

**CITY OF UKIAH
ZONING ADMINISTRATOR MINUTES
Conference Room #3
300 Seminary Avenue
Ukiah, CA 95482
May 29, 2018
2:30 p.m.**

STAFF PRESENT

Craig Schlatter, Zoning Administrator
Michelle Irace, Planning Manager
Cathy Elawadly, Recording Secretary

OTHERS PRESENT

Zachary S. Lane
John Ham
Carrie Ham
Flynn O'Donnell
Chris Butler
Andre DuVigne
Daniel D'Ancona
Amber Spechman
Jason Myers
Cheryl Dumant
Chiah Rodriques
David Block
Andy Guercio
Cynthia Nelson
Lynn Zachreson
James Mulheren

1. CALL TO ORDER

The Zoning Administrator called the meeting to order at 2:30 p.m. in Conference Room No. 3, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

Zoning Administrator Craig Schlatter presiding.

2. SITE VISIT VERIFICATION

Staff confirmed.

3. APPROVAL OF MINUTES – May 1, 2018

Zoning Administrator Craig Schlatter approved the Minutes of May 1, 2018, as submitted.

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No public comment was received.

5. APPEAL PROCESS

Note: For matters heard at this meeting the final date to appeal is June 8, 2018 at 5:00 p.m.

6. VERIFICATION OF NOTICE

Staff confirmed.

7. PUBLIC HEARING

- a. **Request for approval of a Minor Use Permit to allow a used car sales lot within the Community Commercial (C1) Zoning District, 904 N. State Street: APN 001-351-39 Munis File No.: 18-3506-MUP-ZA.**

Presenter: Michelle Irace, Planning Manager gave a staff report as provided for on pages 1-10 of the staff report and corresponding site plans.

Zoning Administrator Craig Schlatter reviewed staff's analysis of the proposed Minor Use Permit and:

- Asked about provisions for employee parking in addition to the parking lot that will be converted into storage for the cars.

Planning Manager Michelle Irace:

- Discussed the parking lot configuration as shown on the site plans and confirmed the parking location for the two employees.
- Addressed the proposed signage and location thereof for the project.

PUBLIC HEARING OPENED: 2:41 P.M.

Public Comment, Zachary S. Lane, Applicant:

- Agrees with staff's analysis and draft Findings and Conditions of Approval.
- Referred to the parking lot plan and noted the business requires a minimum of three parking spaces to store vehicles that come from auction until they are fully evaluated for sale purposes.

PUBLIC HEARING CLOSED: 2:42 P.M.

There was discussion regarding parking for the business in terms of consistency with the UMC where eight parking spaces are required for the use and 12 are proposed. As such, it was determined the project would be compliance with City code if three of the spaces were designated for temporary storage of vehicles that come from auction.

Zoning Administrator Craig Schlatter amended Condition of Approval #2 to state: 'Displayed cars must not block vehicle or emergency access. The westernmost lane of the existing bank teller lanes must stay clear of displayed cars or other storage. *In addition, no more than three cars shall be stored in the employee/customer parking lot located west of the building. A total number of eight parking spaces must be available at all time.*'

Zoning Administrator Craig Schlatter approved Minor Use Permit to allow a used car sales lot within the Community Commercial (C1) Zoning District as 904 N. State Street with the Findings in attachment 1 and subject to the Conditions of Approval in attachment 2 of the staff report, as amended above.

ATTACHMENT 1

**FINAL USE PERMIT FINDINGS
TO ALLOW A USED CAR SALES LOT
IN AN EXISTING 1,739 SQUARE FOOT COMMERCIAL BUILDING
WITHIN THE COMMUNITY COMMERCIAL (C1) ZONING DISTRICT
904 NORTH STATE ST, APN 001-351-39
FILE NO. 18-3506**

Minutes of the Zoning Administrator, May 29, 2018 Continued:

The following findings are supported by and based on information contained in this staff report, the application materials and documentation, and the public record, in accordance with UCC §9262(E).

