AAA (430 LBS) WITH AMERICAN STANDARD CONDENSOR 4A7A4018L1000A

B. INDOOR 5 TON AIR HANDLER AMERICAN STANDARD MODEL TEM 4A0C60S51SB (138 LBS) WITH 4A7A661J1000A OUTDOOR CONDENSOR.

C. INDOOR 3-1/2 TON AIR HANDLER MITSUBISHI ELECTRIC MODEL PCA-A4ZKA7 (86LBS) WITH MODEL PUY-A4ZNKA7 OUTDOOR CONDENSOR. (TWO)

D. INDOOR AIR HANDLER 1-1/2 TON AMERICAN STANDARD TEM4A0C60S51SB (138 LBS) WITH OUTDOOR CONDENSOR 4A7A606IJ1000A

E. INDOOR EVAPORATOR TRENTON TPLP320MAS1BR2 (106 LBS) WITH TEZA020H8-HS2C OUTDOOR CONDENSOR

F. INDOOR DEHUMIDIFIER 5 TON UNIT SUBCOOLED 705, FLOOR MOUNTED.

LIGHTING FIXTURE SPEC. LIST

INDOOR

WAREHOUSE LIGHTING STLED 35W 4FDMK5 "THE EDGE" 4' STRIP LED FIXTURE – SURFACE MOUNTED

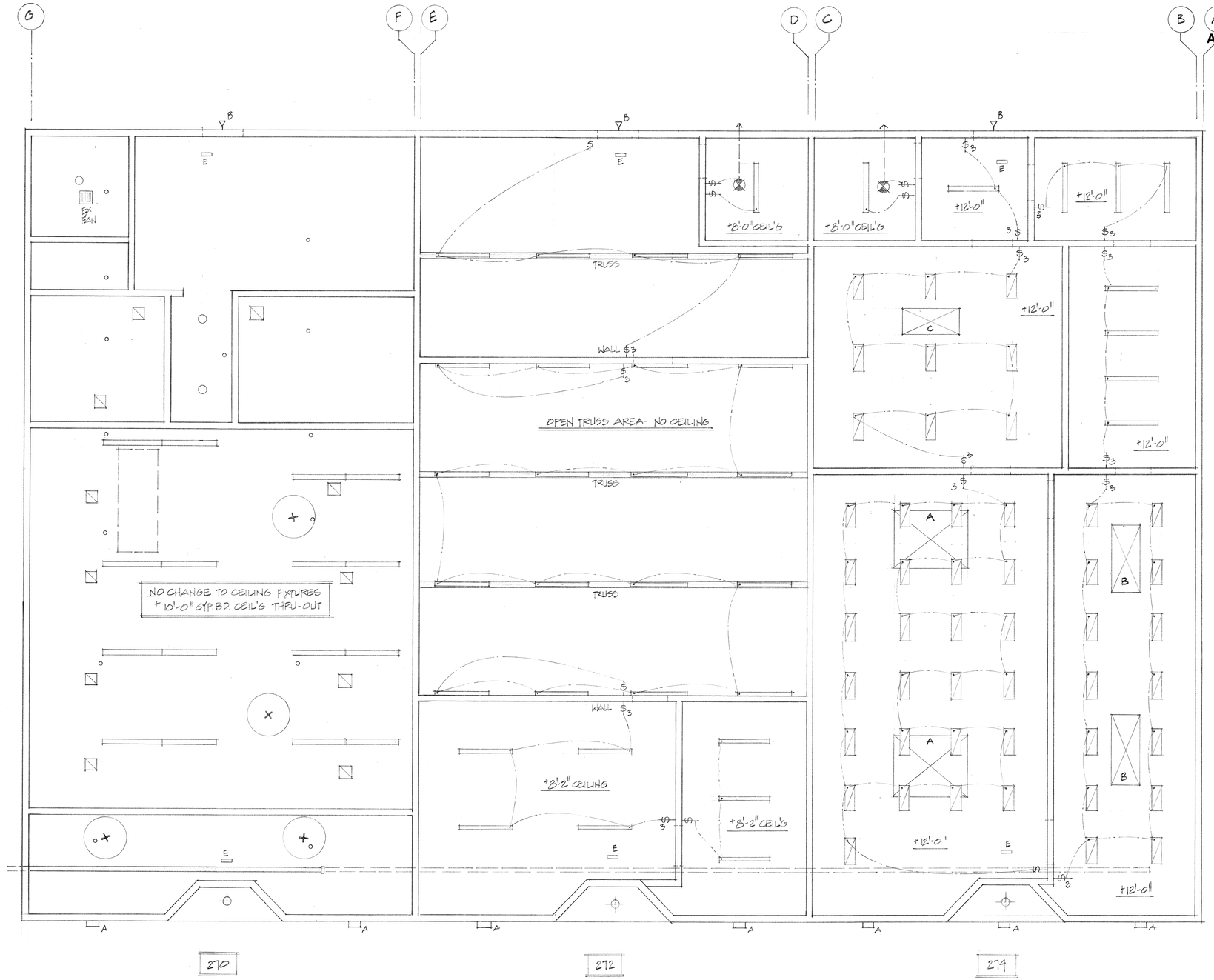
GAVITA PRO 1000DE W/ BALLAST 240V - PENDANT MOUNTED

OUTDOOR

A. HYPERIKON 90W JKU-552001003 130LM/W IP-65

B. UNI-BOND LW-4442 LED 12 X 5 W WIDE FLOOD 3.5 AMP 12V ADJUSTABLE BOLT MOUNTED IP-68

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



REVISIONS	BY
25 APRIL '19	MN
4 JUNE 2019	MN

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

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

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

WINE COUNTRY CANNASSEURS

270, 272 & 274 E. SMITH STREET

UKIAH, CA 95428

APN: 002-191-023

CONTACT DATA

PROP. OWNER: ROB GITLIN
201 E. CLAY STREET
UKIAH, CA 95482
707-671-4335

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

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

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

CALGREEN
TITLE-24

SPRINKLER ENG.

HVAC ENG. CARL BEACH
CARL BEACH HEATING AND AIR
2314 WEST AVENUE
SANTA ROSA, CA 95407
707-479-9189

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

SITE AND BUILDING DATA

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

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

LOT DIMS: VARY. SEE SITE PLAN

LOT AREA: 25,951 SF OR .6 ACRES

ALLOWABLE LOT COVERAGE: 50%

EXISTING LOT COVERAGE: 10,800 SF

EXIST BUILDINGS FOOTPRINT FOOTPRINT: 10,800 SF

PROPOSED BLDGS. FOOTPRINT: SAME

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

SCOPE OF WORK

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

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

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

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

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

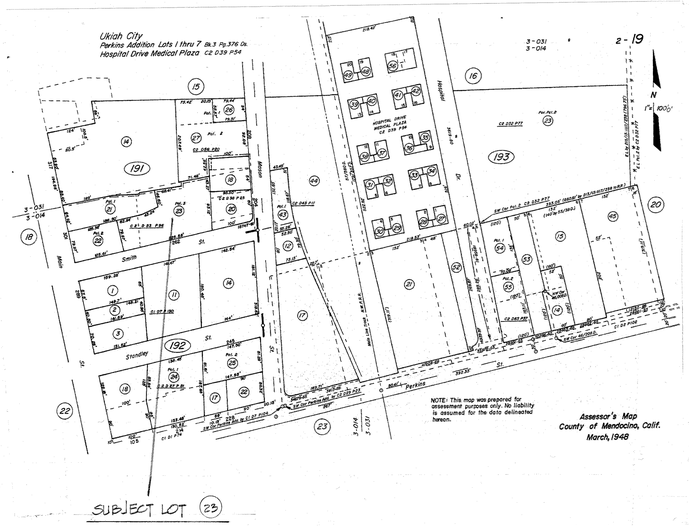
BUILDING 272 WILL PROVIDE FOR THE ADDITION OF ONE NEW WALL AND DOOR TO SEPARATE THE REAR AREA AND THE UPGRADE OF THE RESTROOM. NEW AREAS PROVIDED WILL INCLUDE A SAFE ROOM, DISTRIBUTION/STORAGE AREA, WEIGHING AND PACKAGING AREA AND SIGN-IN. OPEN TRUSS
'CEILING' TO REMAIN.

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

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

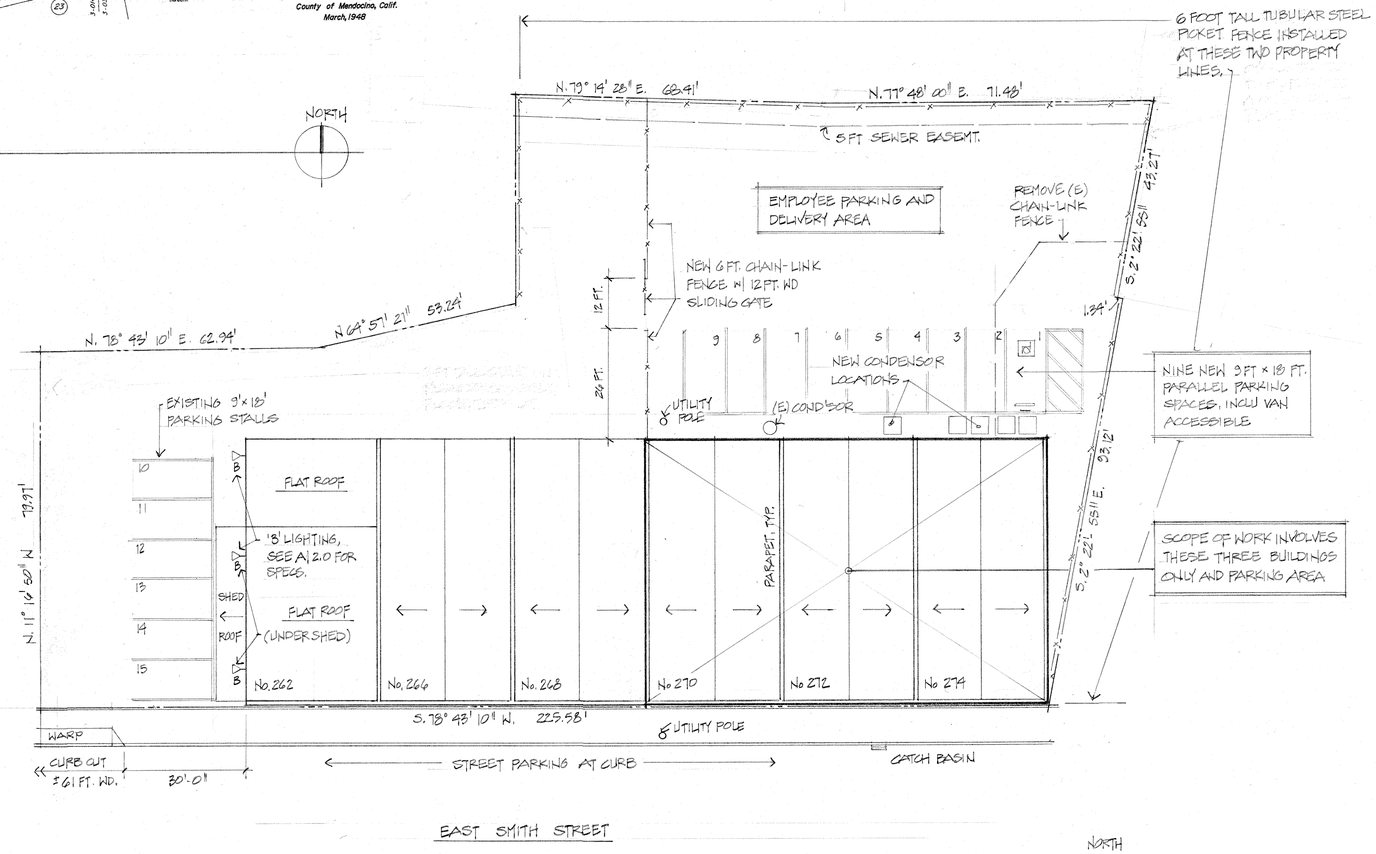
ALL THREE BUILDINGS WILL HAVE FULL TITLE 24- ADA COMPLIANCE AND PARKING COMPLIANCE.
BUILDINGS 272 AND 274 WILL HAVE FULL ELECTRICAL AND MECHANICAL UPGRADES AND NEW SPRINKLER INSTALLATION. (270 COMPLIES)

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



2 VICINITY MAP

NORTH



1 SITE PLAN

NORTH

BUILDING 270

BLDG TYPE: 5NR

BLDG. HEIGHT: APPROX.16'-0"

ZONING: GU

EXISTING USES: RETAIL HAIR SALON

PROPOSED USE: RETAIL SALES

OCCUPANCY: M

OCCUPANT LOAD:

FULLY-SPRINKLERED

BUILDING 272

BLDG TYPE: 5NR

BLDG. HEIGHT: APPROX.16'-0"

ZONING: GU

EXISTING USES: RETAIL UPHOLSTRY SHOP

PROPOSED USE: DISTRIBUTION

OCCUPANCY: M

OCCUPANT LOAD:

FULLY-SPRINKLERED

BUILDING 274

BLDG TYPE: 5NR

BLDG. HEIGHT: APPROX.16'-0"

ZONING: GU

EXISTING USES: VACANT RETAIL

PROPOSED USE: CULTIVATION

OCCUPANCY: M

OCCUPANT LOAD:

FULLY-SPRINKLERED

REVISIONS	BY
4 JUNE 2019	WW
20 AUG. 19	WW
10 SEPT 19	WW

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Date 20 APRIL '19
Scale 1/16" = 1'-0"
Drawn WALTERS
Job
Sheet A-0.0
Of Sheets

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

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

ODOR.

We understand that one of the aspects of cannabis that can bother neighbors is the odor, and even though we enjoy the scent, not everybody does. In order to be a good neighbor and comply with local and state regulations, we will be installing odor control units in all three buildings. Additional units will be added to the cultivation and dry/trim room as necessary. This will prevent odors generated from any storage and cultivation from being detected outside the premises by a person of normal sensitivity.[34]

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

[30] CUMC § 5708(M)(1)(a).
[31] CUMC § 5708(M)(2).
[32] CUMC § 5708(I).
[33] CUMC § 9174.2(B)(6), CUMC § 5708(I).
[34] CUMC § 9174.2(B)(5)(b), CUMC § 5708(H)(4).

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

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

DISPENSARY.

Wine Country Cannasseurs will serve not only as a welcoming storefront location for both veteran cannabis users and individuals trying cannabis for the first time, or maybe just for the first time in a long time, but as a safe and reliable source for cannabis delivered directly to an individual's home. Many individuals have physical or mental obstacles that make it very difficult to go to a storefront to get their cannabis. Whether this is the physical difficulty of driving to a location, a lack of transportation, or crippling social anxiety, Wine Country Cannasseurs will be able to cater to all local cannabis consumers.

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

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PLANS 80

NEIGHBORHOOD CONTEXT PLAN 81

Dear Ms. Irace,

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

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

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

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

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

[1] City of Ukiah Municipal Code (CUMC) § 9174.2(A)(3)(l).
[2] CUMC § 9174.2(B)(8), CUMC § 5708(N).
[3] CUMC § 9174.2(B)(8), CUMC § 5708(N).

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

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

Very Truly Yours,

Wine Country Cannasseurs

TABLE OF EXHIBITS

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

EMPLOYEE INFORMATION.

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

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

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

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

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

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[4] California Code of Regulations Title 16, Division 42. Bureau of Cannabis Control (BCC) § 5048(a).
[5] BCC § 5048(b).
[6] CUMC § 9174.2(B)(5)(h), CUMC § 5708(H)(9).

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

Beyond our managers, Wine Country Cannasseurs is committed to hiring the best local talent available for the jobs created by our retail storefront, delivery service, cultivation facility, and distribution facility, including the positions of budtender/delivery personnel, security personnel, and eventually cultivator. This additional staff will ensure that we maintain minimum staffing levels and always have at least one person present during hours of operation that is not responsible for dispensing cannabis.[8] Everyone hired will have to prove by clear-and-convincing evidence[9] that they are over twenty-one years old[10] and undergo a background check.[11] No agent, employee, volunteer, or person exercising managerial authority at Wine Country Cannasseurs will have a prior conviction as listed in Business and Professions Code section 26057(b)(4).[12]

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

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

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[7] CUMC § 9174.2(B)(5)(h), CUMC § 5708(H)(9).
[8] CUMC § 5708(H)(3).
[9] CUMC § 9174.2(B)(2)(b).
[10] CUMC § 9174.2(B)(2)(a), CUMC § 5708(B)(1).
[11]CUMC § 9174.2(B)(1), CUMC § 5708(A.)
[12] CUMC § 91742.2(B)(1).
[13] CUMC § 5708(L).
[14] CUMC § 9174.2(B)(7).
[15] CUMC § 9174.2(B)(7), CUMC § 5708(J).

Mandatory training will be a two-week course, specially designed by management, to cover job duties[16], rules and procedures required to follow state and local law, diversion prevention[17], track-and-trace[18], usage impact, possession and use limits, rules and procedures required to be in compliance with state and local law[19], and other pertinent information.

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

- Procedures surrounding the provision of access, during regular business hours, to City officials, officers or consultants hired by the City to inspect and verify compliance with this article.[20]
- Track-and-trace, and notifying the applicable State authorities and the Ukiah Police Department within twenty-four (24) hours of the discovery of any theft, loss, or criminal activity.[21] Such notification training shall include instruction that notification must be in writing, include the date and time of occurrence of the theft, loss, or criminal activity, and a description of the incident including, where applicable, the item(s) that were taken or lost.[22]

This reporting protocol shall go into effect upon the discovery of a significant discrepancy in the business's inventory[23], if Wine Country Cannasseurs becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity pertaining to the operations of the business [24], including if by an agent or employee of the business pertaining to the operations of the business.[25]

The above protocol will also be activated if Wine Country Cannasseurs becomes aware of or has reason to suspect the loss or unauthorized alteration of records related to

[16] CUMC § 5708(L).
[17] CUMC § 9174.2(B)(3).
[18] CUMC § 9174.2(B)(3).
[19]CUMC § 5708(L).
[20] CUMC § 9174.2(B)(11), CUMC § 5708(S).
[21] CUMC § 9174.2(B)(12), CUMC § 5708(T).
[22] CUMC § 9174.2(B)(12), CUMC § 5708(T).
[23] CUMC § 9174.2(B)(12)(a), CUMC § 5708(T)(1).
[24] CUMC § 9174.2(B)(12)(b), CUMC § 5708(T)(2).
[25] CUMC § 9174.2(B)(12)(c), CUMC § 5708(T)(3).

cannabis goods, customers or clients, or the business's employees or agents[26], or if we become aware of or has reason to suspect any other breach of security.[27]
All agents, officers, employees, and others acting for Wine Country Cannasseurs will have a laminated or plastic-coated identification badge issued by us upon the completion of training. The badges will be labeled with our name, Wine Country Cannasseurs, and license number, the employee's first name, the employee's unique employee number, as well as a color photograph at least one inch in width and one and a half inches in height.[28]

The only way that our employees can meet Wine Country Cannasseurs high standards is by understanding their duties. Therefore, in addition to the training mentioned above, each employee will be provided a copy of an employee handbook. A copy of the handbook is attached here as Exhibit C. Through training, education, and communications, we seek to build and maintain a cohesive, effective, and happy team.

The breakdown of positions, and how they will be shared between the facilities, will occur as laid out below.

The Dispensary.

Manager(s), Jay Donnellan, and Preston Bruner will primarily manage the dispensary. In addition, the dispensary will employ between ten and twelve individuals who will serve as budtenders/delivery personnel. Each employee will be at least 21 years of age, will provide proof of their age via government issued identification. Each employee will also undergo a LiveScan criminal background check as required by the City of Ukiah.

The dispensary will also have two or three security personnel assigned to assuring the facilities safety. By hiring security personnel who are not also managers, Wine Country Cannasseurs will ensure that access to the storefront dispensary is sufficiently secured and provide extra safety to both workers and customers

Duties of budtenders/delivery personnel are explained in detail under the business operation plan, included in this application.

[26] CUMC § 9174.2(B)(12)(d), CUMC, § 5708(T)(4).
[27] CUMC § 9174.2(B)(12)(e), CUMC, § 5708(T)(5).
[28] BCC § 5043.

There will always be at least one manager on duty at the dispensary to perform any necessary both managerial and security duties.

The Distribution Facility.

Jay Donnellan, Preston Bruner, and Jamie Fimbres will primarily manage the distribution facility. These Managers will also perform many everyday operations, including product intake, packaging, trimming, outgoing product, and movement of product to the dispensary.

The number of managers present is outlined under the business operation plan, included in this application.

Some actions in the distribution facility will require work from individuals in addition to managers. Such duties include, but are not limited to, trimming, weighing, packaging, and labeling cannabis from the cultivation facility of the microbusiness. These duties are seasonal and will be scheduled in advanced. These duties will be performed by budtenders, cultivators, and seasonal staff as necessary.

There will always be at least one manager on duty at the distribution facility during operating hours. to perform both managerial and security duties when security duties overlap with other managerial requirements/or responsibilities.

The Cultivation Facility.

The cultivation facility will be run by the two Lead Cultivators, Jamie Fimbres, and Matthew Sear. At our current contemplated size, Mr. Fimbres and Mr. Sear will be able to complete the cultivation duties themselves, but eventually, hope to expand our cultivation team. Trimming and processing is a job that cannot entirely be handled by Mr. Fimbres and Mr. Sear. As such, budtenders may be utilized to perform this work during slow hours, or seasonal workers will be hired and scheduled in advanced. Both of our managers are over 21 years of age and will undergo a LiveScan criminal background check as required by the City of Ukiah.

The specific duties of these cultivators are detailed in the business operations plan, included in this application.

There will always be at least one manager on duty at the cultivation facility to perform both managerial and security duties when security duties overlap with other managerial requirements/or responsibilities.

BUSINESS OPERATIONS PLAN.

MISSION STATEMENT.

"Humbly serving people with excellence, gratitude, and passion."

Wine Country Cannasseurs is a collaborative entity that brings together a small group of experienced cannabis entrepreneurs who, together, are dedicated to providing patients with consistent quality medicine and to broadening the medicinal and adult-use market.

To survive in the growing regulated market, and to provide the quality that we pride ourselves on, Wine Country Cannasseurs seeks to be vertically integrated. Becoming vertically integrated will enable Wine Country Cannasseurs to grow cannabis and handle the distributor's responsibilities, such as packaging and quality assurance, thus allowing the company to keep the cost of the products lower for the consumer. By operating as a microbusiness, we are not only able to able vertically integrate to keep our prices lower for the consumer but will also be able to bring the members of SureFire Selections, experienced pre-regulated industry cultivators, onto our team and allow them to enter the legally regulated market.

In order to successfully operate a microbusiness, we will operate from three adjacent units that we are currently renting on East Street, all of which are correctly zoned for commercial cannabis operations. One unit will be used for cultivation, one for distribution, and the other for retail. This will ensure safety and compliance with local and state regulations by eliminating any public access to the distribution or cultivation facility.

Our goals begin with those that have been pursued and practiced by our cultivators for years, and are simple:

1. To cultivate the BEST grade cannabis in the world.

2. To give our consumers/members a direct insight of how their product is developed.
3. To educate the broader public as a whole and raise awareness of the best AND the worst that is happening in cannabis culture today.
4. To be a responsible and productive member of our local community and a leader in our industry.

