# COUNTY OF MENDOCINO DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482 120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437 S FAX: 707-964-5379
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

May 15, 2023

Department of Transportation Environmental Health - Ukiah Building Inspection – Ukiah Cannabis CA department of Cannabis Control

Assessor
Air Quality Management
Archaeological Commission
Sonoma State University
Department of Fish and Wildlife

Cloverdale Rancheria Redwood Valley Rancheria Sherwood Valley Band of Pomo Indians Millview County Water District Ukiah Valley Fire Protection District

**CASE#**: AP\_2023-0015 **DATE FILED**: 4/27/2023

OWNER: RUSSELL A GREEN APPLICANT: KURE WELLNESS INC

**AGENT: EDITTE LERMAN** 

**REQUEST:** Administrative Permit modification to authorize a drive-through window for an existing cannabis

dispensary.

**LOCATION:** 3.25± miles north-northeast of Ukiah city center, on the north corner of the intersection between Lake Mendocino Drive (CR 227B) and East Side Calpella Rd (CR 227); located at 800 Lake Mendocino Dr,

Ukiah.

**SUPERVISORIAL DISTRICT: 1** 

**STAFF PLANNER:** ROB FITZSIMMONS **RESPONSE DUE DATE:** May 30, 2023

#### PROJECT INFORMATION CAN BE FOUND AT:

www.mendocinocountv.ora

Select "Government" from the drop-down; then locate Planning and Building Services/Public Agency Referrals.

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to <a href="mailto:pbs@mendocinocounty.org">pbs@mendocinocounty.org</a>. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):					
No comment at this time.					
☐ Recommend conditional approval (a	Recommend conditional approval (attached).				
Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)					
Recommend denial (Attach reasons for recommending denial).					
☐ Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).					
Other comments (attach as necessary).					
REVIEWED BY:					
Signature	Department	Date			

**CASE:** AP\_2023-0001

OWNER: Russell Green

APPLICANT: Kure Wellness, Inc

AGENT: Editte Lerman

**REQUEST:** Administrative Permit modification to authorize a drive-through window for an existing cannabis dispensary.

LOCATION: 3.25± miles north-northeast of Ukiah city center, on the north corner of the intersection between Lake Mendocino

Drive (CR 227B) and East Side Calpella Rd (CR 227); located at 800 Lake Mendocino Dr, Ukiah.

**APN/S**: 168-224-31

**PARCEL SIZE:** 0.9± acres

**GENERAL PLAN:** Commercial (C)

**ZONING:** General Commercial (C2)

**EXISTING USES:** Commercial (Cannabis Dispensary)

**DISTRICT:** 1, McGourty

**RELATED CASES:** AP\_2017-0109, CFBL\_2017-0010

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH:	RR-1	RR1	1.7±	Industrial
EAST:	SR	SR	0.5±	Residential
SOUTH:	RR-1	RR1	0.3±, 0.4±	Residential
WEST:	RR-1	AG	1.8±, 2.0±	Agricultural

#### **REFERRAL AGENCIES**

LOCAL					
☐ Agricultural Commissioner		MAC	□ California Native Plant Society		
☑ Air Quality Management District		Sanitation District	□ California State Clearinghouse		
☐ Airport Land Use Commission		School District	☐ CALTRANS		
☑ Archaeological Commission			☐ Regional Water Quality Control Board		
	☐ Mendocino Transit Authority (MTA)		☐ Sierra Club		
Building Division Ukiah	□ Planning Division		FEDERAL		
□ Cannabis Department	☐ Resource Lands Protection Com.		☐ Sierra Club		
☐ County Addresser	Sonoma State University		☐ US Department of Fish & Wildlife		
☑ Department of Transportation (DOT)	□ Trails Advisory Council		☐ US Department of Health Services		
☑ Environmental Health (EH)	mental Health (EH) <u>STATE</u>		☐ US Department of Parks & Recreation		
☐ Farm Advisor	☐ CALFIRE (Land Use)		☐ US Natural Resources Conservation		
☐ Forestry Advisor	□ CALFIRE (Resource Management)		TRIBAL		
□ LAFCO	□ California Coastal Commission				
☐ City Planning Department	☑ Department of Cannabis Control		□ Potter Valley Tribe		
☐ Community Services District	☑ California Dept. of Fish & Wildlife		☑ Redwood Valley Rancheria		
□ Ukiah Valley Fire Protection District	kiah Valley Fire Protection District ☐ California Highway Patrol				

#### ADDITIONAL INFORMATION:

The existing cannabis dispensary was permitted via AP\_2017-0109, but this permit did not include a drive-through window. The applicant was allowed to operate a drive-through under relaxed standards meant to accommodate face-to-face contact restrictions during the Covid-19 pandemic, but as these restrictions have been lifted so too have their concomitant accommodations. Although cannabis dispensaries are generally not allowed to have drive-through windows, the applicant asserts that there is an exception which applies to their case (specifically within 4 CCR § 15025(e)).

Establishment of a drive-through may require paving of a significant portion of the subject parcel.

**STAFF PLANNER:** ROB FITZSIMMONS **DATE:** 5/15/2023

### **ENVIRONMENTAL DATA**

1. MAC:

GIS

NO

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

Urban Unzoned

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

LRA (Local Responsibility Area)

4. FARMLAND CLASSIFICATION:

GIS

Urban and Built-Up Land

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

NO, but DAM INUNDATION AREA

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

N/A

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

177 – Pinole gravelly loam, 2 to 8% slopes

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

NO

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

NO

**10. TIMBER PRODUCTION ZONE:** 

GIS

NO

11. WETLANDS CLASSIFICATION:

GIS

N/A

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

NC

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

NO

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS: General Plan 3-11

NO

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

NO

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS: General Plan 3-10

NO

**17. LANDSLIDE HAZARD:** 

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

NO

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

NO

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

NO

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

NO

21. STATE CLEARINGHOUSE REQUIRED:

Policy

NO

22. OAK WOODLAND AREA:

NO.

23. HARBOR DISTRICT:

Sec. 20.51

NO



### Department of Planning and Building Services

Case No: AP 2023- 0015
CalFire No:
Business License No:
Fee: \$1544,00
Receipt No: PRIT A50033
Received By: STEVEN SWITTER
Date Filed: 4,27,2023
Office use only

## Application for Facilities - Use Permit / Administrative Permit

MODIFICATION APPLICANT(S) KURE WELLNESS, INC. (707) 621-5390 Mailing Address: 800 Lake Mendocino Dr. City: Ukiah State/Zip: 95482 kurewellnessgroup@gmail.com email: PROPERTY OWNER Name: Russell Green (707) 272-7805 Phone: Mailing Address: 1784 S. Main St. City: Willits State/Zip: 95490 email: edlermanesq@gmailis **AGENT** Name: Address: L&C 800 Lake Mendocino Dr. Address of Property: 168-224-31 Assessor Parcel Number(s): Please check the applicable permit type for which you are applying. Modification to: A P