1. The proposed project, as conditioned, is consistent with the goals and policies of the General Plan as described in Table 3 of the Staff Report.
2. The proposed project, as conditioned, is consistent with the Zoning Ordinance as described in Table 4 of the Staff Report.
3. The proposed project, as conditioned, is consistent with the purpose and applicable requirements of the (C1) Community Commercial zoning district based on the following:
 - A. With an approved use permit the proposed project that includes motor vehicle sales is a permitted use within the C1 zoning district.
 - B. The proposed project meets the parking requirements of the zoning code in that nine vehicle parking spaces and one ADA designated parking space is provided that exceed the parking requirements for the proposed motor vehicle sales lot.
4. The proposed project, as conditioned, is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare based on the following:
 - A. Surrounding uses to the project site include a variety of commercial uses, including an automotive tire shop across the street, all of which would be compatible with the proposed motor vehicle sales lot.
 - B. The proposed project site consists of a commercial building that was previously occupied by a bank. The proposed project would not intensify the commercial use and would not negatively impact the commercial uses in the surrounding neighborhood because the proposed use is low intensity (up to 20 cars) and would not result in excessive noise and/or other potential nuisance impacts.
 - C. The project has been reviewed by Public Works, the Building Official, Fire Marshal and Police Department with no major concerns. Comments are attached.
 - D. The project is required to comply with all federal, state and local laws.
 - E. The proposed project will operate Tuesday through Friday 10:00am to 6:00pm, and Saturday through Sunday 9:00am to 7:00pm.
 - F. Staffing consists of 2 employees.

The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 Class 3 (c), New Construction and Conversion of Small Structures, which allows structures up to 10,000 square feet to be converted from one use to another in urbanized areas when the use does not involve significant amounts of hazardous materials, where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive based on the following.

Minutes of the Zoning Administrator, May 29, 2018 Continued:

- The building square footage is approximately 1,739 square feet, and the project site is approximately 28,375 square feet.
- The business does not use large amounts of hazardous materials.
- The site is developed with existing buildings, public utilities and services already are available at the site and no expansion of the existing buildings are proposed as part of the project.
- The location is not environmentally sensitive and no drainage courses or bodies of water (such as creeks or streams).

Notice of the proposed project was provided in the following manner as required by UCC §9262(C):

- Posted in three places on the project site on May 14, 2018.
- Mailed to property owners within 300 feet of the project site on May 14, 2018.
- Published in the Ukiah Daily Journal on May 15, 2018.

ATTACHMENT 2

**FINAL USE PERMIT CONDITIONS OF APPROVAL
TO ALLOW A USED CAR SALES LOT
IN AN EXISTING 1,739 SQUARE FOOT COMMERCIAL BUILDING
WITHIN THE COMMUNITY COMMERCIAL (C1) ZONING DISTRICT
904 NORTH STATE ST, APN 001-351-39
FILE NO. 18-3506**

1. Approval is granted for the operation of a used car sales lot at 904 North State Street, based on the project description submitted to the Planning and Community Development Department and as shown on the Site Plan date stamped February 13, 2018 except as modified by the following conditions of approval.
2. This Use Permit is granted subject to the following operating characteristic:
 - A. Provide for outdoor display and sales of up to 20 cars at 904 N State Street.
 - B. Displayed cars must not block vehicle or emergency access. The westernmost lane of the existing bank teller lanes must stay clear of displayed cars or other storage. In addition, no more than three cars shall be stored in the employee/customer parking lot located west of the building. A total number of eight parking spaces must be available at all times.
 - C. Days and hours of operation shall be Tuesday through Friday 10:00am to 6:00pm, and Saturday through Sunday 9:00am to 7:00pm. If the applicant wishes, operation may also occur during these hours on Mondays.
 - D. Each shift will consist of two employees.
 - E. No vehicle maintenance will be performed on the site.
 - F. No hazardous materials or bio-hazard waste will be stored on the site.
3. The business is required to obtain a City of Ukiah business license.
4. Application for and approval of a Sign Permit from the Planning and Community Development Department is required prior to installation of any signage.

Minutes of the Zoning Administrator, May 29, 2018 Continued:

5. Existing landscaping shall be maintained.
6. If the applicant wishes to paint the building or propose other exterior alterations, the applicant shall consult with the Planning and Community Development Department and obtain all required permits, as necessary.