"The Best."

But what does this mean? When we say that we aim to produce "the best" product, "The best" **does not** mean the most potent THC content; it **does not** indicate the largest quantity; and it **does not** mean the shiniest packaging. "The best," to us, means the healthiest. From this objective, everything else follows.

"The best" means that our cultivation does not use any petroleum-based nutrients with heavy metals. Any synthetics we use are pharmaceutical grade, clean, and non-chemical based. Most of what we use is approved for use in organic farming. It means we do not use chemical pesticides of any sort, nor do we use chemical insecticides, miticides, fungicides, or ovicides. It means we care about our consumer and make sure to do thorough research on any products we use on our/your plants. It means we focus on the PLANT and its health. We focus on growing plants that are nutrient dense, in soils that are LIVING and teeming with microbial activity. We thrive on coming into a workplace of beautiful, healthy plants. We won't settle for anything less because we believe that plant health and human health go hand in hand. And whether the cannabis is for a patient or an adult recreational user, everybody deserves to be healthy.

"Direct View - Know Your Farmer."

Wine Country Cannasseurs believes in the Farm-to-Table model. This is primarily why we want to be vertically integrated. Vertical integration is becoming more of a staple, especially in Northern California. Wine Country Cannasseurs believes in knowing your farmer and forming relationships with the people who grow our produce. Such a philosophy creates confidence in the consumer and integrity in the farmer.

Similarly, we believe that you should have that same relationship with your cannabis farmers. Wine Country Cannasseurs believes that when it comes to cannabis, there is

nothing better than seeing your plants grow, and knowing what is going into them. We believe that this ideal will create confidence in our consumers that the utmost care has gone into the products that they consume.

This ideal is one of the reasons we document on social media and create content of our gardens to explain all of the things we do so that you can see firsthand what exactly we use at the root zone and on the leaf surface of the plant and why. It transforms cannabis from an intimidating and unknown drug to a rather beneficial plant.

"Education, Education, Education."

Most of the general public have preconceived notions and opinions on cannabis because they are misinformed and uneducated on the subject. Cannabis consumers, growers, distributors, and also the general public who don't consume cannabis at all, need more education. We strongly believe that education is the key to the future of the cannabis industry.

We are always seeking further our knowledge by taking various education courses, doing our own research and development, as well as learning from other members of the industry. We are the innovators, and we look to other innovators to help inspire and educate us. We believe that collaboration is the key to future development in the cannabis industry.

Wine Country Cannasseurs' team has been working in the industry for years. Our members have observed as cannabis has gone from just legal medicinally in California, to now being both medicinally and recreationally legal in over half the country. As the trend of more and more people becoming aware of cannabis continues, we think one of the best things that we can do is HELP others understand the plant and all that surrounds it. We want to be able to teach people how to grow their own healthy cannabis. This is one of the many reasons why we document our gardens and explain in detail how and why we do what we do. The more people we can educate as to what healthy cannabis is and how to achieve healthy cannabis, the more successful we will consider our efforts to be.

"Community."

Cannabis cultivation has a bad reputation because it continues to be criminalized federally and in some states. Even in states where it has been legalized, there are still

many ways for individuals to be prosecuted. With so many uncertainties and very few entities becoming licensed, the reputation of cannabis cultivation and cultivators has become tainted.

In some communities, gardeners have had a positive and welcomed influence and role. However, this has not been the case in all communities. We understand this, and we know why this is so. As such, we have mirrored our best-in-class approach to cultivation with a best-in-class approach to community relations and the cannabis industry as a whole.

We plan to have a strong presence at local cannabis events as well as use our dispensary storefront and delivery service to share information about our cultivation and what we do. We will meet with other select industry actors and exchange ideas, experiences, and knowledge. It is important for us to maintain a strong network and excellent reputation in the cannabis community online and in person.

We understand that, given our mission, we have a responsibility to lead and to lead by example. We are proud of what we do and the way we do it. We are different, we are involved, and we are current. We have an obligation to all of the people we interact with to earn their trust. We have been successful in that so far and are excited to see what the future holds for cannabis and our place in the industry. We understand that this will take hard work, time, and consistency in action. We are happy to do it!

FACILITY.

A big part about who we are and how the community will interact with us is our facility. As a microbusiness, we will have three separate units as part of our facility; a dispensary, a distribution facility, and a cultivation facility. Only the dispensary will be open to the public.

In taking care of our facility, we take care of our community. To do so, we will institute a strict managerial policy to ensure that all reasonable steps are taken to discourage and correct any conditions that are objectionable to our neighbors. This includes the elimination of nuisances in the parking areas, sidewalks, alleys, and areas around our premises and adjacent properties during business hours that may be created by our patrons.[29] Our policies will include requesting those engaging in objectionable

[29] CUMC § 5708(M)(1).

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

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

ODOR.

We understand that one of the aspects of cannabis that can bother neighbors is the odor, and even though we enjoy the scent, not everybody does. In order to be a good neighbor and comply with local and state regulations, we will be installing odor control units in all three buildings. Additional units will be added to the cultivation and dry/trim room as necessary. This will prevent odors generated from any storage and cultivation from being detected outside the premises by a person of normal sensitivity.[34]

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

[30] CUMC § 5708(M)(1)(a).
[31] CUMC § 5708(M)(2).
[32] CUMC § 5708(I).
[33] CUMC § 9174.2(B)(6), CUMC § 5708(I).
[34] CUMC § 9174.2(B)(5)(b), CUMC § 5708(H)(4).

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

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

DISPENSARY.

Wine Country Cannasseurs will serve not only as a welcoming storefront location for both veteran cannabis users and individuals trying cannabis for the first time, or maybe just for the first time in a long time, but as a safe and reliable source for cannabis delivered directly to an individual's home. Many individuals have physical or mental obstacles that make it very difficult to go to a storefront to get their cannabis. Whether this is the physical difficulty of driving to a location, a lack of transportation, or crippling social anxiety, Wine Country Cannasseurs will be able to cater to all local cannabis consumers.

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

implement policies to prevent access to the dispensary or sales that violate the law, such as sales to anybody other than qualified patients, caregivers, or eligible adult use patrons.

Wine Country Cannasseurs will have its dispensary storefront open to the public and offer home delivery services between the hours of 9:00 a.m. and 9:00 p.m. Monday through Saturday.[35] We currently only plan to engage in the sale of cannabis and other items permitted by the city of Ukiah regulations. If we ever wish to expand our inventory, we will seek approval of the Planning Commission. No more than 150 square feet of the storefront will be used to display and sell devices necessary for administering cannabis, such as papers, pipes, and other devices.[36] We will never provide cannabis or cannabis products through a drive-through window. On Sundays, our hours of operation shall be limited to 1:00 p.m. to 9:00 p.m., to avoid any conflict with the services times of our neighboring church. Limiting our hours will also enable us to prevent parking congestion, illegal parking, and any other adverse impacts on the church.

Our dispensary team will be composed of two categories of employees: Managers and budtenders/delivery Persons (BT/DP). Managers will be considered multi-purpose employees who can perform both managerial and regular employee services depending on need. All managers will receive guard card training and certification. The training program is offered by Weinstein Security and ensures that all participants are licensed by the Bureau of Security and Investigative Services and undergo training that complies with Chapters 11.4 and 11.5 of Division 3 of the Business and Professions Code.

During the hours that the dispensary is open to the public, there will be at least two BT/DP present at the dispensary building. BT/DP employees will work 8 hours shifts that are staggered to overlap with one another. There will always be at least one manager on duty at all times.

While each day will bring its specific actions and requirements, the average dispensary schedule will follow the general outline below:

[35] CUMC § 5708(E).
[36] CUMC § 5708(G)(2)-(3).

1. A security guard arrives at 8:30 a.m. Upon arrival, they will log in and put on their employee badge. At that point, they will prepare their desk station at the front of the building in the lobby. From this location, they will be able to access both the first computer for customer check-ins and monitor the second computer set up for security purposes. Before the 9:00 a.m. door open, they will perform a perimeter check on all three facilities (i.e., dispensary, cultivation, distribution).
2. The manager arrives at 8:30 a.m., and unlocks the gate to the back employee parking lot to allow for employees to park. The manager will also verify that there has been no disturbance of the facility, which would be marked by broken windows, forced doors, or other signs of entry. Upon confirmation of security, the manager will login and collect their badge. They will then turn on the dispensary computers and lights and check the dispensary floor displays. The Manager will then lay out badges for the employees who are scheduled to arrive at 9:00 a.m.
3. The manager will then go to the vault at 8:45 a.m., to retrieve product samples for the displays and $100 in change for the register. The manager will then log into the vault (recording the time of entry), will retrieve the samples and cash, and will ensure the vault is locked behind before logging the time of closure of the vault.
4. The budtenders/delivery persons (BT/DP) will arrive on a staggered schedule. BT/DP #1 will arrive at 8:30 a.m., with the Manager. They will login and retrieve their badge and wait as the manager confirms there are no signs of disturbance. Upon completion, BT/DP #1 will sign into one of the computers and checks dispensary emails. Depending on the number of emails, BT/DP #1 will also help prepare displays. BT/DP #2 will arrive at 9:00 a.m., and park in the back lot. They will also login and retrieve their badge.
5. At 9:00 a.m., the dispensary storefront will open to the public. The patient and customer check-in desk will be prepped and manned by a security guard to receive customers, confirming age and/or patient status using government identification and recommendations or medical marijuana program identification cards, and buzz them into the dispensary. The security guard will also monitor the security cameras on their computer.

6. Between 10:00 a.m. and 4:00 p.m., distributors are welcomed to come by and deliver the pre-ordered product. (See Distribution Plan.)
7. During open hours, the dispensary will receive customers throughout the day. The Bud Tenders will concentrate on helping customers, showcasing products, and replying to emails with the retail floor computers. Email review will include staying updated on the OnFleet software that will be used by Wine Country Cannasseurs. OnFleet will allow BT/DP to check for orders coming in by computer and phone. When an order comes in, and a BT is not actively helping a customer, and there is no line for in-store customers, they will perform delivery services. (See Delivery Plan.) Deliveries are scheduled to occur at 10:00 a.m., 2:00 p.m., and 6:00 p.m.

BT/DP's have the option to take two ten-minute breaks throughout the day. Breaks will occur at appropriate times, based on delivery and customer needs

1. Throughout the day, the manager will access the vault to stock product for retail and delivery, and to deposit money from sales and delivery. The manager will go to store cash in the vault anytime the cash register exceeds $1,000. The default schedule for this will be every two hours.
2. At 1:00 p.m., the security guard will have an option to take a break but will not be permitted to leave the premises without coverage. During this break, the manager will take over the front check-in desk. During their shift, security guards will always remain on premises, either the monitoring security computer or walking the premises.
3. At 1:00 p.m., BT/DP #3 will arrive, login, get their badge from manager #1, and relieve BT #1 for their 30-minute unpaid lunch break. BT #3 will check the retail floor to ensure it is correctly displayed and stocked and will work the dispensary front.
4. When BT #1 returns from lunch break, they will relieve BT #2 for their 30-minute lunch break. When the BTs leave for lunch and return from break, they shall logout and log back in. This logout process will include removing their badge if they leave the micro-business premises.
5. 8:30 a.m. to 4:30 p.m., is the shift for BT/DP #1. 9:00 a.m. to 5:00 p.m., is the shift for BT/DP #2.

6. At 2:00 p.m., security guard #2 will arrive. They will check in, retrieve their badge, and then take over duties at the front desk checking customers in and buzzing them back to retail. Upon the arrival of security guard #2, security guard #1 will be free to leave. They will logout, remove their badge, and exit the premises.
7. At 4:00 p.m., manager #2 will arrive. They will log in, retrieve and put on their badge, and have a meeting with manager #1 to get information on the day. Manager #2 will then take responsibility for checking the retail floor and the 2-hour vault deposits. The manager will also assist BT/DP in all retain activity and assign out tasks as necessary.
8. At 4:15 p.m., BT/DP #4 will arrive, login, retrieve their badge, and go out to the retail floor.
9. Manager #1 will leave at 4:30 p.m. once they have passed along information to manager #2. At that time, both managers will go to the vault and ensure that manager #1 collects the money to be deposited. This process will prevent too much cash from accumulating on site and attracting criminal activity. Manager #1 will have the amount of cash verified by manager #2 and will be let out of the locked parking lot by manager #2.
10. At 4:45 p.m., BT #2 will print out an end of the day report, meet with the on-duty manager, and turn in their cash drawer. They will then clock out, logout, and turn in their badge at 5:00 p.m.
11. At 5:30 p.m., BT #3 will take a 30-minute break, checking in with the manager on duty. When they return from break, they will continue assisting on the retail floor, taking delivery orders, and preparing orders for delivery.
12. From 5:30 p.m. to 9:00 p.m., retail operations and delivery operations will continue.
13. At 8:45 p.m., BT #3 will report to the manager, turn in their cash drawer, clock out, logout, turn in their badge, and exit through the back parking lot.
14. At 9:00 p.m., the dispensary floor will close. Once the last customers have left, all product inventory remaining on the shelves will be collected by the manager and remaining BTs and will go in the vault.
15. At 9:15 p.m., BT #4 will report to the manager, turn in their drawer, and help with closing up procedure. This will include verifying reports, putting cash in

the vault, and assisting in any other area as needed. BT #4 will leave at 9:30 p.m., after logging out and turning in their badge.

16. The manager secures will then lock the building with security guard #2 and exit through the back door, arming the alarm as they go.

While outlined above, there are specific policies that we believe need to be emphasized in training and repeated in this application. It is these policies that make it clear that we will meet all the operating criteria for both the city of Ukiah and the State of California as required by law.

The entrance to the Wine Country Cannasseurs dispensary will be manned by a security employee making sure to prevent access to underaged individuals and monitor site activity to control loitering and site access. Specifically, anybody under the age of eighteen (18) will not be given access unless they are a qualified patient or a primary caregiver and are in the presence of their parent or guardian[37]. At our entrance, there will be a clearly and legibly posted notice indicating that persons under the age of eighteen (18) are precluded from entering the premises unless they are a qualified patient or a primary caregiver, and they are in the presence of their parent or guardian.[38] Because we will also serve adult-use clients, we will have a clearly and legibly posted notice indicating that non-patients under the age of twenty-one (21) are precluded from entering the premises. Also, prominently and conspicuously displayed will be our use permit so that all persons entering the business will easily see it.[39]

We understand that the burden of proof in showing that we prevent underaged access is ours and that we must do so by clear and convincing evidence.[40] Our policies on checking identification and the highly surveilled nature of the dispensary will make such a burden of proof easily met.

In addition to having the entrance to the dispensary carefully screen for minors, we will also keep the building locked with entry carefully watched by security personnel. Security personnel will verify age and/or patient status upon entry to the dispensary

[37] CUMC § 5708(B)(2).
[38] CUMC § 5708(B)(3).
[39] CUMC § 5708(P).
[40] CUMC § 5708(B)(4).

lobby and carefully and strictly control entry to the dispensary floor.[41] The setup of the lobby prevents anybody from entering the dispensary without being seen by the security personnel at the front desk.

Security personnel will also monitor activity on the site and control site access while being in communication with other staff to control loitering and further site access.[42] Wine Country Cannasseurs will service both medicinal and adult-use cannabis users. As such access to our site will be limited to dispensary staff, primary caregivers, qualified patients, persons the age of twenty-one (21) and over, and persons with bona fide purposes for visiting the site.[43]

Patients and primary caregivers will only be permitted to visit the dispensary once they have a valid written recommendation.[44] Only a primary caregiver and qualified patient or persons the age of twenty-one (21) and over will be permitted within the dispensing area with dispensary personnel. All other authorized visitors shall remain in the designated waiting area in the front entrance/lobby.[45] Restrooms shall remain locked and under the control of management.[46]
While we will provide dispensing services and educational materials for medicinal cannabis patients, we will not have a physician on site to evaluate patients and provide a recommendation for medical cannabis.[47]

Further, we will maintain and verify patient records as needed, and at least annually verified with the qualifying patient's medical doctor or doctor of osteopathy unless the patient has provided a California Medical Marijuana Identification Card or a Patient ID Center Identification Card.[48]

We understand that documentation identifying the names of patients, their medical conditions, or the names of their primary caregivers are confidential documents and that disclosure of such documentation is prohibited pursuant to the Federal Health Insurance Portability and Accountability Act of 1996 and the Confidentiality of Medical

[41] CUMC § 5708(C)(1).
[42] CUMC § 5708(C)(2).
[43] CUMC § 5708(C)(3).
[44] CUMC § 5708(C)(4).
[45] CUMC § 5708(C))5).
[46] CUMC § 5708(C)(6).
[47] CUMC § 5708(D)(4).
[48] CUMC § 5708(D)(2)(b).

Information Act. As such, we will maintain records of all qualified patients with valid identification cards and primary caregivers with valid identification cards using only the identification card numbers issued by the state, or its agents, pursuant to California Health and Safety Code section 11362.[49] The records will be maintained electronically and be readily availed to any authorized agents of the city or state requesting them.

Inventory control and storage of cannabis and cannabis products is outlined in our storage and inventory plan, as described in this application.

Product Recalls

If we are notified of a product recall, we will immediately pull all items off the shelf and store them in a disposal bin labeled recall, inside of our safe room. Any products that have been sold to a customer are stored into our computer system. In the event of a recall, we will be able to track each product back to each customer and will inform them of the recall. We will keep all recalled products stored until we receive further instructions from the distributor.

We may allow a customer to return cannabis goods previously sold to them, but no such returned item will be resold.[50] Any cannabis goods abandoned on our premises will be considered the same as a return.[51]

DELIVERY.

Delivery activities will be operated from the dispensary space, behind storefront retail activity and designated and accessible only to budtender/delivery Persons (BT/DP), managers, and security personnel. No public entry is permitted in the dispensary space.

Deliveries will go out based on a daily schedule, Monday through Sunday. The delivery schedule will include deliveries at 10:00 a.m., 2:00 p.m., and 6:00 p.m., with a possible last delivery at 8:00 p.m.; based on demand. On Sunday's deliveries will only take place at 2:00 p.m. and 6:00 p.m., with an optional 8:00 p.m., delivery based on demand.

[49] CUMC § 5708(K).
[50] BCC § 5410(b)-(c).
[51] BCC § 5410(d).

Wine Country Cannasseurs will utilize OnFleet software as the platform for delivery. OnFleet will sync with our Point of Sale (POS) system TREEZ and will facilitate communication between managers and delivery persons. The software will provide efficient driving routes, real-time driver tracking, and provide updated information to the patient or customer. OnFleet software is an app downloaded on work phones and made available to employees. These phones will only be accessible to employees during business hours for specific job functions.[52] OnFleet also collects data as it goes, allowing for information to be carefully tracked and used to make Wine Country Cannasseurs more responsive to the needs of the individuals we serve and to keep accurate records to prevent diversion and other crimes.

When an online order or phone order comes in, a budtender will enter the order into the computer system and print an inventory invoice of the order. Using this invoice, the budtender will then select the ordered inventory from the retail space or retail storage. This order will then be double checked against the invoice as it is packaged in an exit bag. This verified order and the corresponding receipt will then be taken to the back room where it will be stored on the timed shelves according to the arranged delivery schedule. OnFleet helps us to facilitate our delivery, but do not perform any of the delivery services.[53] Wine Country Cannasseurs delivers all cannabis and cannabis products.

Further, while we pay for the services provided by OnFleet, the price of the services is not based upon our sales, so there is no prohibited profit sharing or percentage portion paid[54]. When placing orders, patients and adult-users will be informed that they are being served by Wine Country Cannasseurs and have our license number available to them.[55] All receipts will have our name and license number on them so that no customer is confused by who is providing the delivery service.[56] We will not advertise our cannabis or cannabis goods in conjunction with OnFleet, and we will not allow them to advertise using Wine Country Cannasseurs.[57]

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[52] BCC § 5417(d).
[53] BCC § 5415.1(b).
[54] BCC § 5415.1(b)(2).
[55] BCC § 5415.1(b)(4)(A).
[56] BCC § 5415.1(b)(4)(B).
[57] BCC § 5415.1(b)(3).

Wine Country Cannasseurs will strictly enforce purchase limits. Adult-use cannabis users will not be provided with cannabis in excess of 28.5 grams of non-concentrated cannabis, eight(8) grams of cannabis concentrates, and six immature cannabis plants per day.[58] The same adult-user will not be permitted to exceed these daily limits whether they place their order in a single transaction or multiple transactions. We will ensure this through the use of track-and-trace.

Medicinal users will also have daily limits imposed, in the amount of eight(8) ounces of cannabis flower, 12 immature plants,[59] or the amount indicated on their physician recommendation.[60] Customers may not combine their status as both an adult-user and medicinal cannabis patient to exceed these limits.[61]

No delivery driver will deliver an order while in an intoxicated condition or under the influence of a narcotic drug. All delivery will occur only in compliance with all applicable local and state laws. Delivery will only be made to qualified patients and caregivers and persons eligible for adult use at their residence in the City or to the same groups of people outside the city.

The delivery space in the facility will be located within the dispensary building but shall be separate from the retail floor and vault room. The delivery space will only be accessible to employees. These employees will enter exit the space to bring in packaged orders and exit thereafter. The delivery space is located within the same building as the dispensary. Outside of the retail floor, is an employee only designated area. A wall separates the retail floor with a door that opens into the employee only area. This space includes the following:

- An employee lounge.
- An employee only restroom.
- The safe room.
- The manager's office/product intake room/outgoing delivery storage

In the managers office there will be a wall of shelves that hold all the outgoing delivery packages. The shelves will coordinate with the delivery timed schedules. Like all other

[58] BCC § 5409(a), CUMC § 5708(D)(1).
[59] BCC § 5409(b).
[60] BCC § 5409(b).
[61] BCC § 5409(d).

areas, this area will be equipped with security cameras. All individuals performing delivery order preparation or delivery will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

1. Upon receipt of a delivery order, a budtender will prepare a delivery request receipt/manifest of the order by entering it into our track and trace equipped POS system (TREEZ) and print it out. This delivery receipt/manifest will include Wine Country Cannasseurs's name and address, the delivery employee's name and badge number, the name of the employee who prepared the order, the name of the customer, the order number, the date and time the delivery was entered into the system, the delivery address, a detailed description of the products requested for delivery (including weight, volume, or other applicable measurement), the total amount paid or to be paid for the delivery (including taxes, fees, cost of goods, and other charges), and a location to write in the date and time the delivery was made, and finally, a place for the customer to sign.[62]
2. Using this manifest, the budtender will then collect the order from the dispensary floor inventory. If product is not in stock on dispensary floor, the budtender will inform the manager the item needs to be restocked and will ask to retrieve the product from the storage room.
3. The budtender will then verify that the manifest and the order are identical, before packing the order into an exit bag. This fully contained order will be taken to the delivery area and placed on the shelf corresponding to the order's expected delivery. I.E., If it is 11:00 a.m. when the order comes in, it will go on the 2:00 p.m. delivery shelf, unless the patient or adult-user who ordered it requested later delivery time.
4. Thirty minutes before delivery, a manager will go to the delivery space to review the orders. They will then confirm that all items are ready and then reference our OnFleet program to create an appropriate delivery route. The route will be planned so that the driver travels only from the storefront to the delivery addresses, in the quickest and most efficient manner.[63]

[62] BCC § 5420(a).
[63] BCC § 5421.