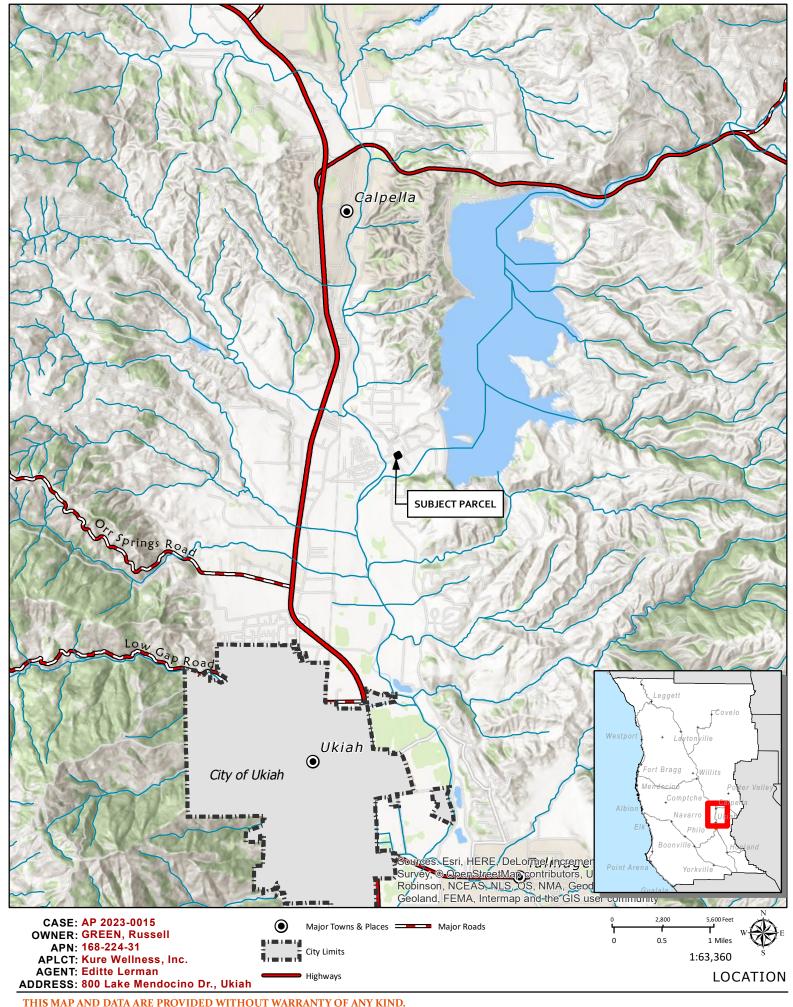
Manufacturing | Manufacturing 2017-0109 Type of Facility → Processing Testina Retail / Distribution Microbusiness Zoning District ↓ (non-volatile) (volatile) Dispensary RC (Rural Community) - AP - AP - UP - UP - UP - UP - UP AG (Agriculture) - AP UR (Upland Residential) - AP RL (Rangeland) - AP FL (Forest Land) - AP C1 (Limited Commercial) - UP ZC\*\* C2 (General Commercial) - AP ZC\*\* ZC\*\* - UP - UP - AP 11 (Limited Industrial) ZC\*\* ZC\*\* - AP - AP (General Industrial) ZC\*\* ZC\*\* ZC\*\* ZC\*\* - AP - UP - AP PI (Pinoleville Industrial) ZC\*\* ZC\*\* ZC\*\* - AP - UP ZC\*\* - AP OTHER (check if applicable) Existing Packaging and Processing Facility (Mendocino County Code Section 20.243.070 Exception) Setback Reduction (Mendocino County Code Section 20.243.050(B)(1)) Modification to: Cottage Industry Use Permit (microbusiness) Cottage Industry Use Permit (non-volatile manufacturing) \*Note 1 – ZC = Zoning Clearance; AP = Administrative Permit; UP = Use Permit; " – " = Not Available \*\*Note 2 – A zoning district that indicates a ZC (zoning clearance) DOES NOT require this permit. I certify that the information submitted with this application is true and accurate. I have attached the Consent of Landowner form because I am not the property owner of the parcel on which the facility is located 3-27-23 Date

## **FACILITY PROJECT DESCRIPTION & QUESTIONNAIRE**

1. Does the proposed facility meet the following setbacks?  ☐ NO
<ul> <li>1,000 feet from all youth-oriented facilities, schools, parks, churches, or residential treatment facilities.</li> </ul>
2. Please describe the project in full.
Modification to existing Administrative/Use Permit for cannabis microbusiness.
The planned modification is for a drive-thru which was part of Kure Wellness's Legacy operations. Kure Wellness requests reauthorization of the use of its
drive-through operations described within this application. Kure Wellness also requests a modification of its drive through - the use of a drive through window.
3. Please describe the project site. Include improvements such as structures, wells, septic systems, grading, vegetation removal, roads, etc.
Complete encroachment improvements as per current permit;
Expand square footage of existing building as described within the attached plans;
To add drive through window as per the attached plans; Improvements to
driveway as per the attached plans;
4. Will the development of the proposed facility be phased? ☐ YES ☒ NO
If YES, please describe the phases below. Include an attachment (Attachment A) if necessary.
129, predes describe the pridess bolow. Include an attachment (Attachment A) in necessary.
5. Are you grading, or plan to grade, for any roads or building sites?
5. Are you grading, or plan to grade, for any roads or building sites? ☐ YES ☐ NO  If YES, please complete the following:
A. Amount of cut: cubic yards  B. Amount of fill: cubic yards
C. Maximum height of cut slope: feet
D. Maximum height of fill slope: feet
E. Amount being imported/exported: cubic yards
F. Location of borrow/disposal:   ON-SITE   OFF-SITE
6. In order to develop the proposed facility, will it be necessary to:
YES NO
A. Remove oak species or commercial tree species?
B. Make substantial changes in terrain?
7. Will there be employees? XYES NO If YES, how many employees will be present on the largest shift? 4
8. Will there be any signs used to identify the facility? 🗶 YES 🗌 NO If YES, please provide the information below.
Location on property (must also be shown on site plan): Existing signs on front of the building.
Size: 80 and 120t <sup>2</sup> Type (i.e. freestanding, wall, etc): Front of bldg wall, and freestanding on pole.

9. How ma	any parking spaces will be on p	rovided on	-site? 6	How many a	ccessible parking s	spaces? 1	
10. Please separate sl	e provide an inventory of the st heet. Please note improvemen	ructures on ts may be s	the prope subject to	erty. If additional spa permit requirements	ace is needed, plea s.	se provide a	3
1	Existing Use: Proposed Use:		Size:	ft <sup>2</sup>			
2	Existing U	Jse:		Proposed Use:		Size:	ft <sup>2</sup>
3	Existing U	Jse:		Proposed Use:		Size:	ft <sup>2</sup>
4	Existing (	Jse:		Proposed Use:		Size:	ft <sup>2</sup>
5	Existing U	Jse:		Proposed Use:		Size:	ft <sup>2</sup>
	ere be any security lighting?			If YES, will the light		<b>⊠</b> YES	□ NO
12. Briefly	describe the surrounding prop	erties inclu	ding vege	tation, animals, stru	ctures, and/or cultu	ural/historic	assets.
Adjad	cent residence owned	by prev	ious pr	operty owner.	Other adjace	ent prope	ertv
200	G&E substation.						
13. Please	indicate the surrounding land	uses.		-			
Vacant	NORT	Н	EAST		JTH	WEST	
Residentia	l/Agricultural al/Industrial PG&		135	' East			
Commerci	al/Industrial PG&	E Subst	ation a	djacent to the	North		
Other	ii/Timberiand						
	s will be supplied to the site as Electricity  Utility Company (existing) Utility Company (planned) On-Site Generation – Specify						
В.	Gas Utility Company (existing) Utility Company (planned) On-Site Generation – Specify None		185			1 <del>-1</del> 7	
C.	Water  Community water system – S  Well Spring Pond Other – Specify			lview Water D			
	Sewage  Community sewage system -  Septic Tank  Other - Specify						
15. Please	provide driving directions to the	e facility us	sing identi	fiable landmarks (st	reets, mailboxes, e	etc).	
101	to Lake Mendocino D	rive. C	ontinue	e east to F. Ca	Inella Rd inte	ersection	
	- Indiadolilo L		Jimiac	- Just 10 L. Od	apona ria. Inte	, section	•——
-							