Standard City Conditions of Approval

7. Business operations shall not commence until all permits required for the approved use, including but not limited to business license, tenant improvement building permit, have been applied for and issued/finaled.
8. No permit or entitlement shall be deemed effective unless and until all fees and charges applicable to this application and these conditions of approval have been paid in full.
9. The property owner shall obtain and maintain any permit or approval required by law, regulation, specification or ordinance of the City of Ukiah and other Local, State, or Federal agencies as applicable. All construction shall comply with all fire, building, electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
10. A copy of all conditions of this Use Permit shall be provided to and be binding upon any future purchaser, tenant, or other party of interest.
11. All conditions of approval that do not contain specific completion periods shall be completed prior to building permit final.
12. This Use 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.
13. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City. 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.

From Building Official

14. 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

Minutes of the Zoning Administrator, May 29, 2018 Continued:

Energy Efficiency Standards, 2016 California Green Building Standards Code and City of Ukiah Ordinances and Amendments.

15. 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.
16. The City of Ukiah Building Division enforces CBC Chapters 11A and 11B for disabled access compliance and does not review ADA. Reference CBC Chapters 11A and 11B.

From Public Works Department

17. If proposed improvements create the net addition of two or more plumbing fixture units to a building, or the building permit value of work exceeds \$123,679 (amount adjusted annually), the existing sanitary sewer lateral shall be tested in accordance with City of Ukiah Ordinance No. 1105, and repaired or replaced if required.
18. If the building permit value is equal to or greater than one-third of the value of the existing structure, the construction, repair or upgrade of curb, gutter and sidewalk to meet current ADA standards and addition of street trees along the subject property street frontages may be required pursuant to Section 9181 of the Ukiah City Code.
19. All work within the public right-of-way shall be performed by a licensed and properly insured contractor. The contractor shall obtain an encroachment permit for work within this area or otherwise affecting this area. Encroachment permit fee shall be \$45 plus 3% of estimated construction costs.

**b. Request for Review and Recommendation regarding Minor Use Permit to operate a Cannabis Manufacturing and Distribution facility at 902 Waugh Lane.
Munis File No.: 18-3454 MUP-ZA.**

Planning Manager Michelle Irace gave a staff report as provided for on pages 1-9 of the staff report.

Zoning Administration Craig Schlatter:

- Requested clarification about the Airport Compatibility Zone of the Mendocino County Airport Comprehensive Land Use Plan and if the County staff representative for the Airport Land Use Commission had comments.
- Requested clarification the proposed cannabis use of a manufacturing and distribution facility requires a minor use permit.
- Related to City Code Section 9278(b) as it pertains to the definition of 'separation of land use' and whether a legal opinion was sought in this regard.
- Pertinent to staff's analysis concerning this type of cannabis-related business asked if other jurisdictions were reviewed for ordinance and zoning consistency as an intervening land use. And, if the City accepts this intervening land use definition for a proposed cannabis related businesses could this become a precedent for other such decisions having the same criteria.

Planning Manager Michelle Irace:

- Confirmed the proposed project is located in the B1 Airport Compatibility Zone.
- Confirmed the project requires a minor use permit for the cannabis use classification proposed for this particular project in the Manufacturing zoning district.
- A legal opinion was sought concerning City code section 9278(b) where the definition concerning 'separation of land use' was reviewed.
- Confirmed other jurisdictions were reviewed and whether or not the proposed use is considered an acceptable 'intervening land use' is up to that particular jurisdiction. And, agreed this same type of criteria for the proposed project as an intervening land use' could set precedence for other such projects.

PUBLIC HEARING OPENED: 3:08 P.M.

Public Comments: Flynn O'Donnell, Daniel D'Ancona, Andre DuVigne, Lynn Zachreson, Cheryl Dumant, John Ham, Carrie Ham, No name given, Chiah Rodriques, James Mulheren, Amber Spechman, Chris Butler.

PUBLIC HEARING CLOSED: 3:25 P.M.

Staff discussed the project distance restrictions for schools and public facilities for consistency with the City's Cannabis Related-Business Ordinance, on-site parking and circulation for consistency with City zoning designation, and traffic levels/generation that was reviewed by the Public Works Department.

There was further staff discussion whether the proposed project was reviewed by the County staff representative for the Airport Land Use Commission.

Zoning Administrator Craig Schlatter added Condition of Approval #12 to state, 'The project is located in the B1 Compatibility Zone of the Mendocino County Airport Comprehensive Land Use Plan. Prior to issuance of building permits, the project shall be

referred to the County staff representative for the Airport Land Use Commission. If the County staff representative determines necessary, the project will be formally reviewed by the Airport Land Use Commission.'