5. The manager will then create a delivery inventory ledger for the orders, which will include the type of good, the brand, the retail value, the track and trace identifier, and the weight, volume or another accurate measure of the cannabis good.[64] This inventory ledger will identify all cannabis goods prepared for the order[65] The manager will also verify that the outgoing inventory cost to be carried within the vehicle does not exceed $5,000.[66]
6. The manager will then place each separately packaged delivery order in a transport lockbox and set the lockbox and corresponding inventory ledger near the exit door.
7. The manager will then meet with the driver to; verbally go over the route, provide them with the inventory ledger, and ensure that they have sufficient change/a credit card machine.
8. The manager will then send the route to the delivery driver via OnFleet and confirm that the delivery driver has received the route correctly. The driver and manager will then load the vehicle, ensuring that the cannabis goods are within the enclosed lockbox, secured on the inside of the vehicle, and are not visible to the public.[67]
9. The manager will then confirm that the driver has the inventory ledger, a copy of Wine Country Cannasseurs's current license, a government-issued identification, and an employee identification badge.[68]
10. The manager will then open the locked security gate to allow for the delivery vehicle to exit the premises. Immediately after the delivery vehicle has exited, the manager will lock the gate behind them.
11. The manager will then return to the delivery space and monitor the delivery route via OnFleet's GPS system, which every vehicle will be outfitted with.[69] The manager will also maintain contact with the driver.
12. During delivery, the driver will maintain a log that includes all stops from leaving the facility to returning.[70] No driver will consume any cannabis goods

[64] BCC § 5418(e).
[65] BCC § 5418(e).
[66] BCC § 5418(a) and (b).
[67] BCC § 5417(b).
[68] BCC § 5415(e).
[69] BCC § 5417(d).
[70] BCC § 5418(f).

while delivering goods to customers.[71] Delivery will only take place at a physical address in California, will never utilize a route that leaves the State of California, and will not be delivered to an address located on publicly owned land, any address on land or in a building leased by a public agency[72], or any school, day care center, or youth center.[73]

13. At the time of delivery, the delivery employee will remove the specific order from the lockbox and then carefully re-secure the lockbox of the other orders. The vehicle will then be locked and armed behind the driver so that no cannabis goods are ever left in an unattended motor vehicle unless the vehicle is locked and equipped with an active vehicle alarm system, and all goods are secured in the enclosed lock box.[74]
14. The delivery driver will begin the delivery by requesting the customer's identification and, if applicable, physician recommendation. Before any delivery may be made, the driver must verify the customer's identity, age, and (if applicable) physician's recommendation, using an acceptable form of identification as established by state law.[75]
15. The employee will also complete the delivery request receipt, have the customer sign the appropriate line, and then provide the customer with a hard or electronic copy.[76] The delivery driver will thank the customer for their business and return to the vehicle.
16. After each delivery stop, the delivery driver will update the inventory ledger, marking each delivery as successful or not completed.[77] During the process of delivery, the delivery employee will not engage in any activities except for cannabis goods delivery and necessary rest, fuel, or vehicle repair stops.
17. Upon the driver's return, a manager will open the security gate to allow the vehicle to enter. The manager will then lock the security gate behind the vehicle.

[71] BCC § 5419.
[72] BCC § 5416(c).
[73] BCC § 5416(e).
[74] BCC § 5417(c).
[75] BCC § 5415(f).
[76] BCC § 5420(b).
[77] BCC § 5418(e).

18. The driver will then unload and log all undelivered cannabis products, money, and documentation. The delivery driver will provide the log to the manager, in which all stops were recorded as well as the final signed copies of all receipts.[78] The only non-planned stops permitted on the route log will be those necessary for rest, fuel, or vehicle repair stops, or because road conditions make continued use of the route unsafe, impossible, or impracticable.[79]
19. The Manager will then enter all logs, delivery request receipts, and other logs into the database, place all cash in the safe room, and secure the CC swipe machine.[80] This protocol will be repeated for each delivery.

Vehicles.

To ensure safety and compliance, Wine Country Cannasseurs will have a company owned delivery vehicle used for delivery and distribution transportation.[81] The GPS tracking of this vehicle will be done through the use of a company owned cellphone with the OnFleet App.[82] Cannabis and cannabis products will be stored in the lock boxes described above for safe movement from facility to vehicle.[83]

Ensuring that our vehicles meet local and state standards is of the utmost importance. Only our employees will operate our vehicles, and only employees will be present in the vehicle.[84] Each vehicle used will be a fully enclosed motor vehicle without any marking or indication that it is carrying cannabis goods for delivery on the outside.

Further, no cannabis or cannabis products will be visible from outside the vehicle to the public.[85] All cannabis or cannabis products will be locked in a fully enclosed container which shall be secured on the inside of the vehicle.[86] No part of the box will be comprised of any part of the body of the vehicle, including the trunk.[87] Cannabis and cannabis goods will only be left unattended in the vehicles if they are stored in the

[78] BCC § 5418(f).
[79] BCC § 5421.
[80] BCC § 5418(f).
[81] BCC § 5311(a).
[82] BCC § 5417(d).
[83] BCC § 5417(b).
[84] BCC § 5417(a).
[85] BCC § 5417(b).
[86] BCC § 5417(b).
[87] BCC § 5417(b).

locked container, and the vehicle is locked and equipped with an active vehicle alarm system[88].

Every vehicle will be equipped with a Global Position System (GPS) device while performing a delivery service. This GPS service will be provided through OnFleet and will track the geographic location of the vehicle as well as record a history of all locations traveled to by the delivery driver while engaged in delivery. OnFleet, as described in the Inventory section of this application, is an App. This App will be installed on work phones that will be owned by Wine Country Cannasseurs and used only for delivery services.[89] Each delivery phone will be temporarily affixed in the vehicle and remain on for the entire delivery, enabling a manager back at the dispensary to access the GPS information. All of this GPS information will be made available to the Bureau of Cannabis Control (BCC) upon request, and the GPS history will be maintained for a minimum of 90 days.[90]

Beyond the GPS information, information regarding Wine Country Cannasseurs's vehicles, including the vehicle's make, model, color, vehicle identification number, license plate number, and California Department of Motor Vehicles registration information, will be made available to the Bureau of Cannabis Control (BCC) upon request.[91] Every vehicle is subject to inspection by the BCC during delivery or at any facility, and drivers will be aware of this fact before beginning any delivery.[92]

All items will be packaged and sealed in mandatory packaging that will cut down odors. The vehicle will have an air system for odor control, specifically a Blue Air, Blue Pure 411, 161-foot air purifier. This will prevent cannabis from being detected

from outside the vehicle by scent, just as no cannabis will be visible from outside the vehicle.

DISTRIBUTION.

As a microbusiness, Wine Country Cannasseurs plans to provide in-house distribution so that we can take the cannabis we cultivate and lawfully have it available to the

[88] BCC § 5417(c).
[89] BCC § 5417(d).
[90] BCC § 5417(d).
[91] BCC § 5417(e).
[92] BCC § 5417(f).

patients and adults who we serve through our dispensary. We also plan on offering distribution services to other licensed commercial cannabis businesses, mainly as we grow.

The distribution portion of our facility will be open between 9:00 a.m. and 5:00 p.m., Monday through Friday. Distribution appointments will occur between opening and closing, and if processing time is required beyond our usually scheduled hours, we will arrange to accommodate that. Such an arrangement will be possible because all incoming vehicles and deliveries will be by appointment only and will require no less than 24-hours notice. Distribution appointments will be regularly scheduled a week in advance. Upon reservation, the other licensee will provide the license plate number and driver's identification so that a manager can check it upon entry into the gated parking lot.

Protocol:

1. The third-party licensee driver will pull up to back gate at the designated time, and a manager will check that their vehicle's license plates and driver's identification match the information on file. If the information does not match, the manager will contact the third-party licensee for confirmation of the driver's identity.
2. Once the driver's identity is verified, either against the information provided or by contacting the third-party, they will be let into the gated parking lot. As soon as they enter the gate will be closed and locked behind them.
3. They will be directed to park as close to the distribution building entrance as possible and will be escorted into the distribution building. At least one security trained individual will stay in the parking lot to ensure that the vehicle holding the cannabis or cannabis products is not left unattended.
4. The manager will have the driver sign in on an iPad and provide the manager with a copy of the shipping manifest.
5. The manager and the driver will then go back to the vehicle and unload the product. The product will be checked against the shipping manifest as it is unloaded under video surveillance.
6. Once the product is verified against the manifest, the manager will accept any necessary tax payments and provide payment to the third-party licensee driver.

7. The driver will then sign out on the iPad and return to their vehicle, escorted by the manager.
8. The driver will then be let out of the back compound, with an individual manually unlocking, opening, closing, and relocking the gate behind the driver.
9. The third individual, either another manager or a BTD, will stay in the secured distribution building to log the new product.
10. Once the third-party driver has left, the manager will go back to the distribution building and verify the work of the third individual.
11. After the inventory is verified, the manager will take the cannabis and cannabis products to be stored in the safe or take them to the retail building, depend on inventory needs in the dispensary. All product taken to the storage room will be logged in or will be logged out to the dispensary. If the third individual has the appropriate inventory software allowances, they will log the verified inventory into the computer. Otherwise, the manager will do so.

In addition to being a location for third-party deliveries to take place, the distribution facility will also be used as a location for testing samples to be obtained by a licensed testing laboratory. Wine Country Cannasseurs will partner with Anresco Testing Laboratory for our testing needs. If necessary, we will also partner with Sonoma Lab Works or another properly licensed testing laboratory facility. Additionally, the distribution facility will be where Wine Country Cannasseurs will process our in-house cannabis flower. This will include rolling flower into pre-rolls, packaging flower, and labeling packages.[93] Beyond curing our in-house flowers, the only processing and packaging steps that will be taken before sending our cannabis out to be tested will be bulk packaging for storage and pre-rolling all joints/pre-rolls.

Pre-Rolling.

All individuals performing work as part of Pre-Roll Protocol will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

1. Hygiene standards implemented by Wine Country Cannasseurs will require all employees to wear a lab coat, protective eye gear, gloves, and a hairnet. All of

[93] BCC § 5303(a).

these will be disposable, except for the glasses which will be wiped down with an alcohol cleaner before and after each use and kept in a closed plastic bin between use.

2. All rolling will be done on table three in the distribution building, which is the table measuring four feet long. The table will be equipped with rolling papers, grinders, a large rolling tray, and a rolling machine by rocketbox.
3. When rolling for pre-rolls, one employee with a weighmaster certification will bring a vacuum sealed flower bag to the table.
4. The employee will make sure the flower is ground up using a grinder so that the flower will fit inside of each rolling paper.
5. Depending on the type of pre-roll to be created, these units will be placed within reach of a rolling tray where the employee will begin to prepare the pre-rolls.
6. Each pre-roll will either contain approximately 0.6 grams or one gram per pre-roll and will be placed with other pre-rolls of the same size to be packaged either individually or in larger packs.
7. All pre-rolls will be prepared with cannabis flower that has already passed compliance testing.

Testing.

To ensure that all cannabis and cannabis products that pass through our facility are tested, we will implement a strict policy of distinguishing tested and untested cannabis and cannabis products. Details on this storage can be found in the Inventory/Storage portion application. Testing is not a service that we are permitted to provide. As such, we will be using the third-party licensed testing laboratory Anresco, Sonoma Lab Works, or another adequately licensed facility for all of our testing.

Protocol:

1. Upon completion of harvest, curing, trimming, pre-rolling and preparing bulk packaging, or after receipt of a cannabis or cannabis goods batch from a third-party producer, one of our distribution managers will contact the testing lab and arrange for them to come to the facility and select representative sample of each product.[94] All Wine Country Cannasseurs products will be tested before they are packaged.

[94] BCC § 5304.

2. When the appointment is set, the testing lab will provide the name of the individual coming to take the sample. This will allow the on-duty manager to verify their identity when they do come to the facility.
3. When the testing agent arrives at the facility, a manager will greet them at the gate and verify that the driver's identification matches the information on file. If the information does not match, the manager will contact the testing lab for confirmation of the driver's identity.
4. Once the driver's identity is verified, they will be allowed into the gated parking lot. As soon as they enter, the gate will be closed and locked behind them.
5. They will be directed to park as close to the distribution building entrance as possible and will be escorted into the distribution building.
6. The manager will have a third-party licensee driver sign in and then proceed to where the untested cannabis products are stored.
7. Wine Country Cannasseurs will have the batch size already prepared and laid out in an area with video recording.[95] Before sampling begins, the manager will show the camera a written copy of the batch number so that the video accurately and unambiguously records the sampling. This video will be maintained for at least 90 days.[96]
8. The manager will stay with the testing agent while samples are taken to ensure that the increments are taken from throughout the batch.[97] The manager will not assist the testing agent, nor touch any sampling equipment during sampling.[98]
9. Once the sample is taken, both the manager and the testing agent will sign and date the chain of custody form, attesting to the sample selection has occurred.[99]
10. The testing employee will then sign out and return to their vehicle, escorted by the manager.
11. The driver will then be let out of the back compound, with an individual manually unlocking, opening, closing, and relocking the gate behind the driver.

[95] BCC § 5305(a).
[96] BCC § 5305(c).
[97] BCC § 5305(b).
[98] BCC § 5305(e).
[99] BCC § 5305(d).

Wine Country Cannasseurs will only consider testing to have been completed and the cannabis products eligible for packaging and quality assurance upon confirmation from the testing lab, and when we have received a certificate of analysis for regulatory compliance testing that shows the product batch has met specifications required by law.[100]

Packaging.

To ensure that the quality of our product is not compromised, we will be sure to carefully package all of our cannabis to prevent it from going stale. This will include immediate packaging in bulk store-bags after drying and trimming. These bags will be stored at optimal temperatures in the distribution center. Once they are sampled and tested, the bulk packaging will be switched for the smaller retail packages described below. Packaging Protocol and activities will be scheduled in advanced based on need. The event of packaging will be recorded in the track and trace system.[101]

A designated area within the distribution building, which will be formed by two six' tables and one four-foot table, will be used for weighing and packaging. This area will contain shelves which will be used for storing necessary items such as rolling papers, packaging materials, and hygiene materials. All materials stored will be stored in closed plastic bins to prevent contamination. To package cannabis products correctly, Wine Country Cannasseurs will have the devices approved by weights and measures and will only allow individuals that are certified to use such devices. Wine Country Cannasseurs will have designated employees and managers receive the necessary training and will only perform any weighing responsibilities once they have their certification as Weighmasters.[102] These careful steps will help ensure that all cannabis is accurately measured within plus or minus 3% of the labeled weight, as required by law.[103]

All individuals performing work as part of the Packaging Protocol will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

[100] BCC § 5307(a).
[101] California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation Chapter 1. Cannabis Cultivation Program (CCP) § 8405(C)(5).
[102] BCC § 5307(f).
[103] BCC § 5303.1.

1. Hygiene standards implemented by Wine Country Cannasseurs will require all employees to wear a lab coat, protective eye gear, gloves, and a hairnet. All of these will be disposable, except for the glasses which will be wiped down with an alcohol cleaner before and after each use and kept in a closed plastic bin between uses.
2. One table will have the weigh station, with California regulated scales that will be permanently affixed to maintain compliance and calibration in accordance with the law. On this same table, an employee with a Weighmaster certification will weigh out cannabis and cannabis products in designated amounts and place the pre-measured amount into jars/bags equipped with childproof closures or lids.
    a. Weight machines on table one will be approved by the BCC and quarterly tested for calibration by the California Department of Weights and Measures, or otherwise in compliance with the law.
    b. Scales will be sterilized to prevent contamination both before and after any weighing of cannabis or cannabis products.
    c. Calibration will be checked each day the scales are used.
3. We will be packaging flower into childproof packaging as required by the BCC.
4. On table two, labels are placed on the jar or mylar bag, and a safety seal is applied to the lid. The mylar bags will be pre-labeled while the jars will have a single label and a safety seal, which will be applied by hand at this step.
5. The labels will be prepared and printed in accordance with California regulations, including all necessary information and placed on packages with the corresponding product.
6. Labels will include, but not be limited to, brand name, weight, required cannabis prop 65 warning, required California warnings, the universal symbol for cannabis, strain name, and test results including terpenes and cannabinoids percentages.
7. The jar or package will then be moved to a storage plastic bin that will be used to store the product and eventually transport the product to retail, based on needs for products on shelves in the dispensary.

8. The units of packaged product will be logged into the track and trace system with the appropriate batch number to track the cannabis and prepare it for sale accurately.
9. Any remaining cannabis that hasn't been packaged will be sealed in a large odor proof bag marked with the batch number. This package will be hand sealed and placed in the safe room for storage until it can be appropriately packaged.

Our distribution facility will be a key location for storage of cannabis and cannabis products. To ensure safe and organized storage, we will have specific rules and protocols put in place. (See the Storage/Inventory portion of our application.)

Once all cannabis products pass laboratory testing, we will perform necessary quality assurance checks on all our products and any products from third-party licenses. All products will be checked and released within 12 months of receiving the certificate of analysis from the testing facility.[104] Our quality assurance check will be sure to verify all of the following:

- Labeled levels of cannabinoids, terpenoids, total THC, total CBD are all within 10.0% of test results.[105]
- All labels shall have levels of cannabinoids, terpenoids, total THC, total CBD present.[106]
- Packaging and labels comply with Business and Professions § 26120 and applicable California Code of Regulations sections.[107]
- All cannabis and cannabis goods have not exceeded provided expiration or sell-by dates.[108]
- The weight or count of the cannabis batch is accurately reflected in the track and trace system according to regulation scales.[109]

[104] BCC § 5307(b).
[105] BCC § 5307(c)(1), BCC, § 5307.1(a)-(b).
[106] BCC § 5307(c)(2).
[107] BCC § 5307(d).
[108] BCC § 5307(e).
[109] BCC § 5307(f).

Before any product is transferred from our facility to a dispensary, we will ensure that the track and trace system accurately reflects all relevant events.[110] All cannabis or cannabis products packaged for retail will only be transferred to a dispensary if their certificate of analysis shows testing was passed within the last 12 months.[111] Any products exceeding this 12-month window will either be destroyed or retested.

After all of the distribution services have been completed, all that is left is for product to be transferred to a dispensary. Our current plan is to have the majority of all of Wine Country Cannasseurs's in-house cannabis sold at our dispensary. Further, we plan on primarily only providing distribution services for products bound for our dispensary, though do plan on providing services to other licensees as we grow. Currently, our movement of product to a dispensary consists of a simple two-person process. All individuals performing distribution to dispensary delivery between our facilities will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

1. A manager will assess which products are necessary to move from distribution storage to dispensary storage. The manager will create and log a shipping manifest and invoice/receipt.[112] This manifest will follow track and trace requirements and include at minimum the name and type of the cannabis goods, unique identifier of the cannabis goods, amount of the cannabis goods, by weight or count, and total wholesale cost of the goods, date and time of the activity or transaction[113], and the name and license number of other licensees involved in the activity or transaction. The invoice receipt will include name and address of the purchaser, date of sale, invoice number, kind, quantity, size, and capacity of packages of cannabis or cannabis products sold, the cost to the purchases, together with any discount applied, and any other necessary information.
2. The manager will then pack cannabis goods corresponding to the shipping manifest into a lockbox. This activity will take place in our distribution facility

[110] BCC § 5307(g).
[111] BCC § 5307.2.
[112] BCC § 5311(n).
[113] BCC § 5049(b).

which is surveilled by a security camera. The manager will double check their work before locking the box.

3. The manager will then get security personnel to come and accompany them while they move the lockbox via hand cart from the distribution facility to the dispensary.[114]
4. The products will then be passed off to another manager who will verify that the manifest and the products in the lockbox match. Once the amount of goods is verified, the security personnel will be free to leave. The products will then be logged into the dispensary safe room under video surveillance, entered into the track and trace system, and stored appropriately.

When we provide distribution services to a third-party licensee, we either provide transportation services ourselves or will allow a licensed distributor to pick up the cannabis products. This is because only state-licensed distributors may provide transportation services.

All vehicles used for transportation will be owned or leased by Wine Country Cannasseurs and will be the same vehicles used for the delivery services offered by our dispensary.[115] Further, all vehicles used for transporting will have a motor carrier permit and will be equipped with a vehicle alarm system.[116] No vehicle containing cannabis goods will be left unattended unless it is locked and secured.[117] No vehicle being used for distribution transport will be left unattended or parked overnight in a residential area.[118]

When a distributor comes to our distribution facility to pick-up cannabis goods, they will set a distribution appointment. All pick-ups will be by appointment only and will require no less than 24-hours notice. Distribution appointments will be regularly scheduled a week in advance. The following protocol will be used. All individuals performing distribution to distribution product release will operate in accordance with the following plan, a copy of which will be made available to them.

[114] BCC § 5311(n).
[115] BCC § 5311(a).
[116] BCC § 5311(c).
[117] BCC § 5311(g).
[118] BCC § 5311(h).

Protocol:

1. Upon either receipt of an order, or request for transport of cannabis goods provided by a third-party licensee, a sales invoice/manifest will be prepared listing all cannabis goods to be transported.[119] This invoice/manifest will include the name and address of the purchaser, date of sale, invoice number, kind, quantity, size, and capacity of packages of cannabis or cannabis products sold, the cost to the purchases, together with any discount applied, the place from which transport was made, and any other necessary information.[120] This invoice/receipt will not be altered or changed once transportation begins and will be maintained electronically in a way that is readily accessible for examination upon request by authorized agencies.[121]
2. We will verify each retailer and distribution company's license status and maintain a copy for records. This information will be checked and verified with the Bureau of Cannabis Control prior to delivery.
3. A manager will then take this prepared invoice/receipt and collect the appropriate cannabis goods listed on the invoice/receipt. A shipping manifest will also be prepared before transport.[122] This collection will then be verified as it is packed into a lockbox.[123] No non-cannabis goods, except for cannabis accessories and our branded merchandise or promotional materials, will be transported with cannabis goods.[124] The box will then be secured as no package or container holding cannabis goods will be tampered with or opened during transport.[125]
4. Once verified, the packed order will be entered into the track and trace inventory system and set aside for transport. The manager who will be driving the order will then create a transport route which moves between licenses with no stops except for those necessary for rest, fuel, and vehicle repair.[126]

[119] BCC § 5311(b).
[120] Bus & Prof Code § 26161.
[121] BCC § 5311(b).
[122] BCC § 5314(a).
[123] BCC § 5311(f).
[124] BCC § 5311(l).
[125] BCC § 5311(j).
[126] BCC § 5311(k).