*FOR PROCESSING*
*FOR PROCESSING* P01. How will natural (trimmings) or other (plastics) materials be disposed? N/A to requested modification
P02. What equipment (i.e. machines [specify], trimmers, hangers, etc) will be used for processing?  N/A to requested modification
*FOR MANUFACTURING* M01. What solvents will be used? N/A to requested modification
M02. Will hazardous materials (as defined by Mendocino County Code [MCC] Section 8.70.010) be used? ☐ YES ☐ NO M03. Will hazardous materials be stored in quantities greater than 55 gallons, 500 pounds, or 200 cubic feet? ☐ NO ☐ YES; please specify
M04. Will hazardous waste (as defined by MCC section 8.70.010) be generated on-site?   YES NO M05. Please describe the extraction process. Provide an additional sheet if necessary.
M06. What products are being made? (i.e. edibles, topicals, tinctures, soap/skin products, etc)
M07. How will hazardous (chemicals), natural (trimmings), or other (plastics) materials be disposed?
*FOR RETAIL/DISPENSARY* N/A to requested modification. R01. Will there be consumption of cannabis products on-site?
*FOR DISTRIBUTION* N/A to requested modification.  D01. How many vehicles will operate from this facility?
*FOR MICROBUSINESS* B01. What is the primary use of the microbusiness (i.e. retail, processing, etc)? Retail B02. What are the accessory uses that are incidental to the primary use? N/A to requested modification.
I, the undersigned below, certify that the information submitted with this application is true and accurate:    Russell Green 3-23-23





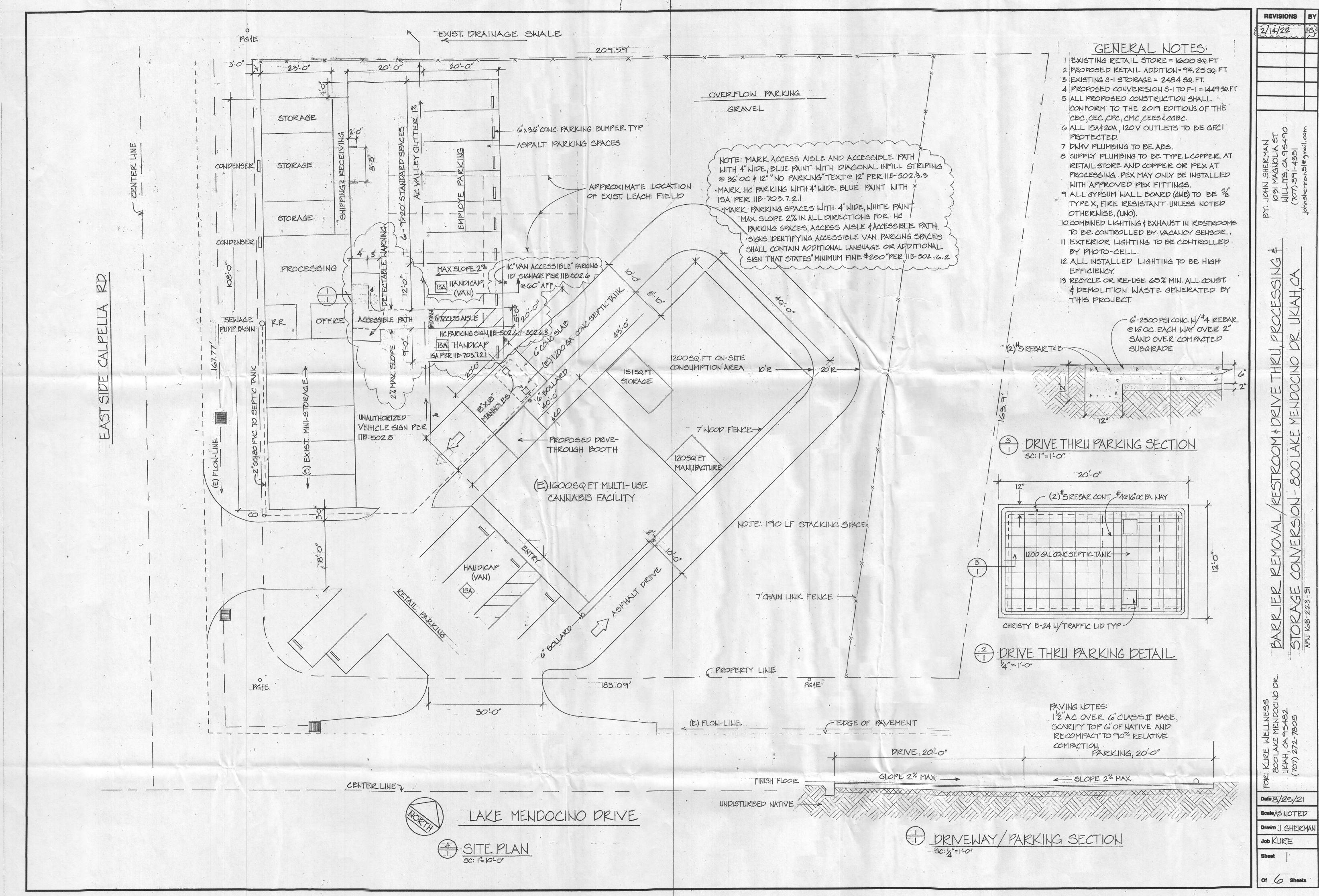


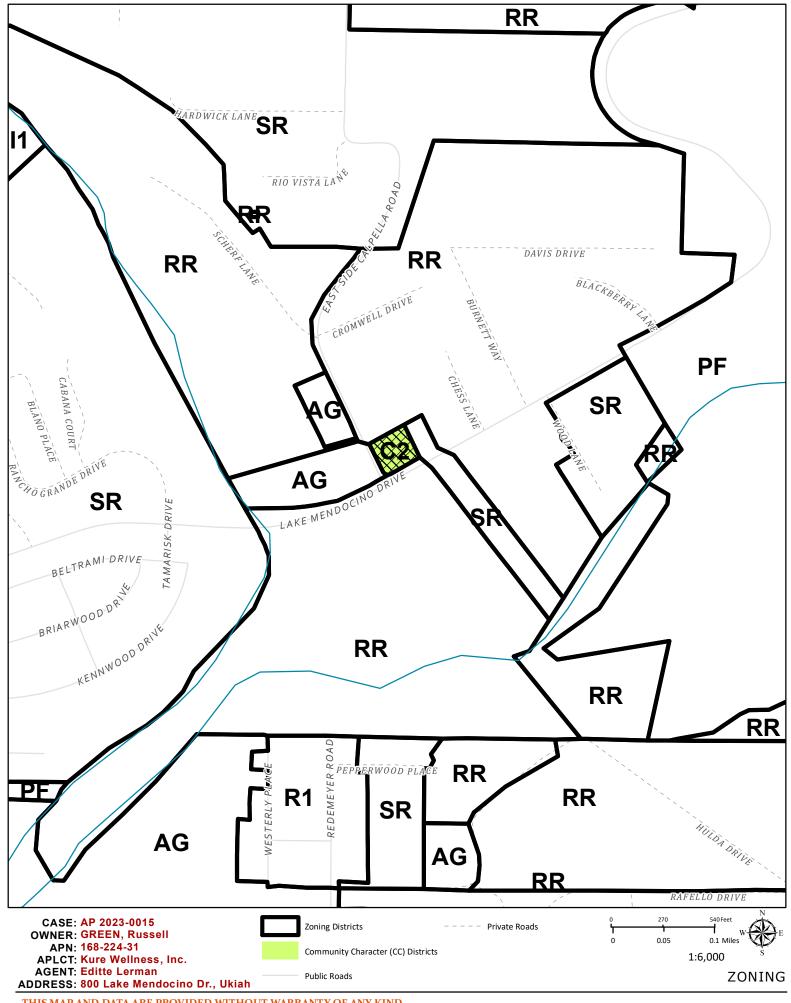
CASE: AP 2023-0015
OWNER: GREEN, Russell
APN: 168-224-31