Zoning Administrator Craig Schlatter approved Minor Use Permit to allow a Cannabis Manufacturing and Distribution facility to operate at 902 Waugh Lane with the Findings in attachment 1 and subject to the Conditions of Approval in attachment 2 of the staff report with the addition of Condition of Approval #12, as referenced above.

ATTACHMENT 1

**FINAL USE PERMIT FINDINGS
TO ALLOW A NON-VOLATILE CANNABIS
MANUFACTURING & DISTRIBUTION FACILITY
IN AN EXISTING 12,766 SQUARE FOOT MANUFACTURING BUILDING
IN THE MANUFACTURING (M) ZONING DISTRICT
902 WAUGH LANE, APN 003-090-38
FILE NO. 18-3454**

The following findings are supported by and based on information contained in this Staff Report, the application materials and documentation, and the public record, in accordance with UCC §9262(E).

5. The proposed project, as conditioned, is consistent with the goals and policies of the General Plan for Industrial uses, as described in Table 3 of the Staff Report.
6. The proposed project, as conditioned, is consistent with the Zoning Ordinance for Manufacturing uses, as described in Table 4 of the Staff Report.
7. The proposed project, as conditioned, is consistent with the purpose and applicable requirements of the Manufacturing zoning district based on the following:
 - C. With an approved Use Permit the proposed project that includes cannabis manufacturing-level 1 and distribution is a permitted use within the M zoning district (Ordinance No. 1186).
 - D. The existing building and proposed project meet the siting requirements for building height, setbacks, and lot size. The proposed project meets the parking requirements of the zoning code in that 17 vehicle parking spaces, one ADA designated parking space, and delivery vehicle parking space is provided for the proposed facility.
8. The proposed project, as conditioned, is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare based on the following:
 - G. Surrounding uses to the project site include a variety of commercial, industrial, manufacturing and residential uses.
 - H. Ordinance No. 1186 established siting criteria for cannabis related businesses in order to ensure that the welfare and health and safety of the public is maintained. In accordance with this criteria:

Minutes of the Zoning Administrator, May 29, 2018 Continued:

- The project site is not located within 250 feet of a youth oriented facility, which is defined as “a public park, church, museum, library, or licensed daycare facility” (UCC Section 5702R). The nearest churches and parks are on the west side of State Street, approximately 0.3 mile west of the site.
 - A daycare check was completed by contacting North Coast Opportunities on May 17, 2018 and none were found in proximity (250ft of the parcel line) to the site.
 - The parcel does not abut any youth oriented facilities or schools.
 - The parcel is not zoned residential, nor does it contain a residential land use.
 - The parcel does not contain a residence, however several residences exist across the street on Waugh Lane within the R2 and R3 zoning districts. UCC Section 9278(B) defines “abutting or adjoining as “Having lot lines, parcel lines or boundaries in common.” Waugh Lane separates the proposed site from the residences and the site does not share a parcel line with a residentially zoned parcel.
- I. The proposed project site consists of a commercial/manufacturing building that was previously occupied by a cabinet shop. The proposed project includes a security plan with fencing, lighting and surveillance cameras, as well as an odor/air filtration system to reduce impacts from any potential nuisances. The proposed project would not substantially intensify the manufacturing use and would not result in an increase of excessive noise compared to the previous use.
- J. The project has been reviewed by Public Works, the Building Official, Fire Marshal, Electric Utility Department and Police Department and their comments have been incorporated as Conditions of Approval.
- K. The project is required to comply with all federal, state and local laws.
- L. The proposed project will operate Monday through Friday, 8:00 a.m. to 6:00 p.m.
- M. Staffing consists of 17 employees.
9. The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 Class 1, Existing Facilities which “*Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.*”

The alterations or repairs also must not involve significant amounts of hazardous materials, where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. Based on the following, the proposed project is eligible to use this exemption.