5. The third-party licensee distribution driver will pull up to back gate at the designated time, and a manager will check that their vehicle's license plates and driver's identification match the information on file. If the information does not match, the manager will contact the third-party licensee for confirmation of the driver's identity.
6. Once the driver's identity is verified, either against the information provided or by contacting the third-party, they will be let into the gated parking lot. As soon as they enter the gate will be closed and locked behind them.
7. They will be directed to park as close to the distribution building entrance as possible and will be escorted into the distribution building. At least one security trained individual will stay in the parking lot to ensure that the vehicle holding the cannabis or cannabis products is not left unattended.
8. The manager will have the third-party licensee driver sign in on an iPad. At this time, the manager and distribution driver will go over the invoice/receipt and shipping manifest. The third-party licensee will verify the cannabis goods against the invoice/receipt and shipping manifest.[127] The shipping manifest will then be transmitted to the Bureau of Cannabis Control.[128] A copy of the shipping manifest will accompany every transport of cannabis goods.[129]
9. The manager and third-party licensee distribution driver will then go back to the vehicle. With the help of security personnel, the manager will then load the lockboxes into the distribution vehicle and secure them to the inside of the vehicle. All cannabis goods will be inside of the vehicle in a way that prevents them from being visible or identifiable from outside the vehicle.[130] This process will occur under video surveillance.
10. Finally, the manager will proceed to the security gate with the third-party licensee distribution driver. The manager will unlock and open the gate to let the third-party licensee distribution driver out and will immediately close and lock the gate behind them.

[127] BCC § 5314(c).
[128] BCC § 5314(b).
[129] BCC § 5314(d).
[130] BCC § 5311(e).

Should we be the distributor providing transportation services, the following protocol will be used. All individuals performing distribution to dispensary delivery will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

1. Upon either receipt of an order, or request for transport of cannabis goods provided by a third-party licensee, a sales invoice/receipt will be prepared listing all cannabis goods to be transported.[131] This invoice/receipt will include the name and address of the purchaser, date of sale, invoice number, kind, quantity, size, and capacity of packages of cannabis or cannabis products sold, the cost to the purchases, together with any discount applied, the place from which transport was made, and any other necessary information.[132] This invoice/manifest will not be altered or changed once transportation begins and will be maintained electronically in a way that is readily accessible for examination upon request by authorized agencies.[133]
2. We will verify each retailer and distribution company's license status and maintain a copy for records. This information will be checked and verified with the Bureau of Cannabis Control prior to delivery.
3. A manager will then take this prepared invoice/receipt and collect the appropriate cannabis goods listed on the invoice/receipt. A shipping manifest will also be prepared before transport.[134] This collection will then be verified as it is packed into a lockbox.[135] No non-cannabis goods, except for cannabis accessories and our branded merchandise or promotional materials, will be transported with cannabis goods.[136] The box will then be secured as no package or container holding cannabis goods will be tampered with or opened during transport.[137]
4. Once verified, the packed order will be entered into the track and trace inventory system and set aside for transport. At this time the manager who will

[131] BCC § 5311(b).
[132] Bus & Prof Code § 26161.
[133] BCC § 5311(b).
[134] BCC § 5314(a).
[135] BCC § 5311(f).
[136] BCC § 5311(l).
[137] BCC § 5311(j).

be driving the order will create a transport route using our OnFleet system which moves between licensees with no stops except for those necessary for rest, fuel, and vehicle repair stops.[138]

5. All deliveries will be scheduled 1 week in advanced to ensure enough time to prepare delivery route and schedule a delivery manager. In some cases, we may hire a licensed third-party transportation company to fulfill distribution orders. All third-party transportation companies license status will be checked and verified with the Bureau of Cannabis Control.
6. Either a third-party licensee transportation driver, or our own in-house driver/manager will pull up to back gate at the designated time, and a manager will check that their vehicle's license plates and driver's identification match the information on file. If the information does not match, the manager will contact the third-party licensee for confirmation of the driver's identity.
7. Once the driver's identity is verified, either against the information provided or by contacting the third-party, they will be let into the gated parking lot. As soon as they enter the gate will be closed and locked behind them.
8. The driver will be directed to park as close to the distribution building entrance as possible and will be escorted into the distribution building. At least one security trained individual will stay in the parking lot to ensure that the vehicle holding the cannabis or cannabis products is not left unattended.
9. The manager will have the third-party licensee driver sign in on an iPad. At this time, the manager and distribution driver will go over the invoice/receipt and shipping manifest. The third-party licensee will verify the cannabis goods against the invoice/receipt and shipping manifest.[139] The shipping manifest will then be transmitted to the Bureau of Cannabis Control before transport.[140] A copy of the shipping manifest will accompany every transport.[141]
10. If our in-house manager will be driving, he will follow the same procedure and retrieve the product from the distribution building.
11. The manager or driver will go back to the vehicle. With the help of security personnel, they will then load products into the distribution vehicle and secure

[138] BCC § 5311(k).
[139] BCC § 5314(c).
[140] BCC § 5314(b).
[141] BCC § 5314(d).

them to the inside of the vehicle. All cannabis goods will be inside of the vehicle in a way that prevents them from being visible or identifiable from outside the vehicle.[142] This process will occur under video surveillance.

12. The driver or manager will then be let out of the back compound, with an individual manually unlocking, opening, closing, and relocking the gate behind the driver.
13. The driving manager will go directly to the licensee receiving the cannabis goods per the pre-created route.
14. Once the driving manager arrives at the receiving licensee's facility, they will follow protocol there, ensuring that the invoice receipt and shipping manifest is checked, signed off on and verified before they leave.[143]
15. If a third-party transportation company is handling the drop off, they will follow the same procedure and send us the shipping manifest and invoice as soon as they are done with the delivery.

Returns.

If we are notified that a product that we distributed is defective, we will provide notice to all licensees involved. We will either issue a credit or exchange for the products, however, we may only exchange the product for a non-defective version of the same type and equal value.[144] No other returns of cannabis goods will be excepted at our distribution facility. All returns will be properly entered into the track and trace system.[145]

CULTIVATION.

The cultivation facility is located on the opposite side of our distribution facility like the proposed dispensary. Just as with the distribution facility, the separation of cultivation from the dispensary will ensure that the public has no access to the cultivation or distribution facility, but that the facilities are still maintained on a single contiguous premise as required by state law for a microbusiness. The cultivation activities of the cannabis will take place within three rooms, labeled Cultivation A, Cultivation B, and Cultivation C on our proposed plans. All three rooms are equipped

[142] BCC § 5311(e).
[143] BCC § 5314(c).
[144] BCC § 5053(a).
[145] BCC § 5049(a)(5).

with locking doors to prevent unauthorized access. The aggregate square footage of these rooms is 1,252 square feet. In accordance with the state regulations, all cultivation under a microbusiness license shall take place in less than 10,000 square feet.[146] Our current contemplated canopy consists of 900 square feet of flowering canopy, making our cultivation the equivalent of a specialty indoor cultivator. All flowering plants will be contained within the measured canopy. No cultivation will occur on the premises of our dispensary designated area, only in our cultivation facility.[147]

The cultivation facility has its own storage area to ensure that storage complies with all applicable regulations. Only upon appropriate procedure will cannabis be transferred to the distribution and, ultimately, dispensary facilities. The cultivation services provided by Wine Country Cannasseurs are aimed at providing an opportunity to cultivators would otherwise be unable to enter the regulated market, and to providing the highest quality indoor cannabis flower at an affordable price point. We have previously worked with several craft farmers that produce some of the best flowers that we have seen, and these are the farmers we would have cultivating under our license. At first, the cultivation facility will require one master grower and one cultivator job positions. After a few grow cycles, our master cultivator may choose to allow more cultivator positions. By bringing in tried and true cultivators, we ensure that our dispensary will carry only the highest quality products at the best price.

This dedication to locally produced, high-quality indoor cannabis would bring positive attention and business to Ukiah. According to regulations released by the California Department of Food and Agriculture, labels on cannabis may only specify a county of origin if 100% of the cannabis in the packable was produced within that county. By producing cannabis in-house, we will be able to proudly label our cannabis as grown not only in Mendocino County but in the City of Ukiah. Our careful selection of talented cultivators will allow us to build Ukiah as a brand in addition to Wine Country Cannasseurs. Our operations will follow the policies, procedures, and daily operation plans provided below.

[146] CCP § 5502 (a).
[147] CUMC § 5708(G).

Wine Country Cannasseurs cultivation will be opened from 8:30 a.m. to 5:00 p.m., Monday through Saturday, and from 1:00 p.m. to 3:00 p.m. on Sundays. Our Lead Cultivator, Jaime Fimbres, will be in charge of our cultivation team.

Wine Country Cannasseurs will begin our cultivation from clones. This means that rather than raising our plants from seed, we will purchase and bring in baby plants that are cloned from known strains. To begin, our clones will be bought from and delivered by a licensed nursery in compliance with California law. As we expand and grow, we will take on the job of in-house cloning. Clones can be collected during routine pruning of plants in other stages of the cultivation process. All of our Mother plants and clones will be kept in Cultivation Room A, the Vegetative Room. An event will be recorded in the track and trace program whenever a planting of an immature plant lot occurs.[148]

All individuals performing work in the propagation phase will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

Propagation will require two(2) to five(4) hours of work time.

Materials needed:

Gloves, Cloning gel, cloning solution, measuring shot glass, alcohol, scissors, scalpel, 5-gal bucket, a bin for plant matter, blue tape, sharpie, cloning trays, domes, Root riot cubes, paper towels.

Preparation:

- Put on gloves.
- Clean scissors and surfaces with alcohol.
- Fill measuring shot glass with Clonex gel.
- fill a bucket with 1-2 gallons of water (room temp).
- Mix cloning solution in water (10ml/gal).
- pH to 5.6-5.8.
- Mix again.
- Fill the bucket with Root plugs- mix around and allow root riots to saturate.

[148] CCP § 8405(C)(1).

Cuttings:

- Take cuttings from moms and prep them (prune nodes and cut stems longer) Use cloning solution in cutting storage cups.
- Place cuttings into a cup of water until the cup is full - use multiple cups if needed.

Fill Trays With Root Plugs:

- Allow excess water from plugs to run back into a bucket before placing them into the trays.
- Fill trays until the desired amount is reached.

Start Plugging Clones:

- Take cuttings one at a time, snip tips of leaves with scissors into the bin and cut the clone down to about three inches.
- For a fresh cut, cut clone at a 45-degree angle at the base of cutting. Then lightly graft off the first layer of plant tissue at base of cutting.
- Dip cutting into cloning gel.
- Plug cutting into root plug.
- Repeat until trays are full.

Date and Label:

- Using the sharpie and blue tape, mark each strain and date of propagation on clone trays.

Propagation Wrap Up:

- Domes are now placed on trays and confirmed sealed.
- Trays are now placed onto shelving with heating mats underneath lights.
- Clones should not require any attention for the next three to five days.
- Clones should not be touching the top of the shelving.
- There should be minimal clone to clone contact as this will cause plant rot.

Once clones have been proven to be viable through survival and growth, they will be transplanted to larger pots and transitioned to their next phase. They will stay in Cultivation Room A, the Vegetative Room. These still immature plants, all of the same strain or cultivar, will have a UID assigned to a lot of no more than 100 plants.[149]

[149] CCP § 8403(b)(1).

These UIDs will be attached to the plants in a way that positions the tag's visibility to an individual standing next to the lot. Immature plants will be moved from Cultivation Room A to Cultivation Room B or C, both of which are Flower Rooms, approximately every eight weeks.

All individuals transplanting the immature cannabis plants will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

Transplanting will require two(2) to four(4) hours of work time.

Materials Needed:

gloves, soil, mycorrhizae, pots, shop vac, clones, plant tags

Start by filling pots with soil.

Process:

- Each clone will be sprinkled with mycorrhizae directly onto roots and then planted into each pot.
- Once the plant is potted, it will be labeled right away.
- Once plants are placed on the table and sorted, Sweep and vacuum excess dirt off the tables and floor.
- Lightly water each plant at the root zone.
- Recycle soil bags.

After transplanting, the maturing plants will be kept in a carefully maintained environment and will be carefully tended to ensure proper health and growth. Cultivation Room A will be equipped with grow tables, where the potted plants will sit. The room itself will have Double Ended High-Pressure Sodium light fixtures and Fluorescent and LED lighting fixtures to provide the artificial light necessary for the plants to grow and mature. The environment will be maintained through the use of dehumidifiers, wall mounted fans, floor fans, and the light. The plants will be fertilized with a mixture of organic and synthetic fertilizer. The mixture will vary depending on the genetics of the plant. Our default recipe is 80% organic Nectar for the Gods Additives and 20% House and Garden A & B synthetic fertilizer. This mixture will be delivered using sprayers and pumps. Two or three cultivation employees will do the tending of the plants following the Cultivation Employee Plan of Operations (See Below).

Tending tasks for the plants will include, but not be limited to, the application of trellis netting, de-leafing, and pruning the plants. These activities will be executed in accordance with the following plan, a copy of which will be made available to employees.

Protocol:

Applying trellis netting will require one(1) to two(2) hours work time.

Materials Needed:

Trellis, scissors, measuring tape, zip ties.

Process:

- Cut trellis netting to size.
- Lay trellis over the canopy.
- Use zip ties to secure the trellis.
- Move trellis down onto plants.
- Weave if necessary.

Protocol:

Deleafing/pruning will require four(4) to six(6) hours of work time.

Materials Needed:

Gloves, scissors, a bin for plant debris, cup for cuttings.

Process:

- Deleaf plants to allow more light penetration into the canopy.
- "Lollipop" each plant taking off smaller branches that aren't getting much light.
- Save quality cuttings to use as clones.
- Place plant debris into the bin for waste.

Once a plant begins to mature enough to enter the flowering stage, it will be transferred to the measured canopy area in Cultivation Rooms B and C.[150] Upon movement of the plants to the canopy area for flowering, each plant will be given a UID[151], positioned in the same visible way and kept free of dirt and debris. These UIDs will not be removed from the plant until the plant is harvested, destroyed, or disposed

[150] CCP § 8300(a).
[151] CCP § 8403(b)(3).

of.[152] A track and trace event will be entered when immature plants are moved into designated canopy areas.[153]

While the plants continue to mature and develop bud, cultivation employees will continue to carefully tend to the plants identically as was done in the veg room. The main difference between the tending in the veg and flower room will be the light cycle that the plants are exposed to. Because the Flowering stage requires that the plants be kept in darkness for extended periods, no tending will occur until the plants are being exposed to light. This will prevent accidental exposure of the plants to light and will ensure that employees only work in safe environments.

Once the plants are fully mature and ready to be harvested, additional employees will work with the plants. Between three and five individuals will work to hand harvest the plants. With more help, the plants can be tracked carefully and prepared for drying or freezing with focus and attention. Those plants that are uniform in strain or cultivar harvested, in whole or in part, will be assigned a harvest batch number at some point. This harvest batch will be associated with all the UIDs for each individual plant, or portion thereof, contained in the harvest batch.[154] The event of harvesting a plant will be recorded in the track and trace system.[155] Such an event will include the wet weight of each plant or portion thereof, the net weight of each harvest batch, the weight of cannabis waste associated with the batch, and the unique name of the harvest batch and the initiating date of the harvest, in the MM/DD/YYYY format.[156]

All individuals harvesting cannabis will do so in accordance with the following plan, a copy of which will be made available to them.

Protocol:

Harvest/takedown is an all-day task.

Materials needed:

Gloves, scissors, pruning shears, hangers, hanger cart.

[152] CCP § 8403(C).
[153] CCP § 8405(C)(2).
[154] CCP § 8403(b)(1).
[155] CCP § 8405(C)(4).
[156] CCP § 8405(C)(4)(A)-(D).

Process:

- Cut trellis around each plant (Use shears to chop plant at the base of the pot.
- Hang the whole plant upside down on hangers.
- Transfer hanging plants to dry room.
- Collect used soil pots.
- Empty all pots and prep for soil recycling.
- Clean the flower room.
- Place all hangers full of flower in the drying racks in the dry room.

Once harvest is complete, the flowering room will be sanitized using the following plan, a copy of which will be made available to all employees involved.

Protocol:

Cleanup/sanitizing will require four(4) to six(6) hours work time.

Materials needed:

H202, gloves, sprayer, wash rags, sponge, dawn soap, vacuum, broom

Process:

- Clean all surface areas including but not limited to: pots, tables, trays, floors, walls, fans, and pumps.
- Change all filters.
- Clean the AC unit.
- Fog room with H2o2.
- Let dry.
- Repeat.

The curing process will require that the portions of the cannabis plants containing bud and flower to be hung in the designated dry/trim room. The temperature and humidity of the room will be carefully monitored and kept at optimal levels until the process is complete. This process takes approximately two weeks. Once the cannabis is properly cured, it will need to be trimmed. Despite the availability of trimming equipment on the market, here at Wine Country Cannasseurs we believe in hand trimming all of our flower. This ensures quality, as well as another built-in layer of quality control as trimmers, will have close contact with the flower.

All individuals performing trimming work will operate in accordance with the following plan, a copy of which will be made available to them.

Protocol:

Trimming is an all-day task.

Materials needed:

Scissors, trim trays, alcohol, gloves, paper bags, five gal buckets, turkey bags, paper towels, Humboldt's hands.

Process:

- Take down hangers from rack and transport to trim room.
- Take branches off hangers and de-leaf branches.
- Trim off of branches.
- Shuck into bags as you go.
- Collect trim and separate.
- Log in weight.
- Clean scissors with alcohol.
- The trimmed flower will sit in paper bag for 24 hours.
- When trimming is complete, all trimmed pounds must go through a sifting phase.
- Bags are then double checked for weight and then stored for packaging.

The cannabis will then be transferred from the cultivation portion of our microbusiness facility to the distribution portion. It is in this distribution area that the cannabis will be packaged in appropriately child-resistant jars, labeled in accordance with the law, tested, and quality-assurance checked. This process is more fully outlined in the distribution plan.

The cannabis that we cultivate, package, and label will be distributed primarily to our dispensary but will also be available to other licensed dispensaries through either a third-party distribution company or through our distribution services. Distribution beyond Wine Country Cannasseurs will increase as we grow.

An average day in the cultivation facility will look like the following:

1. The lead cultivator, assistant cultivator, harvest/trim staff (when necessary), and security arrive at 8:30 a.m. The facility will be preliminarily checked for any

sign of break-in by the lead cultivator and security staff. Once the facility is verified as secured, it will be unlocked, and the staff will be allowed in. All employees will mark their attendance on the Sign-in sheet. The lead cultivator will also sign in and grab his badge. As the rest of the employees sign in, store their personal items, clip on their employee badges, and make sure to comply with hygiene policy, the lead cultivator will check control devices, water tank levels, and the nutrient shelves inventory.

2. The lead cultivator and his main assistant will then go over the plan of action for the day. This will include providing a task list to staff and discussing work to be completed and any specific instructions for the cultivation phase. Meanwhile, one security team member will login, put on their badge, check the perimeter, and then take up their station outside of the cultivation area near point of entry. Another security team member will also be present in the dispensary.
3. 9:00 a.m. to 12:00 p.m., the cultivators will then complete an initial walk-through inspection of the entire cultivation building. This will allow for the early detection of any diversion, theft, or other crime, and will allow for careful observation of the plants. Next, depending on the task list, work will begin in either room A, B, or C. Cultivators will execute the work outlined on the task list and check off the tasks as they are completed. Tasks may include, but are not limited to: watering, cleaning, de-leafing, foliar feeding, mixing nutrients, propagating clones, transplanting, harvesting, trimming, etc., depending on the time of the plants' life cycle.
4. 12:00 p.m. to 1:00 p.m., the cultivators and staff (when necessary) will take a one-hour lunch break and are encouraged to complete some sort of exercise and stretching for 20-30 minutes in that time. Security personnel can take an optional break but will not leave the premises without being relieved by another security team member.
5. 1:00 p.m. to 4:30 p.m., the lead cultivator and assistant will continue on the task list until complete. If trim/harvest staff is present, they will wrap up trim work by cleaning, bagging, and logging in final trim weight before reporting back to the lead cultivator. The final count will be determined and logged by the lead Cultivator after it is double checked by an assistant or an otherwise

trusted cultivator. Employees will then put away/secure/clean their work station as necessary. Meanwhile, the lead cultivator will then do a final walk-through and inspection of the entire cultivation building before returning to the front. The cultivation team will discuss the plan of action for the next day before employees leave.

6. 4:45 p.m. to 5:00 p.m., once the plan of action is written down and strategized, the lead cultivator will make sure staff is properly signed off for the day and then excuse them from the facility. Security will then logout and sign off the Guest sheet (if there were any guests). The facility will then be closed down, including having non-cultivation lights turned off, doors will be locked and secured upon exiting the building.

Disposal of cannabis waste is also critical to Wine Country Cannasseurs. We do not want to attract bad actors to the site by having cannabis waste accessible, nor do we wish to violate any regulations regarding waste disposal. To address this, we have created a disposal plan, outlined below for all of our facilities.

INVENTORY AND STORAGE.

Maintaining an accurate record of our inventory is crucial to preventing any crime, such as diversion to unlawful markets. Our inventory will be carefully tracked using our POS and record keeping software TREEZ. TREEZ is compatible with the State of California system of METRC.

Each cannabis good will have the following information carefully documented and retained for review by the City or State:

- A description of each item such that the cannabis goods can easily be identified.
- An accurate measurement of the quantity of the item.
- The date and time the licensed retailer received the cannabis goods.
- The sell-by or expiration date provided on the package of cannabis goods.
- The name and license number of the licensed distributor or licensed microbusiness that transported the cannabis goods to the licensed retailer.

- The price the licensed retailer paid for the cannabis goods, including taxes, delivery costs, and any other costs.[157]

We will also maintain the status of all batches held by us in our duties as a distributor, including whether a batch, is being stored for another licensee, is awaiting sampling for testing, is awaiting testing results, has passed or failed testing, is being stored or held for destruction or for any other lawful purpose.[158] All of these records will be stored through TREEZ online.

We understand that we must be able to account for all of our inventory and must perform inventory reconciliations to prevent bad actors and crimes from going undetected.[159] We will verify that our records are consistent with our physical inventory and keep results of our reconciliations for review by City and State authorities.[160] Such reconciliations will take place at least once every 30 calendar days.[161] Should any evidence of theft, division, loss, or theft, or any other significant discrepancy be found, we will ensure that the Bureau and law enforcement are appropriately informed.[162]

Organized and consistent storage of cannabis goods is necessary for us to keep accurate records, as well as to prevent crime. As such, all inventory will be secured in indoor limited-access areas, separate from any employee break room, changing facility, or bathroom.[163] All storage locations will be within our licensed microbusiness premises.[164] Each premise will have its own storage set up, each of which is described below. Each storage set up will have suitable locked storage on the premises for after-hours storage of cannabis and cannabis products.[165]

[157] BCC § 5423.
[158] BCC § 5309.
[159] BCC § 5424(a).
[160] BCC § 5424(b) – (c).
[161] BCC § 5051.
[162] BCC § 5424(d) – (e).
[163] BCC § 5033(a)-(c).
[164] BCC § 5033(d).
[165] CUMC § 9174.2(B)(5)(a).

Dispensary Facility Storage.

The Dispensary storage room is a safe room that is an enclosed 106 square feet located behind the Dispensary Floor. This part of the dispensary is not accessible to the public and will only be accessed by employees and logged accompanied non-employees with the appropriate keys and access cards.[166] The safe room will remain locked at all times and will be equipped with a 5-foot Mesa Safe. This safe will be used for storing cash and other important financial documents. Only managers will have the ability to access the safes.

The rest of the Safe Room will be equipped with shelving units. Products will be stored in labeled display boxes to allow for ease of organization and location of cannabis goods. All products will be labeled and organized by unique identifies (UIDs) and will include a bar code on each product that matches the display boxes.

Only products that are in their retail form (i.e., with compliant labeling and packaging, proof of test passage, quality assurance complete) will be stored in the Dispensary safe room.