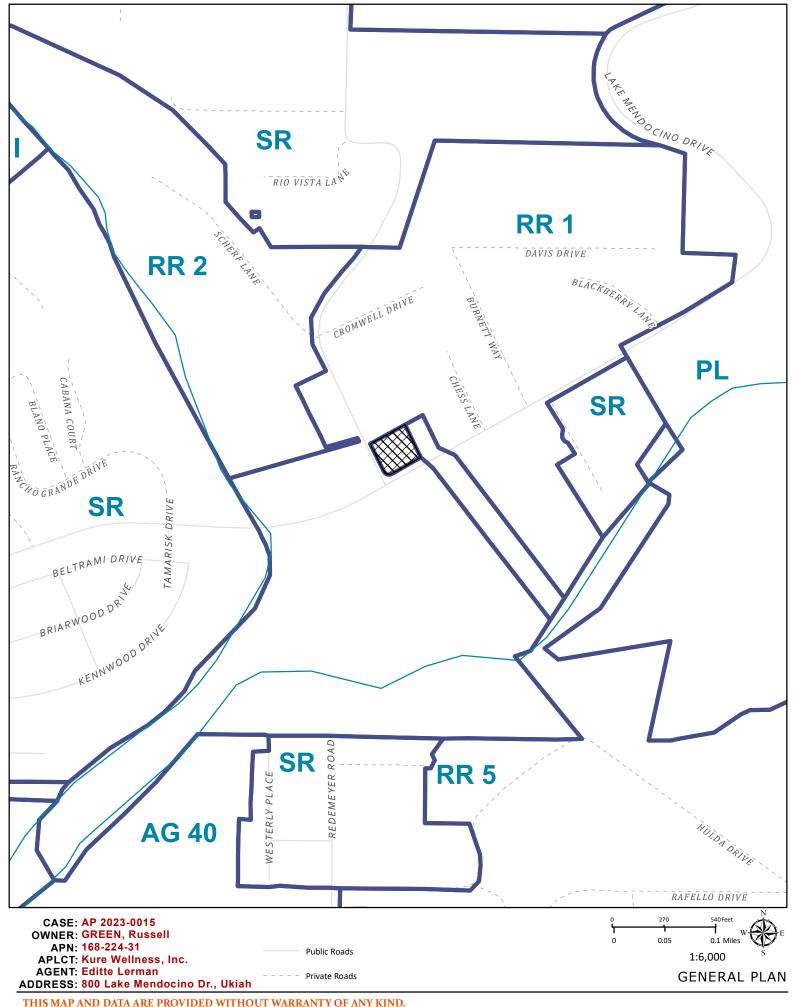
APLCT: Kure Wellness, Inc.
AGENT: Editte Lerman
ADDRESS: 800 Lake Mendocino Dr., Ukiah