- The site is developed with an existing building and parking lot, and utilities and services are already available at the site.
- No expansion of the existing building footprint is proposed as part of the project; and

- The location is not environmentally sensitive and does not include any drainage courses or bodies of water (such as creeks or streams).
10. Notice of the proposed project was provided in the following manner as required by §9262(C) of the Zoning Ordinance:
- Published in the Ukiah Daily Journal May 20, 2018
 - Posted on the Project site May 18, 2018
 - Posted at the Civic Center (glass case) 72 hours prior to hearing; and,
 - Mailed to property owners within 300 feet of the parcels included in the Project on May 18, 2018.

ATTACHMENT 2

**FINAL CONDITIONS OF APPROVAL
TO ALLOW A NON-VOLATILE CANNABIS
MANUFACTURING & DISTRIBUTION FACILITY
IN AN EXISTING 12,766 SQUARE FOOT MANUFACTURING BUILDING
IN THE MANUFACTURING (M) ZONING DISTRICT
902 WAUGH LANE, APN 003-090-38
FILE NO. 18-3454**

1. Approval is granted for the operation of a non-volatile cannabis manufacturing and distribution facility at 902 Waugh Lane, based on the project description submitted to the Planning and Community Development Department and as shown on the Site Plan date stamped May 2, 2018 except as modified by the following conditions of approval.
2. This Use Permit is granted subject to the following operating characteristics:
 - A. Establishment of a non-volatile cannabis manufacturing and distribution facility in a vacant commercial structure located at 902 Waugh Lane.
 - B. The project includes interior improvements to the commercial building, including adding shop space, manufacturing equipment and office space, as well as remodeling of two existing bathrooms to meet ADA standards.
 - C. No exterior building improvements are proposed at this time.
 - D. Days and hours of operation shall be Monday through Friday 8:00 a.m. to 6:00 p.m.
 - E. Each shift will include 17 employees, including delivery drivers.
 - F. Deliveries will occur 3 days a week.
 - G. Consumption and retail of cannabis will not occur on-site.
 - H. Carbon-based odor and air quality purification filters.
 - I. 17 parking spaces and one ADA parking space. Additionally, a delivery vehicle parking space is proposed within the loading and unloading zone behind the proposed gate.
 - J. Security measures including an entrance gate to the delivery area and fencing, as well as 17 internal and 14 external security cameras.
 - K. Landscaping and sidewalk improvements are proposed along Waugh Lane on the southeastern portion of the site.
 - L. Product pick-ups & deliveries are expected to occur 3-5 times per week.
 - M. Cultivation, consumption and retail of cannabis will not occur on-site.

Minutes of the Zoning Administrator, May 29, 2018 Continued:

- N. The facility will not be open to the public and customers will not visit the facility.
3. The business is required to obtain a City of Ukiah business license.
 4. Application for and approval of a Sign Permit from the Planning and Community Development Department is required prior to installation of any signage, including utilizing the existing signs from the previous use.
 5. All landscaping and other improvements along the Waugh Lane frontage shall require coordination with the Planning and Community Development Department, Electric Utility Department, and Public Works to determine if encroachment permits or other permits are required.
 6. If the applicant wishes to paint the building or propose other exterior alterations, the applicant shall first consult with the Planning and Community Development Department and obtain all required permits, as necessary.
 7. Prior to issuance of building permits or commencing operations, the applicant and all employees shall successfully complete a Live Scan background and provide proof of such completion.
 8. Prior to issuance of building permits or commencing operations, the applicant shall submit proof of State licensure to operate the cannabis related business.
 9. The facility shall operate in compliance with Ordinance No. 1186, and is subject to annual review, inspection, and revocation as outlined therein.
 10. 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.
 11. No cultivation, consumption or retail of cannabis shall occur on-site. If the applicant wishes to add these, or other additional components to their operations, they shall consult the Planning and Community Development Department and obtain all required permits. Additional Use Permits may be required.
 12. The project is located in the B1 Compatibility Zone of the Mendocino County Airport Comprehensive Land Use Plan. Prior to issuance of building permits, the project shall be referred to the County staff representative for the Airport Land Use Commission. If the County staff representative determines necessary, the project will be formally reviewed by the Airport Land Use Commission.

Standard City Conditions of Approval

13. Business operations shall not commence until all permits required for the approved use, including but not limited to business license, tenant improvement building permit, building permits, etc. have been applied for and issued/finaled.
14. No permit or entitlement shall be deemed effective unless and until all fees and charges applicable to this application and these conditions of approval have been paid in full.