Delivery Storage will be located within the manager's office/ product intake room. This office is located behind the Dispensary floor and is not accessible to the public. Further, employees do not have automatic access to this room. The office is only accessible to managers and specifically designated employees, who will have the appropriate key to access the space. This area will only be used to store prepared orders awaiting delivery. The shelf will be labeled with proposed delivery times (i.e., 10:00 a.m. shelf, 2:00 p.m. shelf, 6:00 p.m. shelf, and 8:00 p.m. shelf) so that orders are easily accessible to the manager preparing the delivery boxes, and so that throughout the day, managers can keep an eye on the progress of deliveries.

Distribution Facility Storage.

The Distribution facility has two storage areas, both a 285 square foot storage room and a 110 square foot safe room. The storage room will contain our security equipment and data storage equipment as well as non-cannabis good supplies. This will include labels, packaging, and other supplies. All of these supplies will be organized by task on shelves, via stacked totes, or by area for equipment too large for

[166] BCC § 5042.

shelves. The only cannabis that will be stored in this room will be that held in designated disposal barrels. Only employees and logged accompanied non-employees with the appropriate keys and access cards will be able to access this area.[167]

The safe room is an enclosed 110 square feet room located through the distribution storage room. This space will only be accessible to employees and logged accompanied non-employees with the appropriate keys and access cards, and at all times will not be in active use.[168] The safe room will remain locked at all times and will be equipped with a five-foot Mesa Safe. This safe will be used for storing cash and other important financial documents. Only managers will have the ability to access the safes. Anyone entering or leaving the safe room will sign in and out on a log sheet.

The rest of the Safe Room will be equipped with shelving units. Products will be stored in labeled display boxes to allow for ease of organization and location of cannabis goods. All products will be labeled and organized by unique identifies (UIDs) and will include a bar code on each product that matches the display boxes. Organization of the shelves will keep untested and tested products separate and distinct from one another.[169] The tested versus untested products will be clearly labeled as such, stored separated, and packaged to prevent any contamination. Goods with passing test results will be stored on designated shelves and in appropriately labeled bins. Goods that have failed testing will be immediately placed into disposal buckets. Every batch will be carefully labeled with:

- The name, license number, and licensed premises address of the licensed manufacturer or licensed cultivator who provided the batch.
- The date of entry into the licensed distributor's storage area.
- The unique identifiers and batch number associated with the batch.
- A description of the cannabis goods with enough detail to quickly identify the batch.
- The weight of or quantity of units in the batch.
- And the best-by, sell-by, or expiration date of the batch, if any.[170]

[167] BCC § 5042.
[168] BCC § 5042.
[169] BCC § 5301(a).
[170] BCC § 5302(b).

Cultivation Facility Storage.

The cultivation facility will not store its product beyond the curing process. Once the cannabis is appropriated trimmed and cured, it will be placed into sterile bulk packaging and transferred to the distribution facility per distribution protocol.

DISPOSAL PLAN.

Cannabis waste can be attractive to bad actors, and we at Wine Country Cannasseurs are dedicated to ensuring that no cannabis waste is accessible to the public. Because of our vertically integrated model, green waste makes up the vast majority, if not the entirety, of our cannabis waste.

All green waste, which includes stalks, leaf, and any other plant material, will be disposed of through the properly licensed cannabis waste company GAIACA. GAIACA is committed to providing sustainable eco-driven compliant waste management solutions. Their dedication to disposing of cannabis waste in ecologically responsible ways, and even creating reusable materials, attract us to their services. GAIACA already serves the Mendocino area and will prepare a site-specific plan for us upon request. They are licensed to handle hazardous and non-hazardous materials. We will be able to post a certification of compliance to show city and state inspectors that we have a compliant waste management program in place.

When the City of Ukiah approves our permit, or upon request by the city, we will have them prepare a specific plan tailored to our needs and goals. This plan will incorporate standard GAIACA practices, including sustainable waste disposal methods and tracking the chain of custody of waste from our facility to its final disposal. As part of their service, certificates of destruction will be provided to both Wine Country Cannasseurs and the State of California.

Even without a tailored plan yet prepared, GAIACA offers a service where they provide specially marked 55-gallon barrels. These barrels are delivered to a facility and picked up once a week, or upon request. We will keep these barrels within the locked storage room in the cultivation facility. Doing so will prevent any access to cannabis waste that is waiting to be picked up. This storage room has an odor filter, which will be paired with the non-reactive and air-tight barrels provided by GAIACA. We currently contemplate producing no more than one barrel per week on non-harvest weeks.

During harvest weeks, we will probably need two barrels a week but will arrange for all cannabis waste to be properly and safely hauled away based on our needs.

Upon destruction or disposal of any cannabis, the applicable UIDs will be retired in the track-and-trace system within three(3) calendar days.[171]

Cannabis stems take up a considerable amount of space in waste removal. While GAIACA will take care of all of our waste in the immediate future, we are aware that some companies are researching how to process stems for fiber, rolling papers, etc. If we can find a company who is appropriately licensed and permitted to pick the stems up, we would like to use their services. This reuse of cannabis waste is an area of continuous innovation that we hope to be a part of. It is our understanding that commercial facilities all over the state of California are currently using these methods to handle cannabis waste and believe it is the best industry practice to do so.

PATIENT AND CUSTOMER EDUCATIONAL MATERIALS.

Education is an essential aspect of our goals here at Wine Country Cannasseurs. This education is about cannabis and about how to be a safe and courteous cannabis user. There are lots of stereotypes out there about individuals who use cannabis either medicinally or recreationally, and we are dedicated to destroying those uninformed views by providing information to and an opportunity for our customers and surrounding community to have a chance to interact with cannabis industry participants.

To begin the education process, we provide every new customer with an informational pamphlet upon their first visit to our dispensary. When their identification and/or physician recommendation is checked, verified, and entered into our system, we will provide them with an informational booklet on cannabis. In addition to some basic information regarding cannabis, how it interacts with the body, potential effects, and some fun facts, we will also include our code of conduct. This code of conduct will make it clear that certain activities are strictly prohibited at the facility and in the surrounding areas. The code of conduct will be, clearly and legibly posted, in the dispensary and will be in both English and Spanish.[172] The code of conduct will

[171] CCP § 8403(e).
[172] CUMC § 5708(l)(1).

include a list of rules and regulations governing cannabis use and consumption within the city of Ukiah and recommendations on sensible cannabis etiquette.[173]

Wine Country Cannasseurs is particularly dedicated to preventing any of our operations from resulting in the illegal redistribution of the cannabis or cannabis products we provide, or the use of them in any manner that violates local, state, or city law.[174] By making our code of conduct available to all who enter, providing information upon request, imposing state limits on daily purchases, training our staff to recognize inappropriate buying behavior, and notifying law enforcement of any suspicious behavior. Below, please find a copy of our code of conduct.

WINE COUNTRY CANNASSEURS CODE OF CONDUCT.

Here at Wine Country Cannasseurs, we are dedicated to being good neighbors and responsible community members. In order to accomplish this, we need you to do your part.

By entering Wine Country Cannasseurs, you agree to abide by the following rules:

1. **Be of Age** – To enter this Dispensary, you must be at least twenty-one years of age and have a government-issued identification showing this to be the case.
2. **Be Respectful** – We share this community and ask that you do not disturb or interfere with the operations of any of our neighbors. This includes vandalizing, loitering, clogging up traffic or the parking lot, or creating any other public or private nuisance.
3. **No Alcohol Consumption** – You are not permitted to use alcohol on our premises. Wine Country Cannasseurs does not sell, dispense, or allow the consumption of any alcohol on our property, including in the parking lot.
4. **No Onsite Cannabis Use** – While we are glad to provide you with medicinal or adult-use cannabis, **Wine Country Cannasseurs cannot and does not have any space available for consumption of cannabis**. You are not permitted to inhale, smoke, eat, or otherwise consume cannabis or cannabis products on our property, including in the parking lot, or anywhere within 200 feet of our premises.

[173] CUMC § 5708(M)(3).
[174] CUMC § 5708(F)(2).

5. **Be Responsible** – We encourage you to enjoy the products you purchase from Wine Country Cannasseurs. However, remember that you are not permitted to smoke cannabis in any place where smoking is prohibited by law, in or within 1,000 feet of a school, recreation center, or youth center (unless within a residence) on a school bus, in a motor vehicle that is being operated, while operating a boat, or in any other location that violates the law. In our home city of Ukiah, the places you can't ingest cannabis include, but aren't limited to; city-owned parks, nonsmoking area, streets, sidewalks, alleys, highways, public parking lots, enclosed places and places of employment, and other City property.[175] Be sure to do your research and get advice on your legal rights and responsibilities.
6. **Be Courteous** – When visiting Wine Country Cannasseurs understand that you and other visitors are present for either medicinal or adult-use cannabis. Visiting the storefront may be an anxiety-inducing activity to some, respect each other's personal space, and be polite to one another. We at Wine Country Cannasseurs will maintain crowd control inside our dispensary but depend on you to prevent crowding and loitering outside or within 200 feet of the dispensary. Please be mindful of those around you and remember that they may be experiencing something you cannot see. If you ever have any concerns, please do not hesitate to speak with our staff.
7. **We Are Here to Serve You** – Wine Country Cannasseurs is committed to providing you with the best dispensary experience possible. If you ever have any questions, concerns, or feedback, please feel free to speak with any of our employees, ask to speak with a manager, or leave an anonymous comment in our comment box, located in our lobby. We know that there is always room for improvement, and we look forward to serving you better through collaboration moving forward. Please feel free to reach out to Jay Donnellan at WineCountryCannasseurs@gmail.com or (707) 889-3987.

If you are unable to follow these rules, you will be asked to leave the premises. If you see anybody violating these rules, please inform our security personnel, present in the lobby of the Dispensary.

[175] CUMU § 5708(F)(3).

Educational materials are available in the lobby and upon request.

WRITTEN PROJECT DESCRIPTION.[176]

Wine Country Cannasseurs is a collaborative entity that brings together a small group of experienced medicinal cannabis entrepreneurs who, together, hope to bring that same dedication to providing patients with consistent quality medicine to the larger medicinal and adult-use market. We intend to operate a microbusiness, state license type 12, consisting of a Dispensary with storefront and delivery services, a Distribution Facility, and a Cultivation facility.[177]

In accordance with the state regulations, all cultivation under a microbusiness license shall take place in less than 10,000 square feet. Our contemplated canopy consists of 900 square feet of flowering space. All of these activities will occur on the same licensed premises, comprised of the adjacent units 270, 272, and 274 East Smith Street, which create a single contiguous area.[178]

We hope to serve the City of Ukiah and its visitors. Upon our successful establishment in the City of Ukiah, Wine Country Cannasseurs will pursue the appropriate permissions with the surrounding unincorporated county and cities to expand our delivery services.

In order to provide the best cannabis and related services, the three adjacent units will have to be renovated and customized to create a comprehensive and functional microbusiness premise.

Each of the three units is approximately 30 feet wide by 60 feet long. They share a common firewall and are equipped with equally spaced howe trusses. Each unit has both a front and rear access door.

The units all require certain upgrades. This includes the following:

- Upgraded restrooms that are T-24 (ADA) compliant.
- New 5/8" type 'x' drywall on the common demising walls.
- Fire rating extended to the roof and parapets as well.

[176] CUMC § 5709(F)(14).
[177] BCC § 5500(a).
[178] Bus. & Prof. Code § 26001(a)-(p).

- The addition of rigid insulation on the roof surface and re-roofing of the same.
- Fire sprinklers throughout.
- Upgrades to the electrical panel and/or sub-panels.
- Upgrades to electrical throughout the space.
- Upgrades to lighting throughout the space.
- Upgrades to HVAC throughout the space.
- Full Security System with Cameras installed.

In addition to the above upgrades, each unit requires specific work to be done. The breakdown is as follows:

Building One – Cultivation (274 East State Street).

Structural Changes Include:

- The dismantling of the support knees at the bottom of all six trusses.
- Removal of the 4x4 post at the center of the space.
- Addition of two LVL support beams for HVAC equip.
- Addition of 2x6 ceiling joists throughout the space.

Interior Modifications Will Include:

- The build-out of three cultivation rooms, a dry & trim room, a storage area, and an upgraded bathroom. All these rooms require the assembly of new full height walls and doors.
- The addition of drywall on the new ceiling joists throughout the space.
- Sealing of two windows on the rear elevation of the building.

Building Two – Distribution (272 East State Street).

Interior Modifications Will Include:

- Construction of a new wall and door to separate the weighing and packaging area from the product intake area.
- Sealing of two windows on the rear elevation of the building.

Building Three – Retail (270 East State Street).

Interior Modifications Will Include:

- Construction of new wall and door to create a new reception and waiting area at the front of the building.

- Construction of a new wall and door to section off employee only area behind the retail floor.
- Sealing of an interior skylight.

Walters architecture created the plans for the building and prepared a scope of work summary. While this is noted in the plans, we have also included it below.

SCOPE OF WORK.

The new tenant will occupy three existing buildings for this project. Current addresses are 270, 272, and 274 East Smith Street. 270 and 272 are occupied currently with retail use, 274 is vacant.

The proposed use is a cannabis operation that will incorporate 274 for cultivation purposes, 272 for the distribution and 270 for retail.

As the buildings share common demising walls, they will be upgraded to suit one-hour construction from existing slabs through existing parapets. In addition, the roofs of 272 and 274 will provide for new rigid insulation and roof sheathing.

Building 270 will be used as is except for the addition of a new wall and door at the front area to create a reception and waiting area. Addition of a new door to separate the rear area, that will include an office, a storage room, and an employee area. The existing skylight will also be removed and the restroom upgraded.

Building 272 will provide for the addition of one new wall and door to separate the rear area and upgrade of the restroom. New areas provided will include a safe room, distribution/storage area, weighing and packaging area, and sign-in area; the open truss "ceiling" will remain.

Building 274 will provide for new rooms including rooms for cultivation, drying and trimming and storage. There will be a new ceiling applied to the underside of the open trusses throughout the space and the upgraded restroom. Structural work will also require the removal of a central post and existing knee bracing, and the addition of lvl's at the ceiling to support mechanical equipment.

All three buildings will have full title 24 ADA compliance and parking compliance.

Buildings 272 and 274 will have full electrical and mechanical upgrades and new sprinkler installation. (See Exhibit E for Commercial Proposal for Sprinkler Work.) There will be cosmetic upgrades to the exterior facades and removal of existing signage and the addition of new lighting.

REGULATORY COMPLIANCE PLAN.

Compliance with local and state regulations and law is the main priority of Wine Country Cannasseurs. Our team is comprised of members who worked and volunteered in the strict medicinal cannabis system that California had in place before the passage of Prop 64 and the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). We know how unclear and complicated the industry was and are excited to begin our participation in the regulated market.

In order to do so, we have retained a Compliance Attorney to help us with this process and to advise us moving forward. Ashley J. Bargenquast, Esq., has worked in the cannabis industry as an advocate for seven years and an attorney since 2015. Her work has spread over multiple states, including Nevada, Hawaii, and California. In addition to working in compliance, she also practices criminal defense. This outlook allows her to understand and help us address the concerns of law enforcement and the community. We have attached her Letter of Representation to this Application as Exhibit D.

Throughout this application, you can see citations to various code sections including the Ukiah Municipal Code, the State of California Regulations formed by the Bureau of Cannabis Control and other regulatory agencies. This indicates that we have tailored our policies with the law in mind. Further, we have created a guide to where regulations of the City of Ukiah Municipal Code can be found in our application.

LOCATION OF INFORMATION FOR REQUIREMENTS UNDER SECTION 5710.[179]

CRITERIA	LOCATION

[179] CUMC § 5709(F)(16).

• That the dispensary use permit is consistent with the intent of the Compassionate Use Act of 1996. • The AUMA, the MAUCRSA, and related State law, the provisions of this chapter and the City Code, including the application submittal and operating requirements herein.	Mission Statement.
• That the dispensary location is not identified as having significant crime issues (e.g., based upon crime reporting statistics as maintained by the Police Department).	N/A – provided by the Ukiah Police Department.
• That there have not been significant numbers of calls for police service, crimes or arrests in the area or to an existing dispensary location.	N/A – provided by the Ukiah Police Department.
• That an applicant or employee is not under twenty-one (21) years of age.	Management/Owner Information and Employee Information.
• That all required application materials have been provided and/or the dispensary has operated successfully in a manner that shows it would comply with the operating requirements and standards specified in this chapter.	Microbusiness has not yet begun operations. All application materials were sent both by email to Michelle Irace as well as submitted in physical binders.
• That all required application or annual renewal fees have been paid and reporting requirements have been satisfied in a timely manner.	Microbusiness is not yet operational but has paid all required fees up until this point.
• That the location is not prohibited by the provisions of this chapter or any local or state law, statute, rule or regulation, and no significant nuisance issues or problems are	Neighborhood Context Plan.

anticipated or have resulted from dispensary operations.	

• That the site plan, floor plan, and security plan have incorporated features necessary to assist in reducing potential crime-related problems and as specified in the operating requirements in section 5708 of this code.
• These features may include, but are not limited to:
  o Security on site procedure for allowing entry.
  o Openness to surveillance and control of the premises, the perimeter, and surrounding properties.
  o Reduction of opportunities for congregating and obstructing public ways and neighboring property.
  o Illumination of exterior areas.
  o limiting furnishings and features that encourage loitering and nuisance behavior.
	Security Plan
	Business Operations Plans.

• That no dispensary use, owner, operator, permittee, agent, or employee has violated any provision of this chapter including grounds for suspension, modification or revocation of a permit.	Owner/Manager Information.
• That all reasonable measures have been incorporated into the plan and/or consistently taken to successfully control the establishment's patrons' conduct resulting in disturbances, vandalism, crowd control inside or outside the premises, traffic control problems, marijuana use in public, or	Code of Conduct Patient and Customer Educational Materials.

creation of a public or private nuisance, or interference with the operation of another business.	
• That the dispensary would not adversely affect the health, peace, or safety of persons living or working in the surrounding area. • Overly burden a specific neighborhood with special needs or high impact uses, or contribute to a public nuisance. • That the dispensary has resulted in repeated nuisance activities including disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, excessive littering, excessive loitering, illegal parking, excessively loud noises (especially late at night or early in the morning hours), lewd conduct, or police detentions or arrests.	Code of Conduct Patient and Customer Educational Materials Employee Handbook.
• That any provision of the City Code or condition imposed by a city-issued permit, or any provision of any other local or state law, regulation, or order, or any condition imposed by permits issued in compliance with those laws has not been violated.	LiveScan Results.
• That the applicant has not violated any local or State law, statute, rule, or regulation respecting the distribution, possession, or consumption of marijuana.	LiveScan Results.
• That the applicant has not knowingly made a false statement of a material fact or has not knowingly omitted a material fact in the application for a permit.	Planning Permit Application.

• That the applicant, his or her agent or employees, or any person who is exercising managerial authority on behalf of the applicant has not been convicted of a felony, or of a misdemeanor involving moral. turpitude, or has engaged in misconduct related to the qualifications, functions or duties of a permittee.	The Ukiah Police Department will provide live Scan Results upon completion.
• That the applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.	LiveScan Results.
• That adequate parking for medical cannabis dispensaries will be provided at a rate of one space for every two hundred (200) gross square feet of retail space, office space, and similar floor areas. • That adequate parking for cannabis retailers generally will be provided at a rate of one space for every two hundred fifty (250) square feet of gross, leasable space. • However, if the dispensary to be operated by the applicant does not dispense cannabis to patients or eligible adult use patrons on site but services qualified patients and patrons through deliveries in compliance with the law, then adequate parking will be provided at a rate of one space for every four hundred (400) square feet of gross leasable space.	Floor and Site Plans.

Wine Country Cannasseurs understands that as a prerequisite to obtaining a permit from the city, we will also be required to apply for and obtain a business license or exemption from the City of Ukiah and obtain a seller's permit or exemption from the State Board of Equalization pursuant to Division 2, Part 2, Chapter 2, Article 2 of the

California Revenue and Taxation Code, commencing with section 6066e.[180] We understand that our dispensary sales shall be subject to sales tax consistent with State law. [181]

Further, should we be granted our business license, local permit, and state permit, we will maintain these permissions to stay in compliance. For the local level, we understand that applications for renewal must be made at least forty-five(45) days before the expiration date, but that those submitted with less than forty-five(45) days shall be processed in the same manner as a timely renewal application but shall not stay the expiration date of the permit.[182]

Wine Country Cannasseurs also understand that regulations continue to change and evolve as the City and State address new issues. We are always open to communication from our regulators and hope to work closely with the city to provide not only all the necessary application materials but also all information desired on an ongoing basis. This includes providing the planning department with an annual statement containing the number of patients and/or adult-users served by the dispensary within the previous calendar year, if requested, the continuing accuracy of the information in the prior year's dispensary use permit application, documenting any changes or additions to that information as of the date for renewal of the permit, any citizen complaints, city code violations, and calls for law enforcement during the prior year, the applicant's compliance with applicable city and state law governing the operation of dispensaries, and including any additional information the planning department deems necessary, and pay all annual permit fees.[183]

Further, we acknowledge and dedicate ourselves to showing that we are good actors who take compliance seriously. We would never operate a cannabis-business without a use permit or at any place other than the address that we are approved[184]. Once we have our permit, we will not transfer control of our business, either by transferring a controlling interest in Wine Country Cannasseurs or by transferring the permit to

[180] CUMC § 5705.
[181] CUMC § 5705.
[182] CUMC § 5704(D).
[183] CUMC § 5708(Q.
[184] CUMC § 5715(A).

Our Site and Floor plans show scale drawings of both the exterior and interior of our premises. If there are any questions, they should be directed to us to retrieve from our contact at Walters Architecture or applicable contractor.

Our Sign Plan outlines our single wall sign that we intend to have for our microbusiness facility. We plan only to have a single sign on all three units, the other two units will have the necessary lit address markings. All of our signage complies with section 3227 of the City of Ukiah Municipal Code.

Our Lighting Plan shows both existing and proposed exterior and interior lighting. This lighting covers not only those lights necessary to provide adequate security lighting, but also that lighting to be used in our cultivation facility. All lighting will comply with City lighting design and installation standards.

NEIGHBORHOOD CONTEXT PLAN.

Wine Country Cannasseurs hopes to operate our microbusiness from 270, 272, and 274 East Smith Street in Ukiah. This location has a fully enclosed secure structure[195] and is properly zoned for commercial cannabis businesses as a General Urban zone in the City's Downtown Zoning Code. Our dispensary facility, which will include both medicinal cannabis and adult use services, may be located in zoning districts as outlined in Division 9, Chapter 2 of the City of Ukiah Municipal Code, which our location complies with. [196] The parcel is not residentially zoned, nor is there any resident or mobile-home use on it.[197] is directly adjacent to a C-1 district, which is permitted by the Municipal Code. (See Fig A on Page 83 of this Application.)

There is no school within 600 feet of our proposed facility[198]. However, we are keenly aware that the location is within 250 feet of a church and is adjacent to a parcel that, while not residentially zoned, contains a mobile-home park[199]. Wine Country Cannasseurs recognizes these complications and is dedicated to showing that this should not be grounds to deny our application. Other than the church and the mobile-

[195] CUMC § 9174.2(F)(1).
[196] CUMC § 5707(A).
[197] CUMC § 9174.2(F)(1)(d), CUMC § 5707(C)(4).
[198] CUMC § 9174.2(F)(1)(a), CUMC § 5707(C)(1).
[199] CUMC § 9174.2(F)(1)(b) and (e), CUMC § 5707(C)(5).

home park, there are no other youth-oriented facilities within 250 feet[200], schools within 600 feet, or abutting dispensaries, youth-oriented facilities, or schools[201].