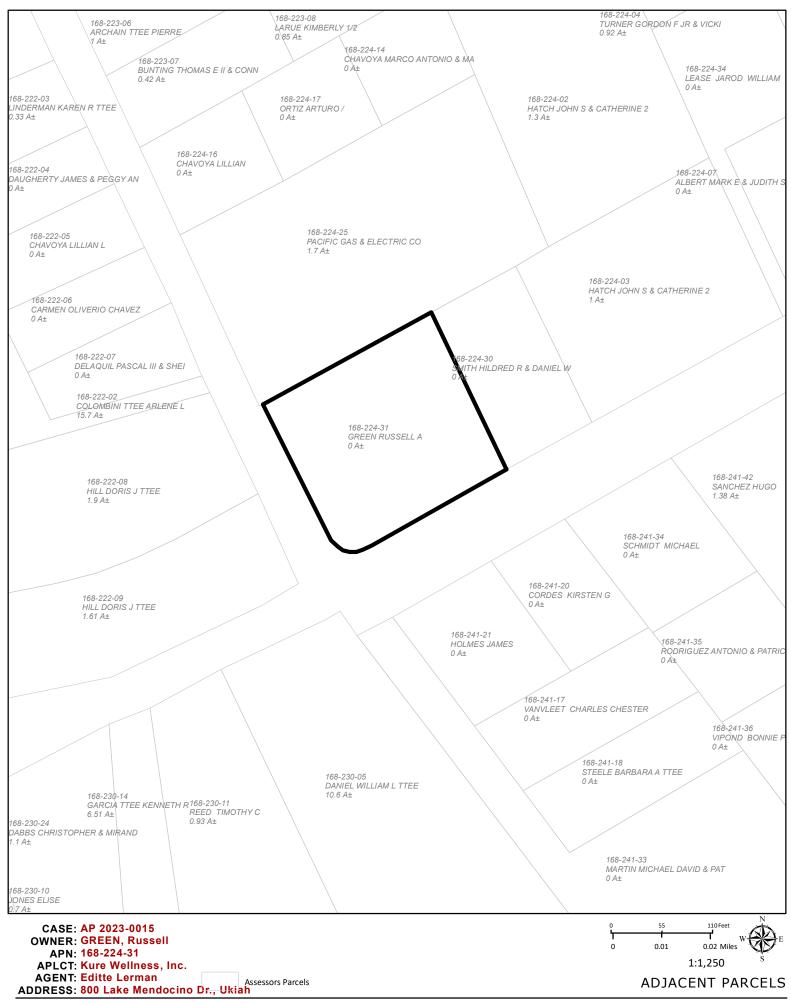


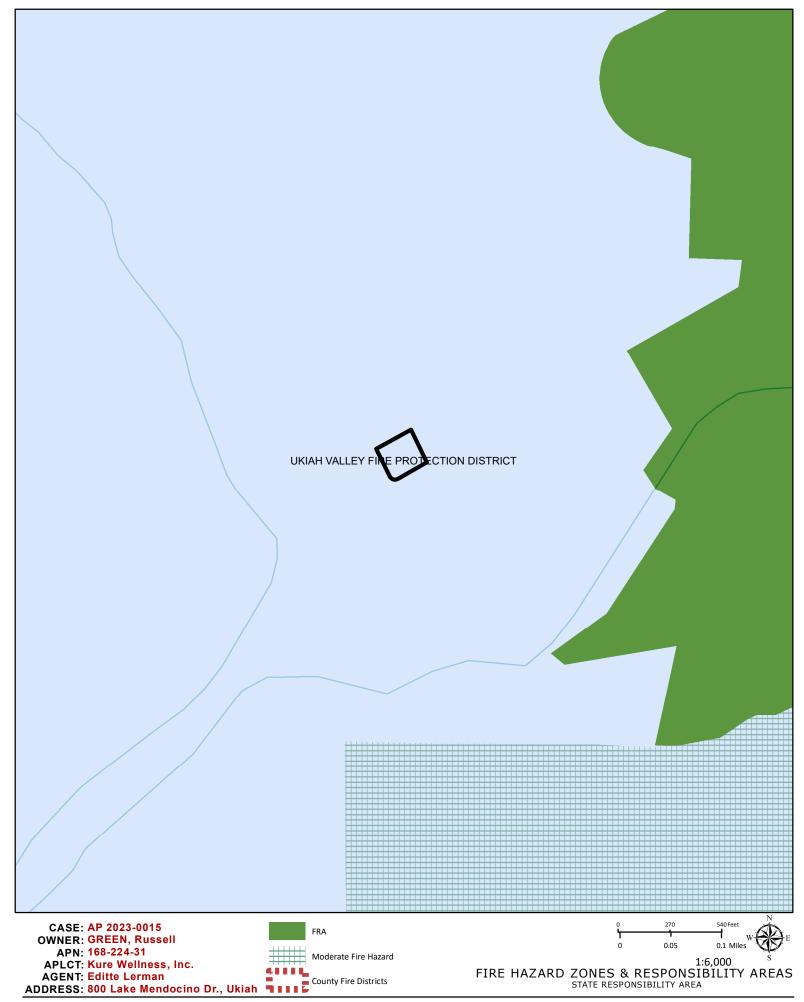
**AERIAL IMAGERY** 

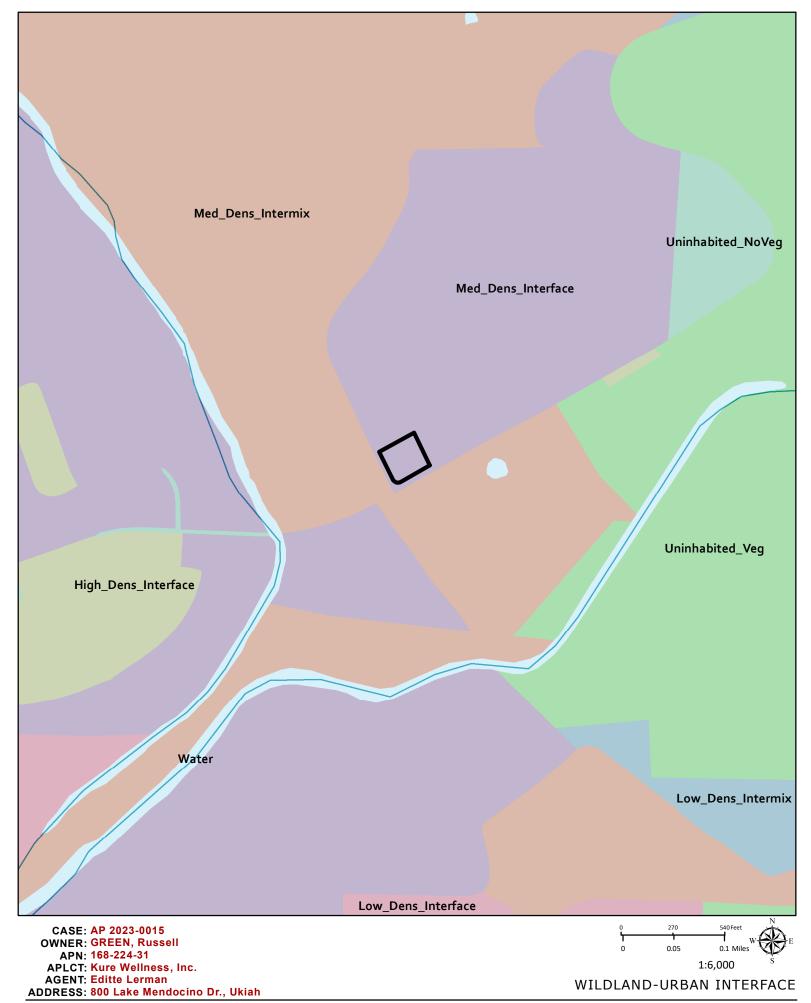


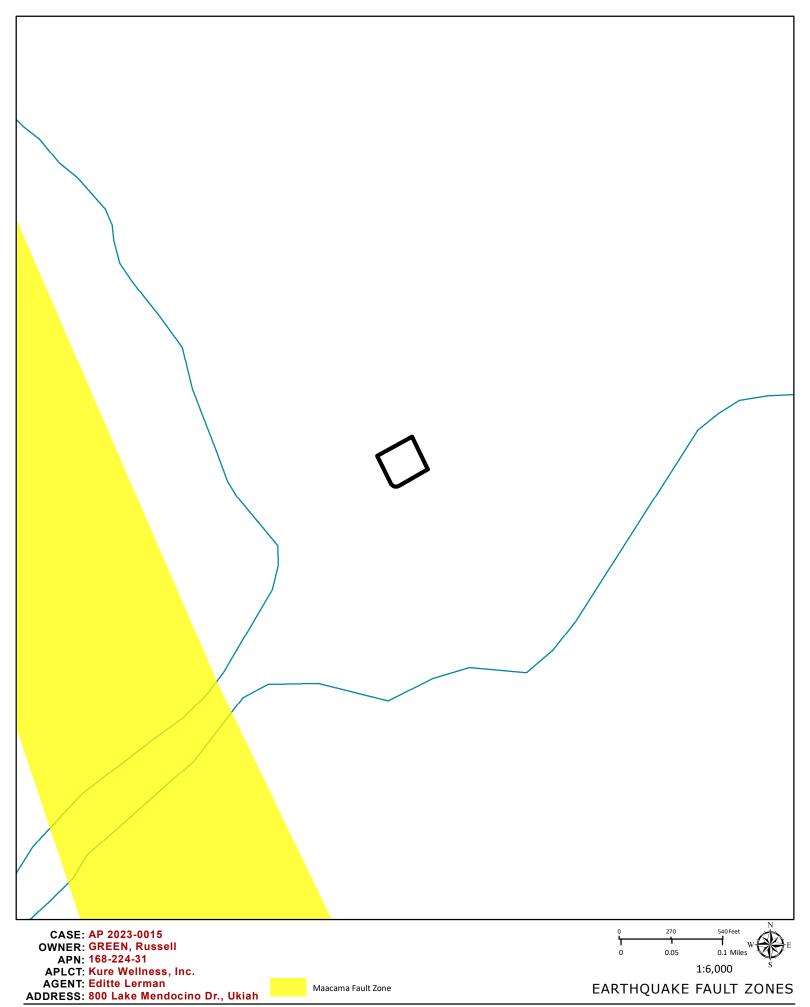