15. The property owner shall obtain and maintain any permit or approval required by law, regulation, specification or ordinance of the City of Ukiah and other Local, State, or Federal agencies as applicable. All construction shall comply with all fire, building, electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
16. A copy of all conditions of this Use Permit shall be provided to and be binding upon any future purchaser, tenant, or other party of interest.
17. All conditions of approval that do not contain specific completion periods shall be completed prior to building permit final.
18. This Use 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.
19. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City. 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.

From Building Official

20. The existing building is under a red tag/code enforcement for operating without an issued/finaled building permit. Violation fees shall apply to building permit fees.
21. Submit plans and building permit application. Please submit three complete plan sets, two wet stamped and signed.
22. 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.
23. The City of Ukiah Building Division enforces CBC Chapters 11A and 11B for disabled access compliance and does not review ADA. Reference CBC Chapters 11A and 11B.

From Public Works Department

24. If the building permit value of work exceeds \$123,679 (amount adjusted annually), or the proposed improvements create the net addition of two or more plumbing fixture units to a

Minutes of the Zoning Administrator, May 29, 2018 Continued:

building, the existing sanitary sewer lateral shall be tested in accordance with Ukiah Valley Sanitation District Ordinance 30, and repaired or replaced if required.

25. If the building permit value is equal to or greater than one-third of the value of the existing structure, the construction, repair or upgrade of curb, gutter, and sidewalk to meet current ADA standards, and addition of street trees, along the subject property street frontage, may be required, pursuant to Section 9181 of the Ukiah City Code.
26. If applicable, pursuant to Ukiah Valley Sanitation District Ordinance 35, sewer connection fees shall be paid at the time of building permit issuance.
27. If food preparation or other activities result in the discharge of fats, oils or grease into the sanitary sewer, a grease interceptor will be required.
28. 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.

From the Electric Utility Department

29. This property will be served from existing underground facilities and a 150kva 3-phase Transformer that serves multiple address/buildings in the immediate area. Should the project need to upgrade to a larger panel or increase the electric load in the future, they will need to contact the Electric Utility Office.
30. 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.
31. Developer will need to provide EUSERC approved electrical equipment that is to be used on this project.
32. Developer shall provide projected load calculations to the EUD.
33. Developer/customer shall incur all costs of this future project to include (labor, materials, equipment).

From the Fire Marshal

34. 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.
35. One Class 2-A rated fire extinguishers shall be required in the following locations: 1) Upstairs office landing; 2) exterior of downstairs break room; 3) two in the shop space west side of building; 4) one in receiving; and 5) one in the spray room booth area. All extinguishers shall be mounted and in-obscured from view and use- T19567/568. Fire Marshal can assist with location verification.
36. Fire sprinkler system shall be maintained and modified as necessary (work has been added to existing structure without a fire sprinkler system). Plans can be of a differed submittal. A system test by a licensed C-16 contractor may be required if modified or if it has not been completed in the past five years.

Minutes of the Zoning Administrator, May 29, 2018 Continued:

37. Carbon Monoxide cylinders must be secured and restricted from falling. Amount of cylinders shall be verified and properly stored at all times. If stored in a closed room, room must be vented and alarmed.
38. This is a large warehouse facility with a fluctuating amount of staff. It is highly recommended that all exists be clearly marked. Means of egress shall be illuminated when the building space is occupied, CFC 1008.2
39. In the event of power supply failure, an emergency electrical system shall automatically illuminate the means of egress. CFC 1008.3.
40. 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.
41. An "Knock Box" key security safe shall be required, and mounted on the exterior at a location specified by the Fire Marshal.
42. Emergency contact information shall also be provided to the Fire Department.

From the Police Department

General

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

50. Duration of Use: The business permittee shall only manufacture cannabis in a fully enclosed building and not allow cannabis or cannabis products on the manufacturing site to be visible from the public right of way, the unsecured areas surrounding the buildings on the site, or the site's main entrance and lobby.