We began our exploration of what these conflicting uses might mean for our application in 2018 when we opened up communication with the church and sought clarification from city officials regarding the mobile-home park. Beyond simply communicating, we prepared and submitted a Director Determination and received a response regarding these two uses. (See Exhibits L and M.)

To begin, we would like to address the concerns about the church. City Ordinance section 9173.7 A.2 specifies that no cannabis related business may operate within two hundred fifty feet (250') of a youth-oriented facility. Under City Ordinance No. 118 section 5702AA, the definition of a youth-oriented facility includes a church. Our proposed location has a church as a neighbor, which is not compliant with the code. However, we would request that the City of Ukiah grant a waiver in this case for several reasons. First, the church has no objection to the presence of a cannabis business as their neighbor. The owner of the church, Salomon Flores, wrote a letter to the City of Ukiah, supporting the dispensary's operations there. They have no negative feelings towards cannabis, believe in safe access for patients, and believe that our business would benefit the neighborhood. They feel so strongly about this that they wrote a letter to the same effect that we submitted with our Director's Determination and have attached here. See Exhibit L. Second; we have arranged our work schedule to be limited on Sundays to ensure that our facilities do not interfere with church services. There will be no competition for parking, nor any commercial foot traffic while the church is active. Third, the landlord of the church is also our landlord and has indicated that should the church prevent the establishment of our business, that the landlord would not elect to renew the church's lease after the current lease expires. Wine Country Cannasseurs does not want to see the church have to find a new location and would prefer that the City grant the waiver rather than the church has to move. Since there are no issues between the church and Wine Country Cannasseurs personally, and the church will not be permitted to stay if they prevent us from working, we believe a waiver is the best for all involved.

[200] CUMC § 9174.2(F)(1)(b)-(c), CUMC § 5707(C)(2).
[201] CUMC § 5707(C)(3).

Next, we would like to address the mobile-home park. City Ordinance section 9173.7 A.5 specifies that a commercial cannabis business cannot be located on a parcel having a residential unit or on a parcel abutting a residentially zoned property unless there are intervening nonresidential uses between the business and the unit or residentially zoned parcel. The parcel that abuts our proposed facility is C-1, Community Commercial. This means that the parcel is not residentially zoned, as the ordinance prohibits, but it does contain a mobile-home park. The space between the proposed cannabis facility and the park itself is filled with a parking lot and a six-foot fence. The closest entrance to the mobile-home park is more than 600 feet from the microbusiness entrance. This shows that despite the proximity, the closeness does not interfere nor endanger the mobile-home park at all. If anything, the heightened security along the back fence of the park will benefit the residents.

Further, we have reached out to the mobile-home park regarding our proposed use. We did this by meeting with the owner Mr. Bruce Ledford in person and discussing any concerns he might have. We assured him that we appreciate any feedback he would like to give to us or the city. Further, we plan to implement a “friendly neighbor” discount of 10 % on dispensary purchases for any individual who can show proof of residence in the mobile-home park.

Wine Country Cannasseurs believes that we will improve the neighborhood and provide benefit to those uses around us, despite these minor concerns. For these reasons, we request that the appropriate waivers be granted and operation be approved for the proposed location.

Fig A:

Proposed Location of Wine Country Cannasseurs.

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
October 2, 2019
6:00 p.m.

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1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

Ukiah City Council met at a Regular Meeting on October 2, 2019, having been legally noticed on September 27, 2019. Mayor Mulheren called the meeting to order at 6:00 p.m. Roll was taken with the following **Councilmembers Present:** Juan V. Orozco, Jim O. Brown, Stephen G. Scalmanini, Douglas F. Crane, and Maureen Mulheren. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR MULHEREN PRESIDING.

The Pledge of Allegiance was led by Dina Polkinghorne, Project Sanctuary.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Proclamation Recognizing the Month of October as Domestic Violence Awareness Month in the City of Ukiah

Presenter: Mayor Mulheren.

Proclamation was received by Lydia Lopez, Project Sanctuary.

b. Proclamation of the Ukiah City Council Recognizing California Clean Air Day as October 2, 2019.

Presenter: Mayor Mulheren.

Proclamation was received by Eileen Mitro and Judy Lyria, Climate Action Mendocino representatives.

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

a. Approval of the Minutes for the September 18, 2019, Regular Meeting.

Motion/Second: Brown/Crane to approve Minutes of September 18, 2019, a regular meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

a. Adoption of Resolution *(2019-46)* to Extend the Declaration of a Local Emergency Related to the 2019 Winter Storm Event – *Community Services.*

b. Authorize City Manager to Execute Construction Administration Services Agreement *(COU No. 1920-163)* with Mead and Hunt Inc. for Runway 15-33 Pavement Rehabilitation Phase 1 Construction and Approve Corresponding Budget Amendment – *Airport.*

Motion/Second: Crane/Brown to approve Consent Calendar Items 7a-7b, as submitted. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

9. COUNCIL REPORTS

Presenter:

10. CITY MANAGER/CITY CLERK REPORTS

Presenters:

- Upcoming activities and events – Sage Sangiacomo, City Manager.
- Construction Updates – Tim Eriksen, Public Works Director / City Engineer.
- Sales Agreement for Gobbi St Property – Sage Sangiacomo.

11. PUBLIC HEARINGS (6:15 PM)

a. Annual Review and Possible Approval of the Fee Schedule for the Ukiah Police Department.

Presenter: Justin Wyatt, Police Chief.

PUBLIC HEARING OPENED AT 6:20 P.M.

No public comment was received.

PUBLIC HEARING CLOSED AT 6:21 P.M.

Motion/Second: Crane/Scalmanini to approve the Fee Schedule for the Ukiah Police Department. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

RECESS: 6:22 – 6.23 P.M. (to address technical issues)

b. Appeal of Planning Commission Decision to Deny a Request for Waiver from Location Limitations for Proposed Cannabis Microbusiness Located at 270, 272, and 274 East Smith Street.

Presenters: Craig Schlatter, Community Development Director and Mireya Turner, Associate Planner.

PUBLIC HEARING OPENED AT 6:39 P.M.

Applicant Comment: Jay Donnellan and Ashley Bargenquast, Legal Counsel.

Public Comment: Ron Meaux, Eloisa Gonzalez, Rod Phillips, and Rob Gitlin,

Additional Applicant Comment: Ashley Bargenquast, Legal Counsel and Jay Donnellan.

PUBLIC HEARING CLOSED AT 7:06 P.M.

Motion/Second: Scalmanini/Mulheren to overturn the Planning Commission's denial of the Request for Waiver from Location Limitations for a proposed cannabis microbusiness at 270, 272 and 274 East Smith Street, granting the waiver and allowing the proposed Major Use Permit application to proceed with the following Findings:

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

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

Motion **carried** by the following roll call votes: AYES: Scalmanini, Crane, and Mulheren. NOES: Orozco and Brown. ABSENT: None. ABSTAIN: None.

RECESS: 7:25 – 7:32 P.M.

12. UNFINISHED BUSINESS

a. Receive Report Regarding Review of Ordinance for Marijuana Dispensaries and Provide Direction as Necessary.

Presenters: Craig Schlatter, Community Development Director and Michelle Irace, Planning Manager.

Council Consensus directs staff to agendize an item for discussion, education, and to provide some alternatives and clarification regarding policy choices.

Council Consensus to bring this item back annually for Council's review.

b. Determination of Notification of Intent to Adjust Curbside Collection and Transfer Station Service Rates.

Presenter: Dan Buffalo, Finance Director.

Motion/Second: Brown/Scalmanini to confirm the determination of the City Manager of compliance with the provisions of the agreements between the City of Ukiah and Ukiah Waste Solutions, Inc. and Solid Waste Systems, Inc. regarding the company's notice of intent to adjust curbside collection and transfer station rates. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: Crane.

c. Approval of Notice of Completion for Recycled Water Project, Phases 1 - 3, Specification No. 17-08.

Presenter: Sean White, Water Resources Director.

Motion/Second: Crane/Scalmanini to approval of Notice of Completion for Recycled Water Project, Phases 1 - 3, Specification No. 17-08. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

d. Authorize Execution of Amendment to the Agreement with GHD in an Amount not to Exceed $13,930 for Additional Services for the Traffic Analysis for Ukiah Schools and Surrounding Area.

Presenter: Tim Eriksen, Public Works Director / City Engineer.

Motion/Second: Crane/Brown to authorize execution of amendment to the agreement *(1718-214-A1)* with GHD in an amount not to exceed $13,930 for additional services for the Traffic Analysis for Ukiah Schools and Surrounding Area. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

13. NEW BUSINESS

a. Receive and Approve Report of Citywide Engineering and Traffic Survey.

Presenter: Tim Eriksen, Public Works Director / City Engineer.

Motion/Second: Crane/Brown to approve report of citywide engineering and traffic survey. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

b. Nomination and Possible Adoption of Resolution Making an Appointment to the Planning Commission to Fill the Remaining Term of Christopher Watt.

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Brown/Scalmanini to accept the nomination of Ruth Louise Van Antwerp, and adopt the resolution *(2019-47)* making the appointment to the Planning Commission to filling the remaining term of Christopher Watt, expiring in December 2022. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

c. Discussion and Possible Action Regarding the Cancellation of the October 16, 2019, City Council Regular Meeting, with the Option for the Mayor and/or City Manager to Call for a Special Meeting on an Alternate Date if Time Sensitive Business Arises.

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Crane/Orozco to approve the cancellation of the October 16, 2019, Regular City Council Meeting with the option for the Mayor and/or City Manager to call for a special meeting on an alternate date if time sensitive business arises. Motion **carried** by the following roll call votes: AYES: Orozco, Brown, Scalmanini, Crane, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

d. Receive Updates on City Council Committee and Ad Hoc Assignments and, if Necessary, Consider Modifications to Assignments and/or the Creation/Elimination of Ad hoc(s).

Presenters: Sage Sangiacomo, City Manager; Councilmembers Orozco and Brown; and Mayor Mulheren.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:22 P.M.

14. CLOSED SESSION

a. Conference with Legal Counsel—Anticipated Litigation

(Government Code Section 54956.9(d))

A. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (Number of potential cases: 1.)

B. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Number of potential cases: 1)

b. Conference with Legal Counsel—Anticipated Litigation
Government Code Section 54956.9(d)(2)
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (Number of potential cases: 1)

c. Conference with Legal Counsel – Existing Litigation
(Government Code Section 54956.9(d)(1))
Name of case: *Vichy Springs Resort v. City of Ukiah, Et Al; Case No. SCUK-CVPT-2018-70200*

d. Conference with Legal Counsel – Existing Litigation
(Cal. Gov't Code Section 54956.9(d)(1))
Name of case: *City of Ukiah v. Questex, LTD, et al, Mendocino County Superior Court, Case No. SCUK- CVPT-15-66036*

e. Conference with Real Property Negotiators
(Cal. Gov't Code Section 54956.8)
Property: APN Nos: 002-273-19-00 and 002-273-30-00
Negotiator: Sage Sangiacomo, City Manager;
Negotiating Parties: Bank of America
Under Negotiation: Price & Terms of Payment

f. Conference with Real Property Negotiators
(Cal. Gov't Code Section 54956.8)
Property: APN Nos: 002-192-14-00 (280 E. Standley)
Negotiator: Sage Sangiacomo, City Manager;
Negotiating Parties: Onetogether Solutions
Under Negotiation: Price & Terms of Payment

g. Conference with Labor Negotiator (54957.6)
Agency Representative: Sage Sangiacomo, City Manager
Employee Organizations: Fire Unit

No report out was received.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:35 p.m.

Kristine Lawler

Kristine Lawler, City Clerk

MEAUX
ARCHITECTURE
GROUP

Re: 270-274 East Smith Street

APN 002-191-23
File No. 19-4635
Major use permit for Wine Country Cannasseurs
City of Ukiah Planning Commission

Commissioners,

I have objected to the Wine Country Cannaseurs proposed project at the previous hearings and I still am strongly opposed.

I believe it is important the commissioners understand the condition of the building particularly the suite planned as the grow room. I am including photographs of the east side of the building. As you will see the siding is falling off. Also, the building lacks a proper foundation and the east wall is uninsulated with major gaps in the siding as indicated in the photographs. In addition, the east wall varies between 0 and 10 feet of the property line. Table 602 of the California Building Code stipulates in F-1 occupancy that walls less than 5 feet from the property must be of two-hour fire rated construction. This clearly is not the case here.

Since the City Council's approval, I have had the opportunity to speak to mechanical engineers and mechanical contractors with experience in the cannabis industry as well as growers. All confirm my fears, that it is difficult or near impossible to confine the odors emitted in cannabis grows of this magnitude. Add the difficulty in containing the odors to the condition of the building, I fear the worst.

I do not object to the cannabis industry. In fact, I believe legalization was necessary. What I do object to is growing in the center of town less than 50 feet of professional buildings. Growing cannabis at this scale is an agricultural endeavor and has no place in the heart of the city.

It can't be in the best interest of the community, for people who have been in business for decades in the same location to suffer the consequences of a new businesses that can flourish in thousands of other locations. Mendocino County consist of 3,878 sq. Miles. It makes no sense to allow cannabis to be commercially grown in the heart of the city.

I appeal to you the commissioners that this project be denied or be limited to distribution without the growing and drying component. Or, at the very least, require the building be upgraded to current standards and that the most restrictive methods of odor control be required, for once a project is approved, how do you compensate the neighbors that are negatively impacted?

Respectfully,

Ro ald J. Meaux

206 MASON STREET, SUITE D. UKIAH, CA. 95482
707-462-6377 MEAUXARCH@GMAIL.COM

UNAUTHORIZED OR
IMPROPERLY PARKED
VEHICLES WILL
BE TOWED AT
OWNERS EXPENSE

COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

BRENT SCHULTZ, DIRECTOR
TELEPHONE: 707-234-6650
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FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

Wednesday, January 08, 2020

City of Ukiah,
Community Development Department, Planning Division
ATTN: Craig Schlatter, Community Development Director
300 Seminary Avenue
Ukiah, CA, 95482

Dear Mr. Schlatter,

The City of Ukiah has items on the Planning Commission schedule for the January 8, 2020 public under new business numbered 12a and 12b. Below are the project summaries, as copied from the City's agenda:

> *12a. Request for Review of a Major Use Permit and Parking Variance Request to Allow a Cannabis Manufacturing (non-volatile) and Dispensary/Retail Operation in an Existing Building at 441 North State Street; APN 002-186-19; File No. 19-4434.*
>
> *12b. Request for Review of a Major Use Permit with Major Exception to Allow Operation of a Cannabis Microbusiness to Include Cultivation, Distribution, and Dispensary/Retail in an Existing Building at 270, 272 & 274 East Smith Street; APN 002-191-23; File No. 19-4635.*

In reviewing these project sites, County staff has determined that both locations are in fact within a 'B2' Airport Zone. The staff report for 441 North State Street incorrectly identifies the structure as within a 'C' Airport Zone (See Enclosure). It should be noted that neither Staff Report analyzes concerns regarding Airport Land Use considerations, constraining efforts to facilitate a compatibility determination.

As such, prior to the City of Ukiah's Planning Commission review and decision, it is requested that both projects be 'Continued' and subsequently submitted to the Mendocino County Airport Land Use Commission (ALUC) to determine compatibility with the Mendocino County Airport Comprehensive Land Use Plan (ACLUP). The fee for an ALUC application review is $1,955.33.

Please do not hesitate to contact me with any questions.

Sincerely,

Brent Schultz
Director of Planning & Building Services

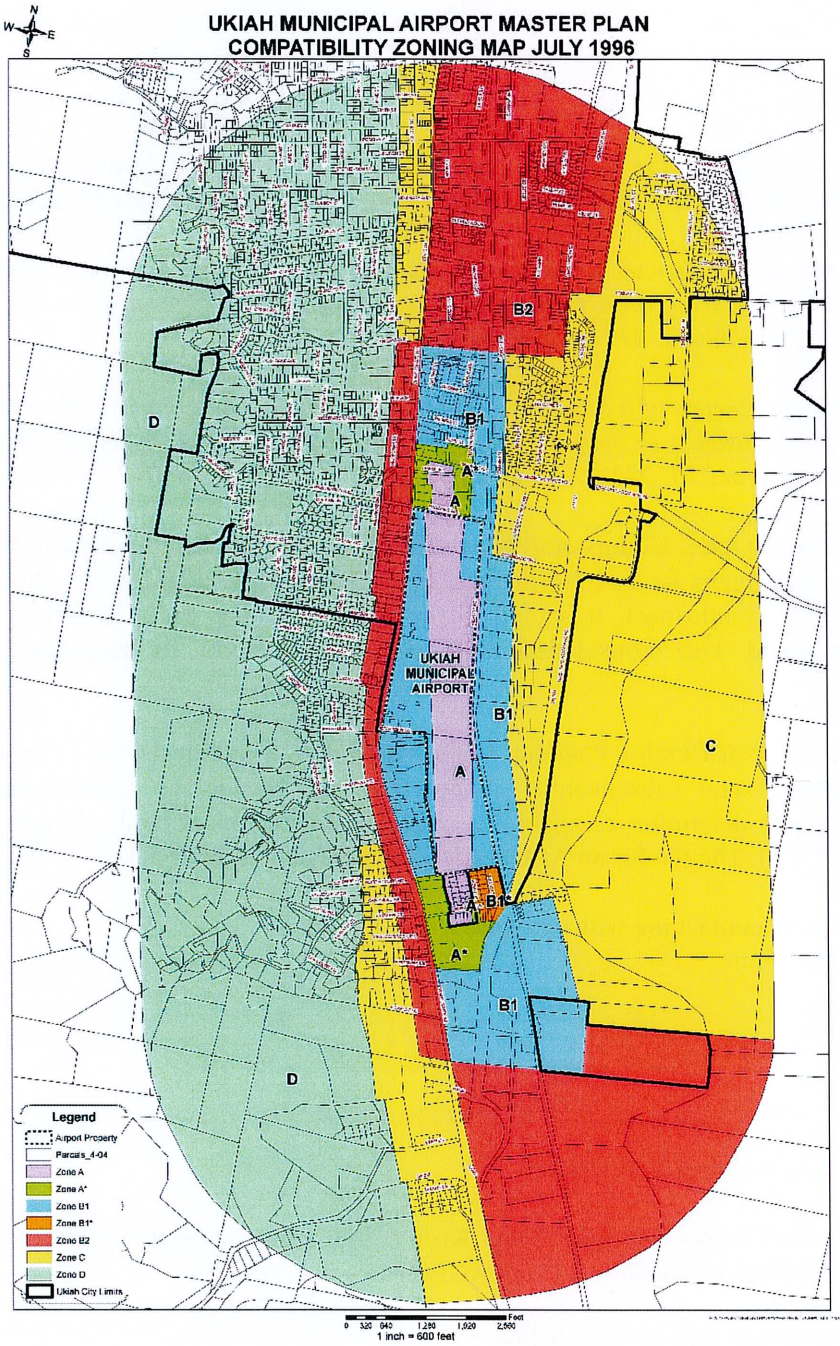
Cc: Keith Gronendyke (Planner III), Julia Acker-Krog (Chief Planner), Sage Sangiacomo (City of Ukiah Manager), Carmel J. Angelo (Mendocino County CEO)

Enclosed: Ukiah Municipal Airport Master Plan Map

City of Ukiah

COMMUNITY DEVELOPMENT DEPARTMENT

UKIAH MUNICIPAL AIRPORT MASTER PLAN
COMPATIBILITY ZONING MAP JULY 1996



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City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT REVIEW REFERRAL

Please provide comments by: July 22, 2019

The City of Ukiah Community Development Department is soliciting input on the project described below for use in the staff analysis, CEQA document, and public hearing documents. You are invited to comment on any aspect of the proposed project, including information required before you can finalize your comments and recommended conditions of approval for the project.

TO:

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

FROM PROJECT PLANNER: Mireya G. Turner, Associate Planner
Mturner@cityofukiah.com

PROJECT INFORMATION:

Date Filed:	7/1/2019	Date Referred:	7/8/2019
Prev. Projects on Site:	Retail shops and Salon	Resubmittal:	N/A
File #(s)	**18-4635**	Agent:	JPJ & Associates, LLC
Project Name:	Wine Country Cannasseurs	Address:	2727 Beecham Street
Site Location:	270, 272 & 274 E. Smith St.		Napa, CA 94558
APN:	002-191-23		
Zoning:	General Urban	Phone:	(707) 671-4335
General Plan:	Commercial (C)	Email:	winecountrycannasseurs@gmail.com

DESCRIPTION: Minor Use Permit to allow cannabis microbusiness, consisting of cultivation, distribution, and retail in three adjacent storefronts. The applicant proposes no building additions to the existing building.

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

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

Name and Affiliation/Department (please print) Public Works Management Analyst

☒ No Comment

☐ Comments / Conditions of Approval Attached

Jarod Shiels 8/5/19

Signature **Date**

ORIGINAL

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

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---

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

Name and Affiliation/Department (please print) Capt. Sean Kaeser, CSO Nancy Sawyer - Ukiah Police Dept.

☐ No Comment

☑ Comments / Conditions of Approval Attached

Signature **Date** 7/16/19

Ukiah Police Department
Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

To: Mireya Turner, Associate Planner
CC: Chief J. Wyatt, Lt. D. McQueary, Michelle Irace
From: CSO N. Sawyer, Capt. S. Kaeser
Project Name: Wine County Cannasseurs – Minor Use Permit
Site Location: 270, 272, 274 E. Smith St.
Date: 7/16/19

On 7/15/19, I conducted a site visit per Captain Kaeser's request. During this initial visit, I identified two concerns. The first being to the proximity of a senior mobile home residential park located to the north of the site, which is an abutting property. Secondly, the Primera Iglesias Church located west and adjacent to the site, also abutting the property. This Minor Use Permit and site plan is requesting to allow applicant to use three existing adjacent storefronts for a cannabis microbusiness w/cultivation, distribution, and dispensary, including parking lot north of site. Per Ukiah City Code and California Business and Professions Code, sections indicated below, a dispensary shall not be allowed within the specified distance.

For the above reasons the Ukiah Police Department did no further evaluation of the site or the submitted security plan. The Police Department is aware of Section 9174.2(F)(2) which allows for the granting of a waiver to the setbacks by the Zoning Administrator or the Planning Commission. The department's concern is that this waiver does not waive established state law as indicated under 26054 (b) B&P.

See Ukiah City Code: **§5707 LIMITATION ON LOCATION OF DISPENSARIES**

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

1. Within six hundred feet (600') of a school, with that distance measured as the horizontal distance in a straight line from the property line of the school to the closest property line of the lot on which the dispensary is to be located without regard to intervening structures, pursuant to California Health and Safety Code section 11362.768; or

2. Within two hundred fifty feet (250') of a youth-oriented facility other than a school, or another dispensary, with that distance measured by street frontage from the property line of the youth-oriented facility to the closest property line of the lot on which the dispensary is to be located, and not radial distance; or

3. Abutting, on any side of the parcel upon which the dispensary is located, a parcel occupied by a youth-oriented facility, a school, or another dispensary; or

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4. Within any residentially zoned parcel or primary land use, or any property with an underlying residential or mobile homes general plan land use designation; or

5. On a parcel having a residential unit, or on a parcel directly abutting a residentially zoned property, unless there are intervening nonresidential uses between the dispensary and the residential unit or the residentially zoned property that the Planning Commission or, on appeal, the City Council determines sufficient to provide an appropriate separation.