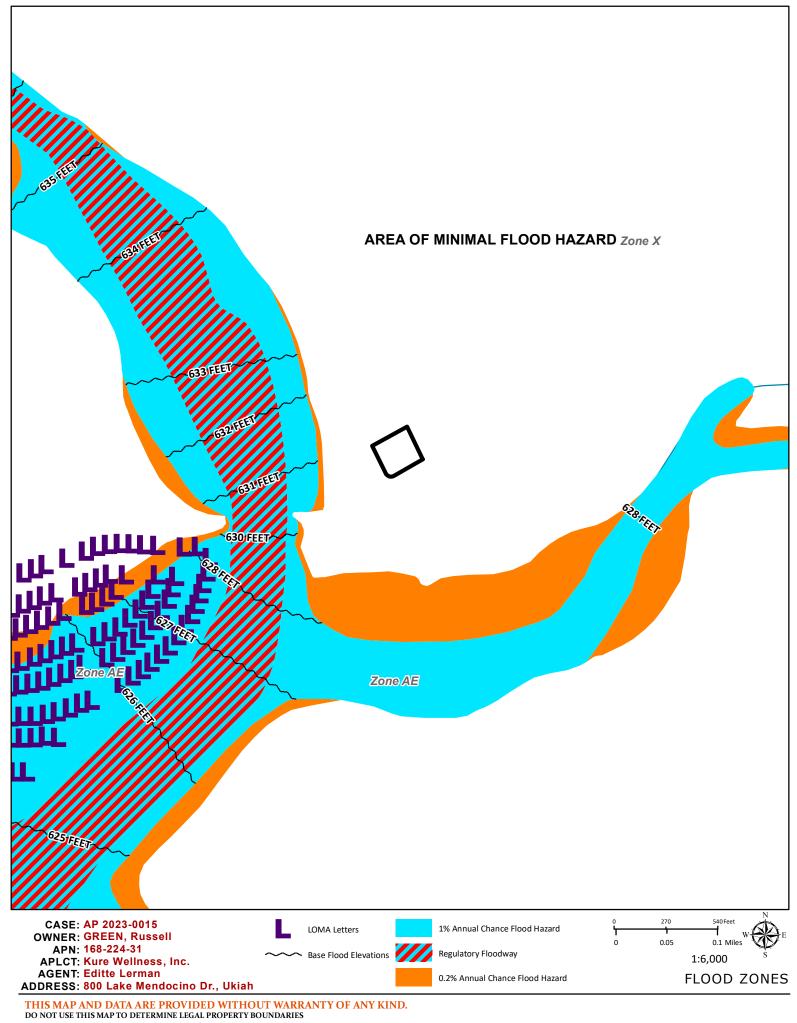


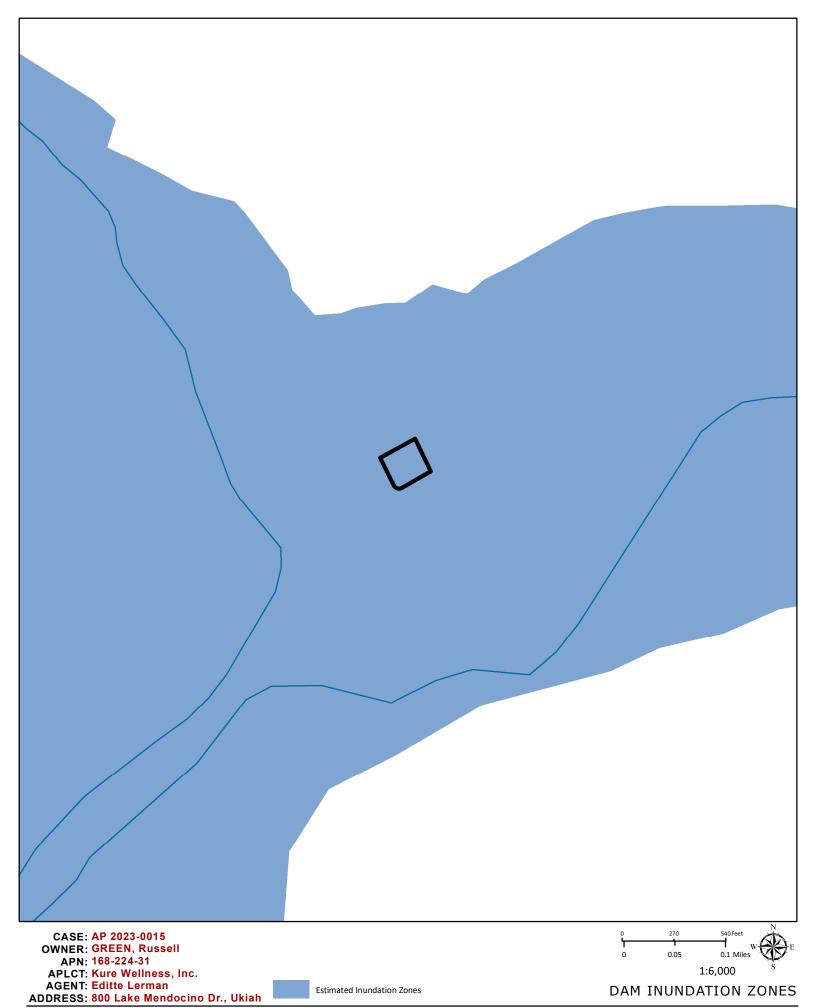


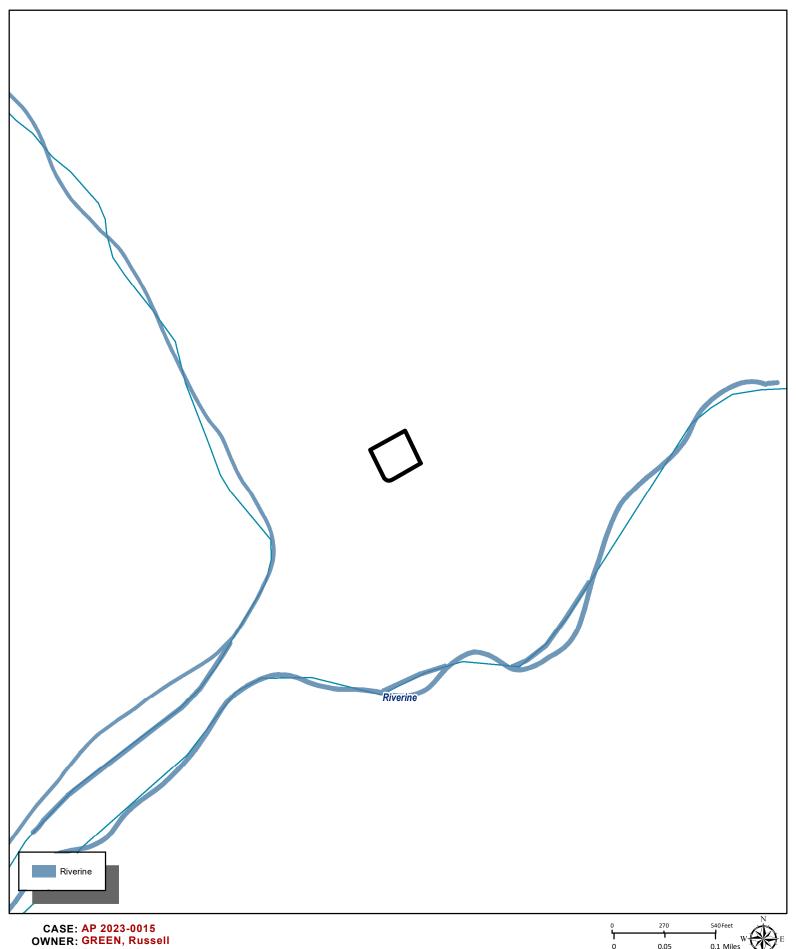






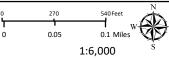




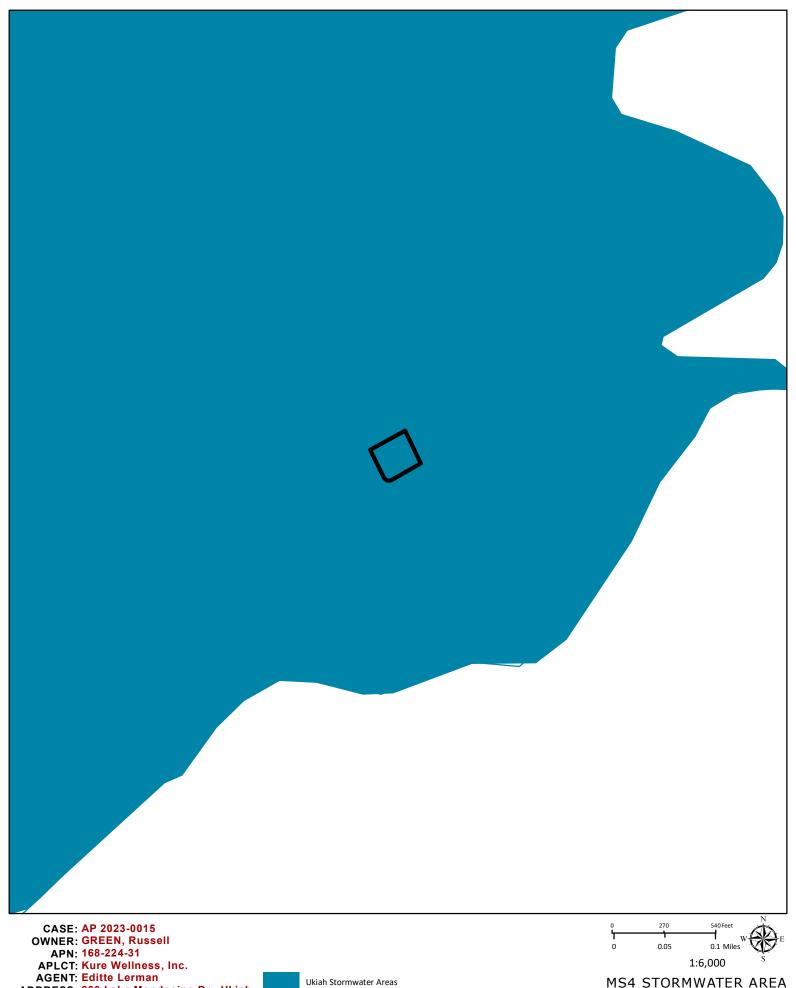