Access/Security

51. Prior to Building Permit Final: A comprehensive Security Plan shall be submitted to the Police Department for approval. The plan shall address the security of the facility and shall include the following
52. Prior to Building Permit Final and for duration of the Use: A professionally and centrally-monitored fire, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include an employee for the cannabis business that is required to respond to every alarm.
53. Prior to Building Permit Final: Place address numbers displayed in accordance with building and zoning codes to facilitate/expedite public safety responses.
54. Prior to Building Permit Final: Applicant to install a "Knox Box" for police access to the exterior areas of the property after hours.
55. Duration of Use: Keep current chain link fencing in good repair on the north and west side of property until Prior to Building Permit Final: All solid core exterior doors be equipped with a 180 degree viewing device to screen persons before allowing entry.
56. Duration of Use: Keep all fenced it can be replaced with decorative tubular steel, no climb type. Secure gates at all times.
57. Duration of Use: Electronic "point of sale" age verification system is required which scans and authenticates ID, identifies fake ID's, records dates and times of transactions, has the ability to create a "banned patron" list.
58. Duration of Use: Back entry area at south west end of building shall remained locked, during all hours, with the exception of dumpsters being emptied by garbage service.
59. Duration of Use: Have Security arrive 30 minutes before opening and stay 30 minutes past closing hours.
60. Duration of Use: Keep loading dock doors locked and secure at all times.
61. Duration of Use: Keep exterior doors locked and secure at all times.

Surveillance

62. Prior to Building Permit Final: Install height markers on the interior doorways.
63. Prior to Building Permit Final: Install interior video camera surveillance and exterior surveillance facing all sides of exterior of site including loading dock areas and all areas of possible ingress and egress. Video recording system must be installed to monitor all doors into the buildings on the manufacturing site, the parking lot, loading areas, and all exterior sides of the property adjacent to the public rights of way.
64. Prior to Building Permit Final: Install audible security alarm and monitoring.

Minutes of the Zoning Administrator, May 29, 2018 Continued:

65. Prior to Building Permit Final: Business equipped with a UL compliant security system including:
- Video Assessment and Surveillance System (VASS)
 - Intrusion Detection System with private security response
 - Emergency (panic) Alarm
66. Duration of Use: Security system monitored by a UL listed monitoring company.
67. Duration of Use: Security system installed by a UL certified installer.
68. Duration of Use: Video from the security surveillance cameras must be recording at all times (24 hours a day, seven days a week) and the recording shall be maintained for at least 90 days. In the event of a crime on site or anywhere within range of the dispensary's security cameras, the dispensary shall provide the Chief of Police with a useable digital copy of the security video upon request or at the earliest convenience
Duration of Use: Security system shall be equipped with at least 24 hours of continued operation time in case of power failure.
69. Duration of Use: Security system shall be equipped with cellular back-up in case of phone line disruption.
70. Duration of Use: Facility shall be staffed at all times that the security system is not fully functional.
71. Duration of Use: Signage shall be posted stating location is under active video surveillance monitoring and alarm/monitoring.
72. Duration of Use: Staff trained in Security and Safety policies and procedures for interior and exterior of site and following same at all times.

Territorial Reinforcement

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

Lighting

76. Prior to Building Permit Final: Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. (Consult with Planning Department to meet Illumination Engineering Society (IES) minimum standard for open parking and buildings.)
77. Prior to Building Permit Final: Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.
78. Prior to Building Permit Final: Exterior lighting shall be designed in coordination with the landscaping plan to minimize interference between the light standards and required illumination and the landscape trees and required shading.

Minutes of the Zoning Administrator, May 29, 2018 Continued:

79. Duration of Use: Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.

80. Duration of Use: All building exterior lighting and parking lot lighting should be functioning and kept in good repair.

Maintenance

Duration of Use:

81. 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.

82. Keep property free of debris/garbage.

83. Weekly inspection of exterior building and property to limit unauthorized usage of property.

84. If any rooftop entrances to building, place locking mechanism to limit illegal entrance from rooftop.

85. Any exterior electrical outlets should have locking plates or decommission for non-use to limit illegal usage.

86. Any exterior water faucets should have a locking box cover or decommission for non-use to limit illegal usage.

Landscaping

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

87. 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.

88. 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.

89. If landscaping for screening is desired, this shall be accomplished by hostile vegetation such as holly.

Other

90. Duration of Use: No manufacturing of Butane Honey Oil (BHO) or other, similar substances on the premises.

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

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

8. ADJOURNMENT

There being no further business, the meeting adjourned at 3:50 p.m.

Cathy Elawadly, Recording Secretary