5702 DEFINITIONS

AA. "Youth-oriented facility" means a public park, church, museum, library, or licensed daycare facility.

California Business and Professions Code

Sec. 26054

(b) No licensee under this division shall be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license is issued, unless a licensing authority or a local jurisdiction specifies a different radius. The distance specified in this section shall be measured in the same manner as provided in subdivision (c) of Section 11362.768 of the Health and Safety Code unless otherwise provided by law.

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

Sean Kaeser
Captain
Ukiah Police Department
Office: (707) 463-6254
Email Address: skaeser@cityofukiah.com

Ukiah Police Department
Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

Project Review Address: **270/272/274 E. Smith St.** (Based on plan provided & site visit)
File # **18-4635**
Project Name: **Wine Country Cannasseurs**
Description: Cannabis microbusiness, consisting of cultivation, distribution and dispensary(retail)
Conditions, Crime Prevention through Environmental Design (CPTED) and Site Plan Review:
November 5, 2019

Disclaimer

This survey is intended to assist you in improving the overall level of security and includes opportunities to reduce potential crime, improve safety and security measures. The information contained herein is based on guidelines set by the California Crime Prevention Training Institute and the observations of the individual officer(s) conducting the survey. It is not intended to imply the existing security measures, or proposed security measures are absolute or perfect.

All new construction or retrofits should comply with existing building codes, zoning laws and fire codes. Prior to installation or modifications, the proper licenses and variances should be obtained and inspections should be conducted by the appropriate agency. It is the responsibility of the owner/operator to ensure compliance with all Federal, State, and Local laws.

Confidentiality

Portions of this CPTED report may contain confidential information that may be privileged pursuant to California Evidence Code section 1040. Such privileged information may be potentially withheld pursuant to California Government Code section 6255

Introduction

270/272/274 E. Smith St., site is an existing storefront building with 3 connecting units. The three units at 270/272/274 have connecting walls. A paved parking lot borders the back and is north of building adjoined by a senior mobile home park. The other two connecting storefronts, (not related to this applicant), housing a Church, is attached to the west side of the building. An office building housing a retail office supply/services and parking lot borders the east side. To the south is the City Parks storage parking lot.

E. Smith St. is south of the location running east and west. E. Smith St. connects to Mason St. on the east and N. Main St. to the west. Both Mason St. and N. Main St. connect to main artery Perkins St. which runs north and south.

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Ukiah Police Department
Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

CPTED Principles/Key Concepts

Crime Prevention through Environmental Design (CPTED) is a proactive crime-fighting technique in which the proper design and effective use of parks, open spaces, building(s) and their surroundings lead to a reduction in crime as well as an improvement in the quality of life for citizens of the community.

Access Control:
Properly located entrances, exits, fencing, landscaping and lighting to direct foot and motor traffic in ways that discourage crime.
Surveillance:
Generally, criminals do not want to be seen. Placing physical features, activities and people in ways that minimize the ability to see what is going on discourages crime. Landscaping and lighting are two methods used to provide natural surveillance. The three main types of surveillance are natural, organized (security), and mechanical (alarms, video surveillance).
Territorial Reinforcement:
Define the boundary between private and public areas to send a message to illegitimate users that they are not to be there and provide a sense of ownership to legitimate users.
Lighting:
Minimum maintained lighting standards providing nighttime illumination of parking lots, walkways, entrances, exits and related areas to promote a safe environment.
Maintenance:
Well maintained landscaping, lighting and property cleanliness shows a property is well-cared for and someone is responsible for the upkeep. A property that is not maintained may indicate the management is not concerned about the property and be willing to overlook criminal activity. See the "broken window theory".

RECOMMENDS the following conditions for 270/272/274 E. Smith St.:

Access Control:
-Place address numbers displayed in accordance with building and zoning codes to facilitate/expedite public safety responses.
-Keep current chain link fencing in good repair.
-Fences shall be a minimum of 6', constructed of decorative tubular steel, no climb type. This shall apply to newly constructed fencing w/gate for west side of property. (Security Plan site diagram)
-All solid core exterior doors be equipped with a 180 degree viewing device to screen persons before allowing entry. Doors shall remain locked at all times, except for emergencies and deliveries. (Security Plan)
-The applicant is responsible for reasonably controlling the conduct of persons on the site and shall immediately disperse loiterers. (Security Plan)
-Have Security arrive ½ hr. before opening and stay ½ hour past closing hours.
-Applicant to install a "Knox Box" for Fire access to the exterior areas of the property after hours.
-Keep loading dock doors locked at all times. (Security Plan)
-Interior of building could not be accessed during this Audit.

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Ukiah Police Department
Safety, Professionalism, Community Service

Justin Wyatt
Chief of Police

Territorial Reinforcement:
-Install signage at entrance to define location with designation and address.
-Post no trespassing and authorized personnel only signs for fenced/gated areas.
-Keep dumpsters locked or in locked enclosures to limit unauthorized dumping or scavenging.

Lighting:
-Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. Color temperature shall be between 2700K and 4100K with a color rendering index of 80 or better and a light loss factor of .95 or better. When choosing lamps, the applicant should look for efficiency of 110 lumens per watt or better.
-Light poles shall be no higher than 16'.
-Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.
-Exterior lighting shall be designed in coordination with the landscaping plan to minimize interference between the light standards and required illumination and the landscape trees and required shading.
-Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.
-All building exterior lighting and parking lot lighting should be functioning and kept in good repair. (Consult with Planning Department to meet Illumination Engineering Society (IES) minimum standard for open parking and buildings.)
-Site not viewed during night time hours.
-Interior of building not accessible during Audit.

Maintenance:
-Report any graffiti to UPD @ 463-6262. After reporting, clean-up/paint over as soon as possible. Spray on graffiti remover can be purchased at hardware supply stores.
-Keep property free of debris/garbage.
-Weekly inspection of exterior building and property to limit unauthorized usage of property.
-If any rooftop entrances to building, place locking mechanism to limit illegal entrance from rooftop.
-Any exterior electrical outlets can have locking plates or decommission for non-use to limit illegal usage.
-Any exterior water faucets should have a locking box cover or decommission for non-use to limit illegal usage.

Landscaping:
-All mature landscaping shall follow the two-foot, six-foot rule. All landscaping shall be ground cover, two feet or less and lower tree canopies of mature trees shall be above six feet. This increases natural surveillance and eliminates hiding areas within the landscape.
-Tree canopies shall not interfere with or block lighting. This creates shadows and areas of concealment. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs.
-If landscaping for screening is desired, this shall be accomplished by hostile vegetation such as holly.

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Ukiah Police Department
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Justin Wyatt
Chief of Police

Surveillance:
-Install height markers on the interior doorways of retail location.

The following conditions SHALL be included in the Security Plan:

-Plan must be prepared by a qualified professional.
-Install interior video camera surveillance and exterior surveillance.
-Install audible security alarm and monitoring.
-Business equipped with a UL compliant security system including:

- Video Assessment and Surveillance System (VASS)
  VASS must provide comprehensive coverage of:
  - safe(s)
  - areas of ingress and egress,
  - parking lot, loading areas,
  - coverage of all four (4) exterior sides of the property,
  - adjacent public rights of way.

  VASS storage must be:
  - kept off-site or in a secured area accessible only to management
  - capable of storing no less than 90 days' worth of activity
  - capable of exporting footage to common media in a standard viewing format
  - shall not require proprietary software for third party viewing.
- The manager with access to the VASS storage shall be able to respond to any activation within one hour.
- Cameras shall be day/night capable with a resolution of no less than two (2) megapixels and a minimum frame rate of 15 frames per second.
- Intrusion Detection System with private security response
- Emergency (panic) Alarm

-Security system monitored by a UL listed monitoring company.
-Security system installed by a UL certified installer.
-Holdup/Distress(panic) alarm system shall be employed near the:
Transport area, manager's office, employee entrance, lobby, safe(s)
-Security system shall be equipped with at least 24 hours of continued operation time in case of power failure.
-Security system shall be equipped with cellular back-up in case of phone line disruption.
-Monitors displaying the employee parking area and property perimeter shall be mounted in a visible location near the door from which employees will arrive and depart so that employees may monitor the outside environment prior to departing the facility.
-A log shall be maintained that shows when the alarm system was armed and disarmed, and by whom.
-Post signage stating location is under active video surveillance monitoring and alarm/monitoring.

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-Staff trained in Security and Safety policies and procedures for interior and exterior of site and following same at all times.
-All crimes occurring on the premises shall be reported to the Ukiah Police Department with 24 hours.
-Train and encourage employees re: "active surveillance". They are the best defense against suspicious people.
-Have protocols in place for reporting suspicious individuals.
-Interior of building could not be accessed during this Audit.

Other:
-No manufacturing of Butane Honey Oil (BHO) or other, similar substances on the premises.
-Storage containers and non-operational vehicles shall not be allowed in the parking area of the property.
Will the storage containers on site be removed from location?
-No public pay phones/telephones allowed on the premises.

Site Plans:
Site plans and floor plans for the ***business*** shall be completed to the satisfaction of the Ukiah Police Department prior to the issuance of a building permit, including:

- Secure Lobby
- Manufacturing area
- Secure transport and shipping area for transferring cannabis or cash to or from VEHICLES.
- Secure storage (safe[s])

Additional questions to be answered by Applicant:
-Physical measures to prevent vehicle penetration area (5708. G (1b) UCC (Growing areas only)
Is this in site plans?
-Will roll up door and roof hatch contacts re: Security, be added to the scope of work, along with glass break detection?
-Will there be outdoor beam alarmed security in the back gated/fenced area?
-Will additional light standards be installed in the back parking lot area for additional lighting coverage?
-Have all the backgrounds for current employees been run?

Respectfully submitted,

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

11/5/19: njs

Mireya Turner

From: Nancy Sawyer
Sent: Tuesday, November 19, 2019 5:19 PM
To: Mireya Turner
Cc: Sean Kaeser; Justin Wyatt
Subject: Wine Country Cannasseurs/270-274 E. Smith St./UPD Activity

UPD Activity for these areas per your request: (CAD report ran from 10/11/18 – 9/17/19)

1.) 200 block of E. Smith St. – 2/False Alarms, 2/Suspicious person, 1/loose animal, 1/disturbance, 1/theft, 4/traffic stops, 1/utility call, 2/vandalism, 1/violation of court order
TOTAL of 15 calls
2.) 289 & 301 N. Main St.- No calls during this time period.
3.) 280 E. Standley St. – 1/transient person
TOTAL of 1 call
4.) 204 Mason St. – 1/suspicious circumstances
TOTAL of 1 call

Nancy Sawyer, ICPS, CPD
Community Service Officer, Crime Prevention
Ukiah Police Department
300 Seminary Ave., Ukiah, CA 95482
Phone (707) 467-5708, Fax (707) 462-6068
nsawyer@cityofukiah.com

POLICE CITY OF UKIAH
"Safety, Professionalism & Community Service"
CPTED CPD 2017-2021

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: Mireya Turner <mturner@cityofukiah.com>
Sent: Tuesday, November 05, 2019 1:55 PM
To: Nancy Sawyer <nsawyer@cityofukiah.com>
Subject: RE: can't remember if I requested this already

214, 262, 264, 266, 268, 270, 272 & 274 E. Smith Street
280 E. Standley St
289 & 301 N. Main St.
204 Mason Street.

Thanks!

City of Ukiah

Mireya G. Turner, MPA
Associate Planner
300 Seminary Avenue

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT REVIEW REFERRAL

Please provide comments by: July 22, 2019

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X	Kevin Jennings, Fire Marshall	Regional Water Quality Control Board
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	Airport Land Use Commission	PG & E (gas)
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FROM PROJECT PLANNER: Mireya G. Turner, Associate Planner
Mturner@cityofukiah.com

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

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

☐ No Comment

☒ Comments / Conditions of Approval Attached

Jimmy Lozano 7/9/2019

Signature **Date**

City of Ukiah
COMMUNITY DEVELOPMENT DEPARTMENT

Comments / Conditions of Approval:

Hi Mireya,

Regarding Project Review Referral File # 18-4635 Wine Country Cannaseurs (270, 272, 274 E. Smith Street), the Electric Department offers the following comments/conditions :

1) The properties will be served from existing electric overhead facilities and transformer bank that serves multiple address/buildings in the immediate area. Should the project need to upgrade to a larger panel or increase the electric load in the future, they will need to contact the Electric Utility Office.
   a) Will the existing Electric Main Service Panels be utilized for the three (3) buildings on the project?
   b) If not, what is the proposed main service panel size for each address location?

2) All future site improvements shall be submitted to the Electric Utility Department for review and comment. At this time, specific service requirements, service voltage and developer costs and requirements will be determined.

3) Applicant will need to provide EUSERC approved electrical equipment that is to be used on this project.

4) Applicant shall provide projected load calculations, in the event that the existing Electric Main Service Panels need to be upgraded to a larger size to the COUEUD for their project.

5) Applicant/customer shall incur all costs of this future project to include (labor, materials, equipment) .

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

Thank you, Jimmy

UKIAH VALLEY FIRE AUTHORITY

1500 SOUTH STATE STREET
UKIAH, CA 95482-6709
Phone: (707)463-7921 ♦ Fax: (707)462-2938 ♦ Email: kjennings@cityofukiah.com

Project Review Comments,
270, 272, and 274 E. Smith St.
Wine Country Cannasseures

15 July 2019

These comments are for project review and not for other purposes such as applying for a building permit, as that review process will be a bit more in-depth. The Prevention Office / Fire Marshall has no significant comments at this time. The following will also be referenced in future applications for the purposes of receiving a building permit.

Retail Space – 270 E. Smith

- Egress doors shall swing in the direction of egress travel. The plans provided shows the door between the Reception / Waiting area must / shall swing in the direction of egress travel (Smith St.).
- Egress doors shall be equipped with panic hardware, thus allowing for safety and security.
- One Class 2-A rated fire extinguisher per area, Reception / Waiting, Dispensary / Display, and in rear employee area. Fire Marshal shall assist with location recommendations.
- Address shall be clearly posted on the Smith Street side of the build (each occupancy). The provided elevation plan shows all addresses located above main entrance door to each location, this is the desired location. Numbers shall be of a contrasting color to the background.
- All addresses for all occupancies shall also appear on the rear door of each.

272 E. Smith

- Required Class 2-A rated fire extinguishers, Distribution / Storage, Weighing / Packaging, Sign In.

274 E. Smith

- Required Class 2-A rated fire extinguishers, Cultivation A & B can share one, centrally located. Weighing / Packaging, Entry area.

As noted in your project information submission a Fire Sprinkler system shall be required, along with a monitoring station.

Additionally, a "Knox security key box" shall be required so that the Fire Department shall have access to all doors within the facility. The Fire Marshal shall select the most desired location for this key safe.

Fees for Fire Department reviews shall include a Plan Check, and three (3) site visits, one of which being the final inspection. Please do not hesitate contacting the Fire Marshal's office for any further questions, comments or concerns.

Kevin P. Jennings
Division Chief – Fire Marshal

Mireya Turner

From: Matthew Keizer
Sent: Tuesday, July 9, 2019 7:37 AM
To: Mireya Turner
Subject: RE: Project Review Referral - 270, 272 & 274 E. Smith St - Cannabis microbusiness

1. A building permit will be required for T.I work. Please submit plans, building permit application, and the associated forms, see links below. Please submit fore complete plan sets, two wet stamped and signed.

   Useful City Hand outs and submittal documents links below.
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/Application-for-Unreasonable-Hardship-Determination-for-Accessibility.pdf
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Building-Permit-Application-02102014-fillable.pdf
   http://www.co.mendocino.ca.us/aqmd/pdf_files/ADRN-2791-revised.pdf
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Special-Inspection-Agreement-2016-CBC_complete-fillable.pdf
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/AB3002Notice.pdf
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/Commercial-Building-Permit-Submittal-Documents1.pdf

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

City of Ukiah

Matt Keizer, Building Official
Email: mkeizer@cityofukiah.com
300 Seminary Ave
Ukiah, CA 95482
Office 707-467-5718
Fax 707-463-6204

From: Mireya Turner <mturner@cityofukiah.com>
Sent: Monday, July 8, 2019 3:08 PM
To: Michelle Irace <mirace@cityofukiah.com>; Matthew Keizer <mkeizer@cityofukiah.com>; Rick Seanor <rseanor@cityofukiah.com>; Kevin Jennings <kjennings@cityofukiah.com>; Sean Kaeser <skaeser@cityofukiah.com>; Nancy Sawyer <nsawyer@cityofukiah.com>; Jimmy Lozano <jlozano@cityofukiah.com>; Scott Bozzoli

Mireya Turner

From: Matthew Keizer
Sent: Wednesday, July 24, 2019 10:16 AM
To: Michelle Irace; Mireya Turner
Subject: FW: Project Review Referral - 270, 272 & 274 E. Smith St - Cannabis microbusiness

At unit 262 they have an expired permit application # 721 to convert commercial space to residential this permit application will need to be closed and the Building Division will need to do an onsite inspection to confirm that no one is living in the building.

From: Matthew Keizer
Sent: Tuesday, July 9, 2019 7:37 AM
To: Mireya Turner <mturner@cityofukiah.com>
Subject: RE: Project Review Referral - 270, 272 & 274 E. Smith St - Cannabis microbusiness

1. A building permit will be required for T.I work. Please submit plans, building permit application, and the associated forms, see links below. Please submit fore complete plan sets, two wet stamped and signed.

   Useful City Hand outs and submittal documents links below.
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/Application-for-Unreasonable-Hardship-Determination-for-Accessibility.pdf
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Building-Permit-Application-02102014-fillable.pdf
   http://www.co.mendocino.ca.us/aqmd/pdf_files/ADRN-2791-revised.pdf
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2019/02/Special-Inspection-Agreement-2016-CBC_complete-fillable.pdf
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/AB3002Notice.pdf
   http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/07/Commercial-Building-Permit-Submittal-Documents1.pdf

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

City of Ukiah
Matt Keizer, Building Official
Email: mkeizer@cityofukiah.com
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Ukiah, CA 95482
Office 707-467-5718
Fax 707-463-6204

Mireya Turner

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

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

Chris

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

Dear Chris,
Thank you so much for assisting us in finding a new way to check our daycare setbacks for our commercial cannabis permits.
We have three locations which need confirmation of any home daycares within a 250 foot radius.
The addresses are as follows:
441 North State Street
270-274 East Smith Street (they are using 3 suites in a strip mall)
1125 South State Street

Thank you again, for your help.
Cordially,

City of Ukiah

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

Mireya Turner

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City of Ukiah

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CITY OF UKIAH
PLANNING COMMISSION MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
January 8, 2020
6:00 p.m.

DRAFT

1. **CALL TO ORDER**
The City of Ukiah Planning Commission met at a Regular Meeting on January 8, 2020, having been legally noticed on December 29, 2019. Chair Wetzel called the meeting to order at 6:00 p.m.

CHAIR WHETZEL PRESIDING.

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

3. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chair Whetzel.

4. **APPROVAL OF MINUTES**
   a. **Approval of the January 8, 2020 Regular Meeting Minutes.**

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

5. **APPEAL PROCESS**
No matters eligible for appeal were heard.

6. **COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**
No public comment was received.

7. **SITE VISIT VERIFICATION**
Confirmed by Commissioners. Not visited by Van Antwerp.

8. **VERIFICATION OF NOTICE**
Confirmed by Staff.

9. **PLANNING COMMISSIONERS' REPORT**
Presenter: Chair Whetzel.

10. **PLANNING COMMISSION DIRECTOR'S REPORT**
Presenter: Craig Schlatter, Community Development Director.

11. CONSENT CALENDAR

a. Make recommendation of Approval to the City Council of Final Major Subdivision Map for Gobbi Commons, and Authorize the Chair of the Planning Commission to sign the Certification; project located at 250 West Gobbi Street; APN 001-306-06. File No: 19-4625.
Motion/Second: Vice Chair Christensen/Commissioner Sander motion carried to recommend of Approval to the City Council.

12. NEW BUSINESS

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

Motion/Second: Commissioner Sander/Vice Chair Christensen Motion to move to a future date **carried** by the following roll call vote: AYES: Van Antwerp, Christensen, Sanders, Hilliker, and Chair Whetzel. NOES: None. ABSENT: None. ABSTAIN: None.

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Public comment: Letter from Brent Schultz at County of Mendocino Dept of Planning and Building Services, email from Robert & Thelma Levy, email from Jan Hoyman Studio, letter from Douglas L Losak of Law Office of Duncan M. James.

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

Motion/Second: Commissioner Sander/Vice Chair Christensen Motion to move to a future date **carried** by the following roll call vote: AYES: Van Antwerp, Christensen, Sanders, Hilliker, and Chair Whetzel. NOES: None. ABSENT: None. ABSTAIN: None.

Public comment: Letter from Brent Schultz at County of Mendocino Dept of Planning and Building Services, Letter from Ronald J. Meaux from Meaux Architecture Group.

13. UNFINISHED BUSINESS

14. ADJOURNMENT

There being no further business, the meeting adjourned at 6:17 p.m.

_____

Pamela Mathias, Deputy Clerk

DRAFT

RESOLUTION NO. 2018-39

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH

ESTABLISHING AN INTERIM REFERRAL PROCEDURE, UNTIL SUCH TIME THAT THE MENDOCINO COUNTY AIRPORT COMPREHENSIVE LAND USE PLAN IS UPDATED TO REFLECT CURRENT UKIAH MUNICIPAL AIRPORT ENVIRONS, FOR PROJECTS LOCATED IN THE A, A*, B1, B1* AND B2 ZONES OF THE 1996 COMPATIBILITY ZONING MAP OF THE UKIAH MUNICIPAL AIRPORT MASTER PLAN AND REFERRED BY THE CITY OF UKIAH COMMUNITY DEVELOPMENT DEPARTMENT TO THE MENDOCINO COUNTY AIRPORT LAND USE COMMISSION

WHEREAS:

1. The 1996 Mendocino County Airport Comprehensive Land Use Plan ("ACLUP") and related City of Ukiah documents needs to be updated to reflect current Ukiah Municipal Airport environs and State regulations; and

2. The City of Ukiah and the County of Mendocino need to work together to update their respective planning documents related to the Ukiah Municipal Airport; and

3. The ACLUP does not provide adequate clarity to the City of Ukiah Community Development Department ("Department") on what projects in the A, A*, B1, B1*, and B2 Zones of the 1996 Compatibility Zoning Map of the Ukiah Municipal Airport Master Plan need referral to the Mendocino County Airport Land Use Commission ("ALUC"); and

4. The Department has not adopted an ALUC project referral process beyond what exists in Section 1.3 of the ACLUP; and

5. The City Council and Department wish to adopt an ALUC interim referral process, until such time that the ACLUP is updated to reflect current Ukiah Municipal Airport environs, for projects located in the A, A*, B1, B1*, and B2 Zones of the 1996 Compatibility Zoning Map of the Ukiah Municipal Airport Master Plan and referred by the Department to the ALUC.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ukiah hereby adopts a Mendocino County Airport Land Use Commission interim referral

procedure for the City of Ukiah Community Development Department, which is attached as "Exhibit A."