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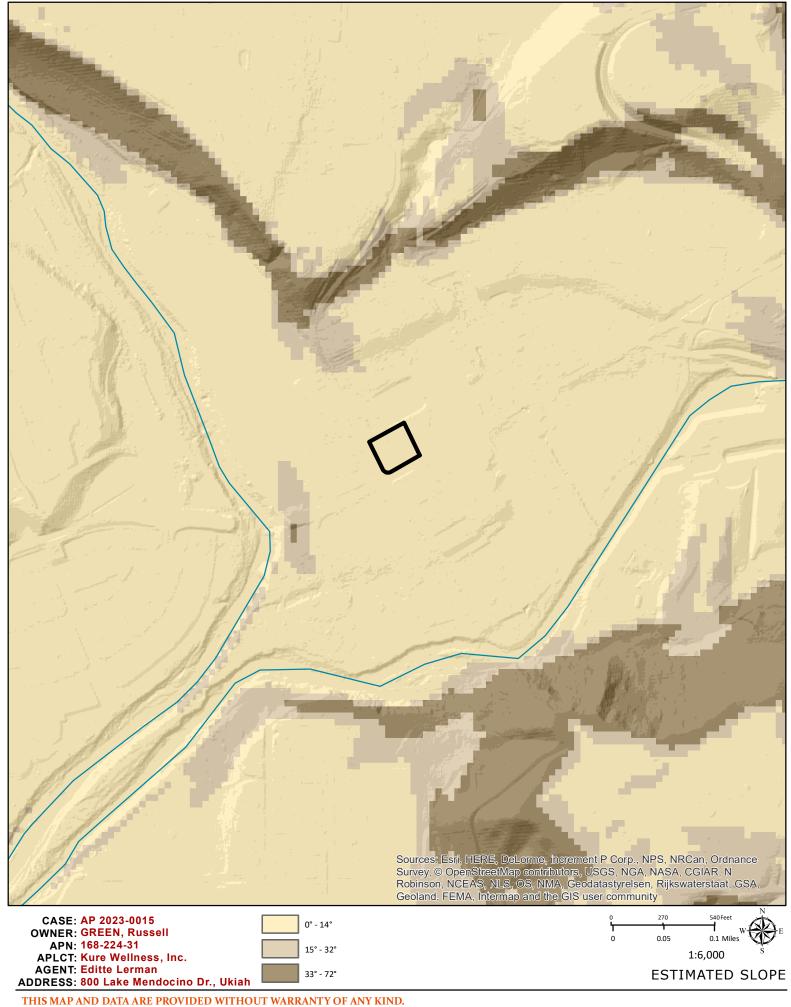
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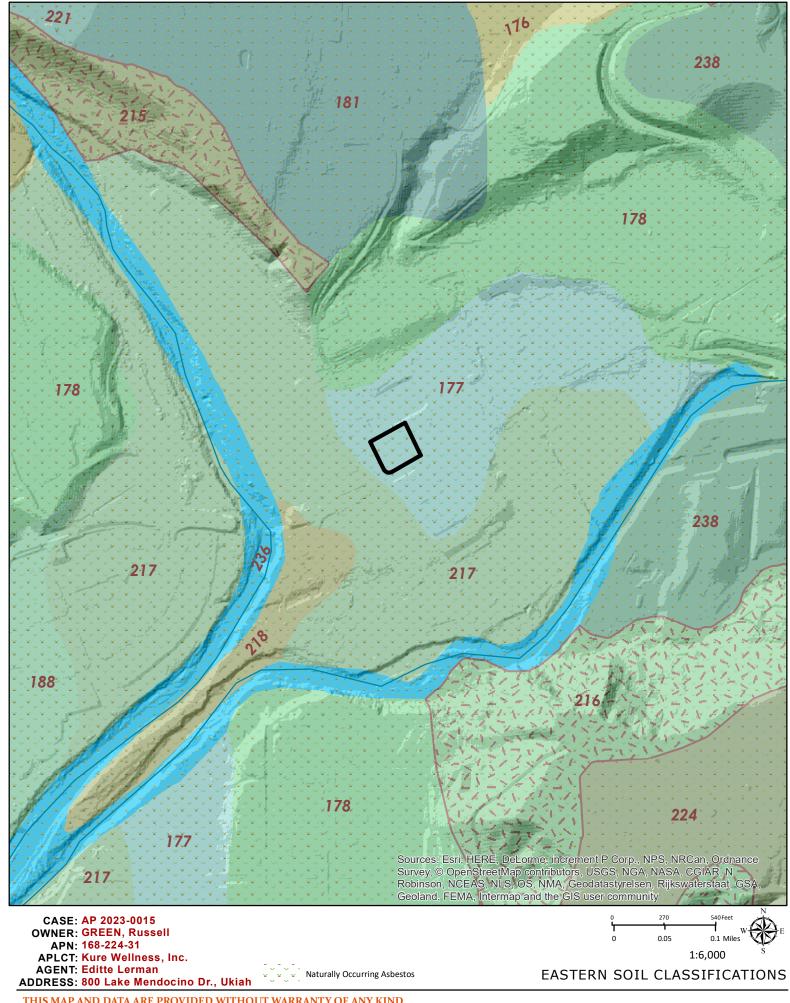


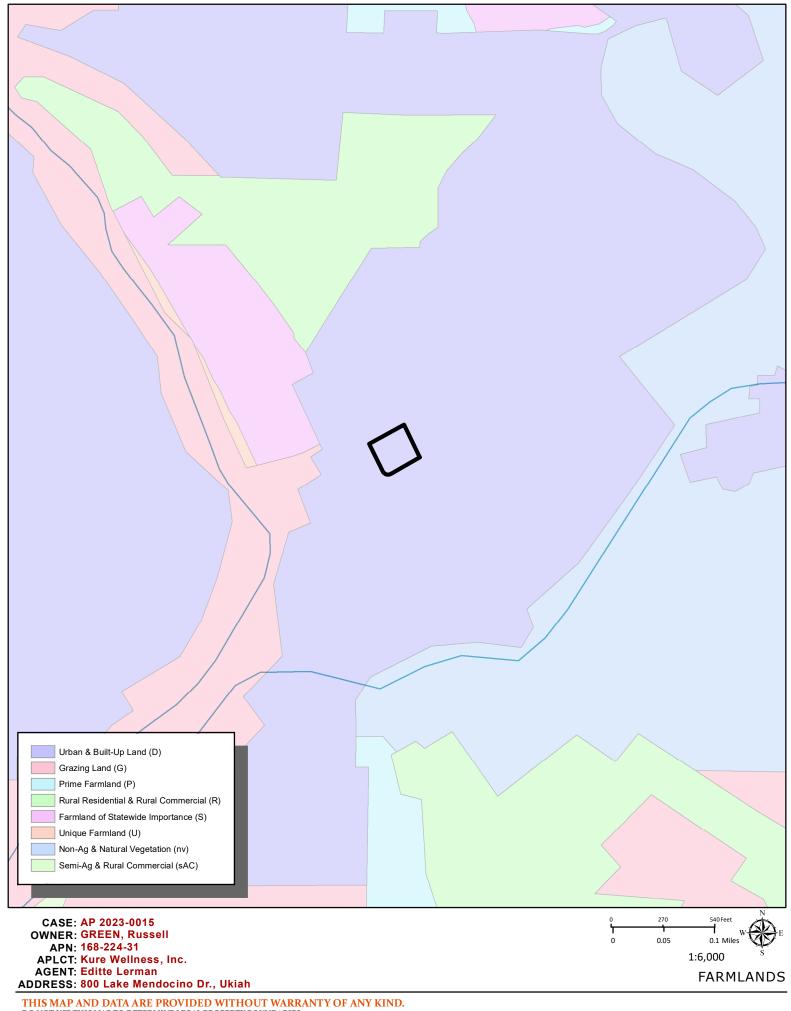
**WETLANDS** 

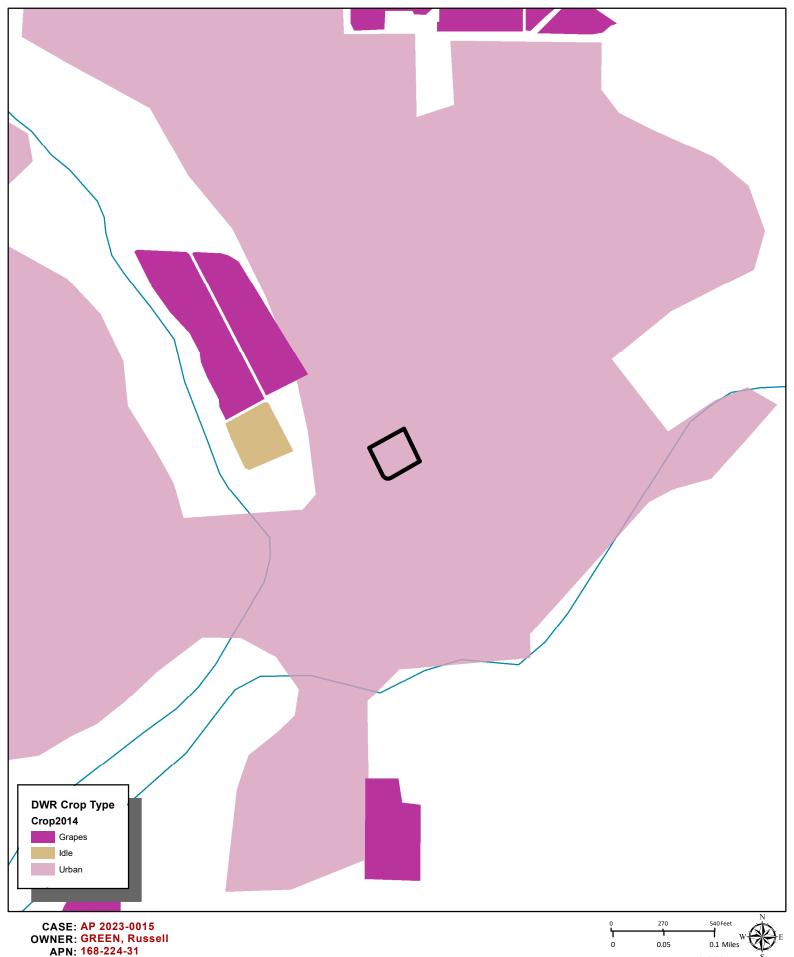


ADDRESS: 800 Lake Mendocino Dr., Ukiah THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND. DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES MS4 STORMWATER AREA





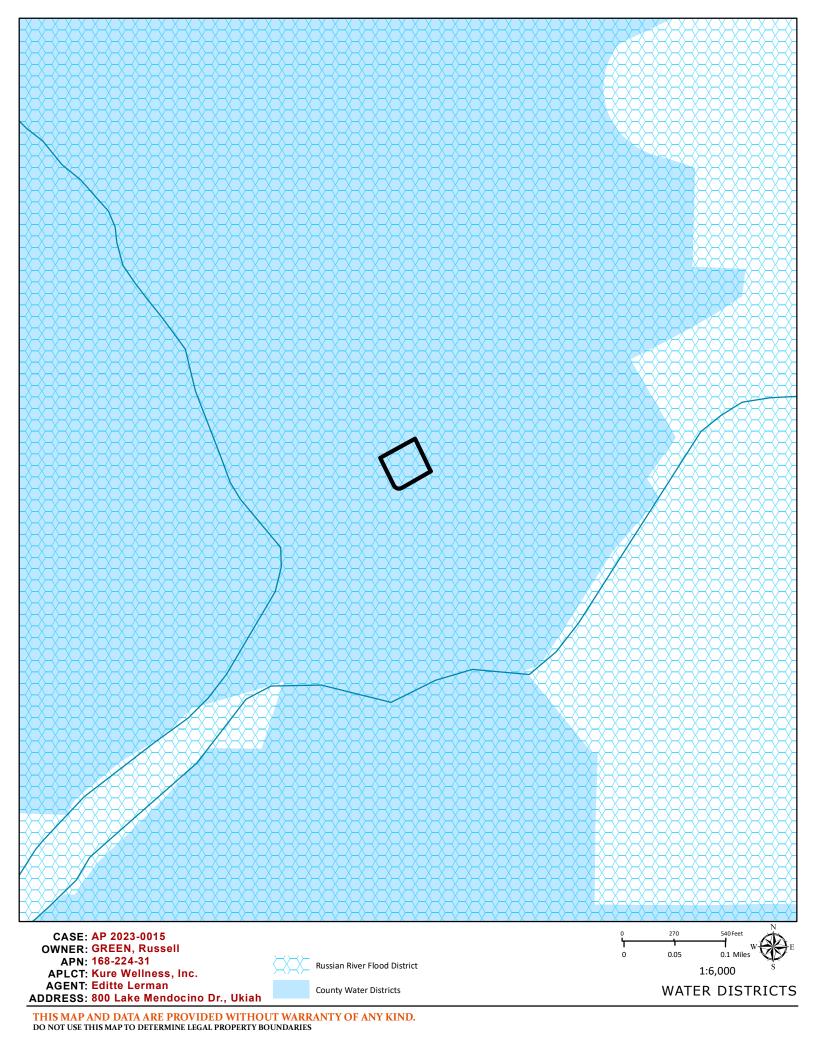


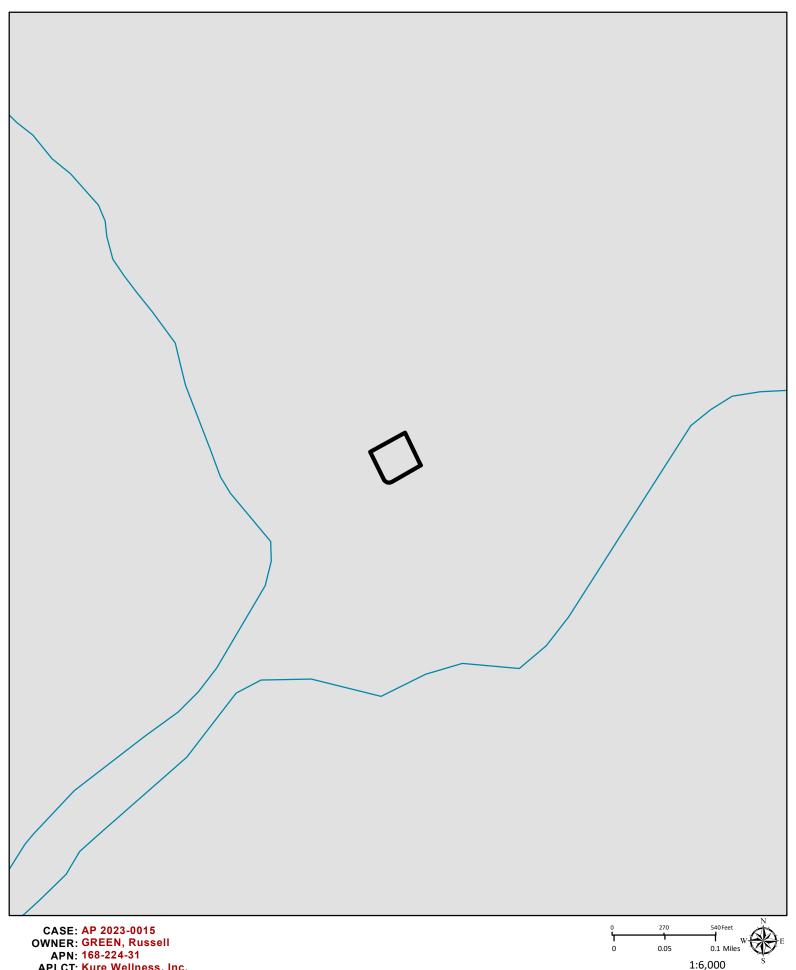


APLCT: Kure Wellness, Inc. AGENT: Editte Lerman ADDRESS: 800 Lake Mendocino Dr., Ukiah

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**DWR CROP TYPE** 





APLCT: Kure Wellness, Inc.

ADDRESS: 800 Lake Mendocino Dr., Ukiah

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1:6,000

UKIAH VALLEY AREA PLAN