PASSED AND ADOPTED this 5th day of December 2018, by the following roll call vote.

AYES: Councilmembers Orozco, Brown, Scalmanini, Crane, and Mayor Mulheren
NOES: None
ABSENT: None
ABSTAIN: None

Maureen Mulheren, Mayor

ATTEST:

Kristine Lawler, City Clerk

Exhibit A to Resolution

Mendocino County Airport Land Use Commission
Interim Referral Procedure

In the interim- until such time that the Mendocino County Airport Comprehensive Land Use Plan (ACLUP) is updated to reflect current Ukiah Municipal Airport environs- the City of Ukiah Community Development Department will refer projects in the "A and B Zones" to the Airport Land Use Commission (ALUC) for a consistency determination in a manner described in the ACLUP, and as more particularly described below. The A and B Zones include Zones A, A*, B1, B1*, and B2 of the July 1996 Compatibility Zoning Map of the Ukiah Municipal Airport Master Plan.

I. Statutory Requirements

Section 1.3.2 of ACLUP
Any of the types of actions described in Section 1.3.2 of the ACLUP shall be referred to the ALUC for a determination of consistency prior to their approval by the City. These include:

(a) The adoption or approval of any amendment to a general or specific plan affecting the property within an airport's planning area (Section 21676 (b)).
(b) The adoption or approval of a zoning ordinance or building regulation which (1) affects property within an airport's planning area and (2) involves the types of airport impact concerns listed in Paragraph 1.2 (Section 21676 (b)).
(c) Adoption or modification of the master plan for an existing public-use airport (Section 21676 (c)).
(d) Any proposal for a new airport or heliport whether for public use or private use (Section 21661.5) which requires a state airport permit.

Section 1.3.4 of ACLUP
The City will continue to refer the following individual actions/projects located in the A and B zones to the ALUC (please note these are also listed in the specific zone procedures below):

(a) Any proposed expansion of a city's sphere of influence.
(b) Proposed land use project by a government entity which exceeds 10,000 square feet.
(c) Proposed storage of more than 2,000 gallons of fuel or flammables per parcel in portions of the B Zone not lateral to the runway.
(d) Reconstruction of existing incompatible development within Compatibility Zone A.
(e) Any proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities.

Items (d) and (e) are described more fully in the sections below.

Exhibit A to Resolution

II. Projects in the A and A* Compatibility Zones (the "A Zones")

A. Major Use Permits (MaUPs)/Site Development Permits (MaSDPs)

Per Section 1.3.4(e) of the ACLUP, any question of compatibility, as determined by the local planning agency (the City of Ukiah Community Development Department), will be referred to the ALUC. The Department further defines section (e) and a procedure for MaUPs/MaSDPs below.

Procedure: After an initial analysis, the City of Ukiah Community Development Department will refer MaUPs/MaSDPs not meeting the compatibility criteria listed in Table 7A of the Ukiah Municipal Airport Master Plan (Table 2A in the ACLUP), listed in "Attachment 1" to this document.

Per 1.3.4(d) of the ACLUP, reconstruction of existing incompatible development within the A Zones includes those buildings or development actions that are inconsistent with criteria in Table 7A, excepting certain ministerial actions described in IIC below.

Note: an initial referral for major projects located in the A or A* Zones will be sent to County of Mendocino ALUC Planning Services staff (County ALUC Planning staff) on the date other departments and agencies are sent a project notification referral. County ALUC Planning staff will be given 7 work days to complete an initial analysis and determine if the project will need to be referred to the ALUC. At the County's discretion, this may involve consultation with City Staff.

If County ALUC Planning staff determine the project should be referred to the ALUC, then according to Section 1.4.4 of the ACLUP, the ALUC "must respond to a local agency's request for a consistency determination on a project within 60 days of referral." For clarification purposes, the date of ALUC referral is the date the City Community Development Department delivers the complete ALUC consistency determination analysis and staff report, supporting documentation, and requisite fee (paid by the applicant or City) to the County of Mendocino Department of Planning and Building Services on behalf of the ALUC. If the ALUC fails to make a determination within that 60-day period, then pursuant to Section 1.4.4 of the ACLUP the proposed action will be deemed consistent with the ACLUP.

B. Minor Use Permits (MiUPs)/Minor Site Development Permits (MiSDPs)

MiUPs are proposed for small projects. Level 1 MiUPs involve temporary outdoor sales/display, special events and similar small projects and Level 2 MiUPs involve minor expansions or changes in use per the provisions in Article 20, Chapter 2 of Ukiah City Code.

Procedure: Unless the project proposes a minor expansion or minor change in use that is not consistent with Compatibility Table 7A, MiUPs will not be referred to the ALUC.

C. Building (Ministerial) Permits for "Allowed Uses" in Ukiah City Code

The CalTrans Division of Aeronautics California Airport Land Use Planning Handbook describes when ministerial actions can be reviewed by the ALUC and states: "Subsequent to local jurisdiction action that makes planning policies fully consistent with the ALUCP [ACLUP], ALUCs only review ministerial permitting actions if the local jurisdiction agrees to submit them."

Procedure: Ministerial permits are not subject to discretionary review, and as such, cannot be modified or denied based on an unfavorable consistency determination from the ALUC. However, buildings within the A zones and/or the Ukiah Municipal Airport Layout Plan Runway Protection

Zones, although possibly listed as "allowed uses" in Ukiah City Code, may pose hazards to flight or airport operations. It is therefore important to adhere to the FAA determinations procedure below.

D. Federal Aviation Administration (FAA) Determinations

1. Construction of New Structures not located in the Runway Protection Zone (RPZ) or Future RPZ of the Ukiah Municipal Airport Layout Plan (ALP): All projects located in the A Zones that involve the new construction of structures will be referred to the FAA for a flight hazard determination if, per federal regulations at Part 77, the height of the new structure exceeds a 100:1 slope threshold from the runway end. The property owner or applicant for the proposed project shall be required to provide the FAA determination as a part of their planning permit application. The FAA determination does not constitute a finding of consistency.

2. Construction of New Structures located in the RPZ or Future RPZ of the Ukiah ALP: All projects located in the A Zones that involve the new construction of structures located in the RPZ or future RPZ of the Ukiah Municipal Airport Master Plan Airport Layout Plan will be referred to the FAA for a flight hazard determination. The property owner or applicant for the proposed project shall be required to provide the FAA determination as a part of their planning permit application. The FAA determination does not constitute a finding of consistency.

Pre-existing structures will not be required to be referred to the FAA for a flight hazard determination. This includes those structures that may never have been referred.

III. Projects in the "B1" and "B1*" Compatibility Zones

A. Major Use Permits (MaUPs)/Site Development Permits (MaSDPs)

Per Section 1.3.4(e) of the ACLUP, any question of compatibility, as determined by the local planning agency (the City of Ukiah Community Development Department), will be referred to the ALUC. The Department further defines section (e) and a procedure for MaUPs/MaSDPs below.

Procedure: After an initial analysis, the City of Ukiah Community Development Department will refer MaUPs/MaSDPs not meeting the compatibility criteria listed in Table 7A of the Ukiah Municipal Airport Master Plan (Table 2A in ACLUP), listed in "Attachment 1" to this document, and/or Section 2.1.6 "Infill" of the ACLUP. Projects can be considered "infill" if they meet all of the following criteria:

(a) The Airport Land Use Commission has determined that "substantial development" already exists.
(b) The project site is bounded by uses similar to those proposed.
(c) The proposed project would not extend the perimeter of the area developed with incompatible uses.
(d) The proposed project does not otherwise increase the intensity and/or incompatibility of use through use permits, density transfers or other strategy.
(e) The infill area has been identified by the local jurisdiction in its general plan or related document and approved by the Commission.

Additionally, if in the review of the project there are additional considerations that may allow the project to be deemed consistent if taking into account current standards and airport environs, specifically those standards listed in the California Airport Land Use Planning Handbook and Supporting Compatibility Criteria listed in Chapter 2, Section 3 of the ACLUP, City Staff will list those considerations in the Staff Report prepared for the ALUC as Findings for an Exception to the Compatibility Criteria in the ACLUP.

Note: an initial referral for major projects located in the B1 or B1* Zones will be sent to County ALUC Planning staff on the date other departments and agencies are sent a project notification referral. County ALUC Planning staff will be given 7 work days to complete an initial analysis and determine if the project will need to be referred to the ALUC. At the County's discretion, this may involve consultation with City Staff.

If County ALUC Planning staff determine the project should be referred to the ALUC, then according to Section 1.4.4 of the ACLUP, the ALUC "must respond to a local agency's request for a consistency determination on a project within 60 days of referral." For clarification purposes, the date of ALUC referral is the date the City Community Development Department delivers the complete ALUC consistency determination analysis and staff report, supporting documentation, and requisite fee (paid by the applicant or City) to the County of Mendocino Department of Planning and Building Services on behalf of the ALUC. If the ALUC fails to make a determination within that 60-day period, then pursuant to Section 1.4.4 of the ACLUP the proposed action will be deemed consistent with the ACLUP.

B. Minor Use Permits (MiUPs)/Minor Site Development Permits (MiSDPs)

The procedure will be the same as Section IIB above.

C. Building (Ministerial) Permits for "Allowed Uses" in Ukiah City Code

The CalTrans Division of Aeronautics California Airport Land Use Planning Handbook describes when ministerial actions can be reviewed by the ALUC and states: "Subsequent to local jurisdiction action that makes planning policies fully consistent with the ALUCP [ACLUP], ALUCs only review ministerial permitting actions if the local jurisdiction agrees to submit them."

Procedure: Ministerial permits are not subject to discretionary review, and as such, cannot be modified or denied based on an unfavorable consistency determination from the ALUC.
No ALUC review will be required.

D. Federal Aviation Administration (FAA) Determinations

Projects located in the B1 or B1* Zones that involve the new construction of structures will be referred to the FAA for a flight hazard determination if, per federal regulations at Part 77, the height of the new structure exceeds a 100:1 slope threshold from the runway end. The property owner or applicant for the proposed project shall be required to provide the FAA determination as a part of their planning permit application. The FAA determination does not constitute a finding of consistency.

Pre-existing structures will not be required to be referred to the FAA for a flight hazard determination. This includes those structures that may never have been referred.

IV. Projects in the "B2" Compatibility Zone

A. Major Use Permits (MaUPs)/Site Development Permits (MaSDPs)

Per Section 1.3.4(e) of the ACLUP, any question of compatibility, as determined by the local planning agency (the City of Ukiah Community Development Department), will be referred to the ALUC. The Department further defines section (e) and a procedure for MaUPs/MaSDPs below.

Procedure: After an initial analysis, the City of Ukiah Community Development Department will refer MaUPs/MaSDPs not meeting the compatibility criteria listed in Table 7A of the Ukiah Municipal Airport Master Plan (Table 2A of the ACLUP), listed in "Attachment 1" to this document.

Additionally, if in the review of the project there are additional considerations that may allow the project to be deemed consistent if taking into account current standards and airport environs, specifically those standards listed in the California Airport Land Use Planning Handbook and Supporting Compatibility Criteria listed in Chapter 2, Section 3 of the ACLUP, City Staff will list those considerations in the Staff Report prepared for the ALUC as Findings for an Exception to the Compatibility Criteria in the ACLUP.

Note: an initial referral for major projects located in the B2 Zone will be sent to County ALUC Planning staff on the date other departments and agencies are sent a project notification referral. County ALUC Planning staff will be given 7 work days to complete an initial analysis and determine if the project will need to be referred to the ALUC. At the County's discretion, this may involve consultation with City Staff.

If County ALUC Planning staff determine the project should be referred to the ALUC, then according to Section 1.4.4 of the ACLUP, the ALUC "must respond to a local agency's request for a consistency determination on a project within 60 days of referral." For clarification purposes, the date of ALUC referral is the date the City Community Development Department delivers the complete ALUC consistency determination analysis and staff report, supporting documentation, and requisite fee (paid by the applicant or City) to the County of Mendocino Department of Planning and Building Services on behalf of the ALUC. If the ALUC fails to make a determination within that 60-day period, then pursuant to Section 1.4.4 of the ACLUP the proposed action will be deemed consistent with the ACLUP.

B. Minor Use Permits (MiUPs)/Minor Site Development Permits (MiSDPs)

The procedure will be the same as Section IIB above.

C. Building (Ministerial) Permits for "Allowed Uses" in Ukiah City Code

The procedure will be the same as in Section IIIC above.

D. Federal Aviation Administration (FAA) Determinations

Projects located in the B2 zone that involve the new construction of structures will be referred to the FAA for a flight hazard determination if, per federal regulations at Part 77, the height of the new structure exceeds a 100:1 slope threshold from the runway end. The property owner or applicant for the proposed project shall be required to provide the FAA determination as a part of their planning permit application. The FAA determination does not constitute a finding of consistency.

Pre-existing structures will not be required to be referred to the FAA for a flight hazard determination. This includes those structures that may never have been referred.

V. Properties Subject to an Avigation Easement

For any property subject to an easement that limits the Grantor so they "shall not hereafter erect, or permit the erection or growth of, any structure, tree or other object", any project that constructs new buildings or expands existing buildings into the area of the easement shall be presented to the Airport Land Use Commission for a consistency determination. A determination of no hazard to air navigation may be submitted along with the package to the Airport Land Use Commission for review but does not constitute a finding of consistency. Projects that do not expand the current building footprint, but simply replace the building with an updated building within the same or smaller footprint, shall not require a consistency determination.

For properties subject to an easement that have proposed project(s) not encroaching on the area of said easement, a consistency determination will not be required from the ALUC unless triggered under one of the criteria in I – IV above.

For the purposes of this document, shall is to mean must.

VI. Properties with Pre-Existing Non-Conforming Uses

The ALUC does not have authority over existing incompatible land uses or the operation of any airport. Based on this limit on the ALUC's jurisdiction, as stated in the ACLUP, the City shall not refer for a consistency determination any land use or building that qualifies as a legal, pre-existing structure or use, as defined in Ukiah City Code (UCC) Section 9250 and which structure or use may be continued in compliance with UCC Section 9209.

AGENDA ITEM NO. 13a.
Department of Community Development
300 Seminary Ave.
Ukiah, CA 95482

DATE: February 4, 2020

TO: Planning Commission

FROM: Craig Schlatter, Director of Community Development

SUBJECT: **Appointment of New Chair and Nomination and Appointment of Vice Chair; and Planning Commission Reorganization.**

Background:

Per Section 4 of the City of Ukiah Planning Commission Procedures of Conduct (Attachment 1), updated and adopted November 8, 2017, through Resolution No. 2017-01, the Planning Commission is to have a Chair and Vice Chair. At its July 25, 2018 regular meeting, the Commission directed that annual elections occur the second meeting of each calendar year.

Currently, the Planning Commission Chair is Michael Whetzel and the Vice Chair is Laura Christensen. Previously, the Commission directed that the Vice Chair be appointed as the Chair the year after serving in the position of Vice Chair.

The Planning Commission has not yet appointed its officers for the 2020 calendar year, and the second meeting in January 2020 was cancelled due to a lack of new business. The Commission is thus due to appoint Officers for calendar year 2020.

Discussion:

Responsibilities of Officers of the Planning Commission are outlined in the Procedures of Conduct. The duties and responsibilities of the Chair and Vice Chair are important for preserving order and decorum, as stated in Section 5 of the Procedures.

Recommended Action(s):

1) Appoint Vice Chair Laura Christensen to Chair of the Planning Commission; 2) nominate and appoint a Commissioner to the position of Vice Chair; and 3) reorganize the Commission according to Section 7I of the Procedures of Conduct.

EXHIBIT "A"

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

SECTION 1. UKIAH PLANNING COMMISSION MEETINGS

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

I. Special Meetings/Time and Place/Notices

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

II. Open to the Public/Exception

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

III. Closed sessions/Disclosure of Information

Not applicable.

SECTION 2. AGENDAS

I. Preparation and Posting of Meeting Agendas

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

II. Order of Business

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

SECTION 3. PLANNING CORRESPONDENCE

I. Availability to the Public

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

II. Authority of the Planning Director

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

SECTION 4. PRESIDING OFFICER

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

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

I. Powers and Duties

A. Participation: The presiding officer may move, second, debate, and vote from the Chair.

B. Signing of Documents: The presiding officer shall sign all resolutions, contracts, and other documents necessitating his/her signature which were adopted in his/her presence, unless he or she is unavailable, in which case the signature of an alternate presiding officer may be used.

C. Discussion of and Action on Agenda Items: Under rules, as shall be determined from time to time by the Commission Chair, the public shall be offered an opportunity to address at the meeting, any item included on the agenda. The Planning Commission shall not take action on any item not appearing on the posted agenda unless: 1) a Commission majority determines that an 'emergency situation", as defined herein, exists; 2) the Commission determines by a two-thirds (2/3) vote, or by a unanimous vote if less than two-thirds (2/3) of the Planning Commissioners are present, that a need to take immediate action to the item arose subsequent to the posting of the agenda; or 3) the item was included in a properly posted agenda for a prior meeting occurring not more than five (5) days prior to the meeting at which time the action is taken and was continued to the meeting at which time the action is taken

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

SECTION 5. RULES OF ORDER

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

I. Rules of Order/Failure to Observe

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

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

II. Rules of Decorum

A. Commissioners: While the Commission is in session, the Commissioners shall preserve order and decorum, and a Commissioner shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission, nor disturb any Commissioner while speaking, nor refuse to obey the orders of the presiding officer. Commissioners shall not leave their seats during a meeting without first obtaining the permission of the presiding officer.

B. Employees: Members of the City staff and employees shall observe rules of order and decorum as are applicable to the Planning Commission. However, members of the City Planning Division staff seated at the Staff table may not leave their seats during a meeting without first obtaining the permission of the presiding officer.

C. Persons Addressing the Council: Any person making impertinent, slanderous, or profane remarks, or who becomes belligerent while addressing the Commission, shall be called to order by the presiding officer, and if such conduct continues, may**,** at the discretion of the presiding officer, be ordered barred from further attendance before the Commission during that meeting.

D. Members of the Audience: Any person in the audience who engages in disorderly conduct, such as clapping of the hands, stamping of the feet, whistling, using profane language, yelling, or similar demonstrations, which disturbs the peach and good order of the meeting, or who refuses to comply with the lawful orders of the presiding officer, is guilty of a misdemeanor under the provisions of State law, and, upon instructions from the presiding officer, it shall be the duty of the sergeant at arms to remove such person from the Council Chamber and to place him or her under arrest.

E. Dangerous Instruments: No person may enter the chambers of a legislative body, as defined in Section 54952 of the California Government Code, or any place where such legislative body is in session, with any firearm, weapon, or explosive device of any nature. The provisions of this Section shall not apply to authorized peace officers or to those persons authorized by the California Penal Code to carry such weapons.

F. Rules of Decorum/Enforcement: The Chief of Police, or such members of the Police Department as the Chief of Policy may designate, shall be sergeant at arms of the Commission and shall carry out all orders given by the presiding officer for the purpose of maintaining order and decorum at Commission meetings. Any Commissioner may move to require the

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

II. Rules of Debate

A. Getting the Floor: Every Commissioner desiring to speak at a Planning Commission meeting shall first address the Chair, gain recognition by the presiding officer, and confine himself/herself to the question under debate, avoiding indecorous language.

B. Questioning the Staff: Every Commissioner desiring to question the City staff shall, after recognition by the presiding officer, address his or her questions to City staff.

C. Interruptions: A Commissioner, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer, a point of order or chooses to yield to a question by another Commissioner. If a Commissioner is called to order while speaking, he or she shall cease speaking until the question of order is determined to be in order, then he or she may proceed. Members of the City staff, after recognition by the presiding officer, shall hold the floor until the completion of their remarks or until recognition is withdrawn by the presiding officer.

D. Points of Order: The presiding officer shall determine all points of order, subject to the right of any Commissioner to appeal to the Council. If an appeal is taken, the question shall be, "S*hall the decision of the presiding officer be sustained"?* A majority vote shall conclusively determine such question of order.

F. Privilege of Closing Debate: The Commissioner moving the adoption of an ordinance, resolution, or motion shall have the privilege of closing debate.

G. Limitation of Debate: No Commissioner shall be permitted to speak more than once on any particular subject until every other Commissioner desiring to do so shall have spoken.

SECTION 6. MOTIONS

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

I. After Motions are Made and Hearings are Closed

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

SECTION 7. VOTING RULES

I. Seating Arrangement for Commission

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

II. Question to be Stated

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

III. Registration of Votes

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

IV. Voting Procedure/Disqualification

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

V. Failure to Vote

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

VI. Tie Votes

Tie votes shall be lost motions and may be reconsidered.

VIII. Changing Votes/Abstention

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

SECTION 8. RECONSIDERATION OF ACTIONS

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

SECTION 9. PUBLIC HEARINGS

I. Public Hearing Defined

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

II. Submission of Documents

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

A. Time and Submission: Any written document, whether containing factual information or legal or policy arguments exceeding 250 words, must be submitted to the Recording Secretary six (6) calendar days prior to the scheduled hearing date. Photographs or other graphic depictions may be filed at the hearing.

1. If the submission deadline falls on a legal holiday or weekend, the document must be submitted the last working day prior to the submission deadline.

2. The Planning Commission shall exclude from the record and not consider any document submitted after the submission deadline, unless upon a motion by a Commissioner, a majority of the

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

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

1. To be considered, an original and seven (7) copies must be filed with the Recording Secretary.

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

III. Notice of Hearing

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

IV. Viewing the Site

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

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

V. Making a Decision

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

VI. Conduct of Public Hearing

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

A. Order of Proof: Generally, all those supporting an application or measure shall present their evidence and argument first. Those opposing the application or measure shall present their evidence and argument second. Those supporting the measure shall be allowed some additional time for rebuttal. If, during the rebuttal, project proponents present new argument or evidence, project opponents shall be allowed some additional time to rebut that new matter.

B. Time Limitations: The Planning Commission Chair may impose time limitations on all those wishing to present evidence or argument. The Chair may prevent the presentation of irrelevant, repetitive, or cumulative testimony or argument.

C. Manner: Each person desiring to address the Planning Commission shall step up to the microphone reserved for that purpose, state his or her name and address for the record, state the subject he or she wishes to discuss, state whom he or she is representing, if he or she represents an organization or other persons, and, unless further time is granted by a majority vote of the Commission, shall limit his or her remarks to three (3) minutes. All remarks shall be addressed to the Commission as a whole and not to any member thereof.

D. Spokesperson for Groups of Persons: In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Planning Commission on the same subject matter, it shall be proper for the presiding officer to request that spokesperson be chosen by the group to address the Commission, and in the event additional matters are to be presented by any other member of such group, to limit the number of such persons addressing the Commission.

SECTION 10. ORDINANCES/RESOLUTIONS/CONTRACTS

I. Motions

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

II. Resolutions

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

III. Ordinances

Not applicable.

SECTION 11. MINUTES/PREPARATION AND CHANGES

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

I. Minutes/Request for Detail

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

II. Minutes/Reading

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

III. Minutes/Entry of Statements

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

SECTION 12. SPECIAL COMMITTEES

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