



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
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October 16, 2019

Department of Transportation
Environmental Health - Ukiah
Building Inspection - Ukiah
Assessor
Air Quality Management

Cannabis Program
MCSO – Cpt. VanPatten
CalFire - Prevention
California Highway Patrol
Laytonville Water District

Long Valley Fire District
Laytonville MAC
Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

CASE#: U_2019-0021

DATE FILED: 9/12/2019

OWNER: JASON HUGGINS

APPLICANT: NICHOLAS SMILGYS

REQUEST: Administrative Permit to allow a facility for the processing, (level 1) non-volatile manufacturing, and distribution of cannabis.

LOCATION: 0.4± miles southwest of Laytonville center, on the west side of Willis Avenue (CR 321D), 700± feet north of its intersection with Harwood Road (CR 319), located at 44550 Willis Ave., Laytonville (APN: 014-140-05).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 3

STAFF PLANNER: SAM VANDEWATER

RESPONSE DUE DATE: October 30, 2019

PROJECT INFORMATION CAN BE FOUND AT:

<https://www.mendocinocounty.org/government/planning-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 pbs@mendocinocounty.org. 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 (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: U_2019-0021

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APPLICANT: NICHOLAS SMILGYS

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APN/S: 014-140-05

PARCEL SIZE: 25± Acres

GENERAL PLAN: Rural Community (RC)

ZONING: Rural Community (RC:6K)

EXISTING USES: Residential

DISTRICT: 3

RELATED CASES: R 16-97 rezoned the parcel from single-family residential (R1) to Rural Community (RC). U 23-97 allowed for the establishment of a veterinary practice. UR 23-97/07 renewed the existing veterinary service. B_2017-0023 amended the parcel boundaries with land to the west.

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
NORTH:	Rural Community (RC)	Single-Family Residential (R1)	3.5±	Residential
EAST:	Rural Community (RC)	Single-Family Residential (R1)	0.5±, 1±, 1±	Residential
SOUTH:	Rural Community (RC)	Single-Family Residential (R1)	4±	Residential
WEST:	Rural Residential (RR)	Rural Residential (RR:1)	21±	Vacant

REFERRAL AGENCIES

<u>LOCAL</u> <input checked="" type="checkbox"/> Air Quality Management District <input checked="" type="checkbox"/> Assessor's Office <input checked="" type="checkbox"/> Building Division <input checked="" type="checkbox"/> Department of Transportation (DOT) <input checked="" type="checkbox"/> Environmental Health (EH) <input checked="" type="checkbox"/> Long Valley Fire District <input checked="" type="checkbox"/> Laytonville MAC	<input checked="" type="checkbox"/> Laytonville Water District <input checked="" type="checkbox"/> Mendocino County Cannabis Program <input checked="" type="checkbox"/> Mendocino County Sheriff's Office <u>STATE</u> <input checked="" type="checkbox"/> CALFIRE (Land Use) <input checked="" type="checkbox"/> California Highway Patrol	<u>TRIBAL</u> <input checked="" type="checkbox"/> Cloverdale Rancheria <input checked="" type="checkbox"/> Redwood Valley Rancheria <input checked="" type="checkbox"/> Sherwood Valley Band of Pomo Indians
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ADDITIONAL INFORMATION: No structural development is proposed in relation to this project.

ENVIRONMENTAL DATA

1. MAC:

GIS
Laytonville MAC

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS
CalFire

4. FARMLAND CLASSIFICATION:

GIS

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)
NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS
N/A

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part
Eastern Soils

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
NO

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS
NO

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:

USDA
YES

23. HARBOR DISTRICT:

Sec. 20.512
N/A



Department of
Planning and Building
Services

Case No:	U-2019-0021
CalFire No:	N/A
Business License No:	N/A
Fee:	\$ 3190.38
Receipt No:	
Received By:	Vandy
Date Filed:	9-12-2019
Office use only	

Application for Facilities – Use Permit / Administrative Permit

APPLICANT(S)

Name: Nicholas Smilgys Phone: 708.606.9769
 Mailing Address: PO Box 2233
 City: Willits State/Zip: CA 95490 email: nicke@mcclistro.com

PROPERTY OWNER

Name: Nicholas Smilgys Phone: 708.606.9769
 Mailing Address: PO Box 2233
 City: Willits State/Zip: CA 95490 email: nicke@mcclistro.com

AGENT

Name: _____ Phone: _____
 Mailing Address: _____
 City: _____ State/Zip: _____ email: _____

Address of Property: 44550 Willits Ave Laytonville CA 95454
 Assessor Parcel Number(s): _____

Please check the applicable permit type for which you are applying.

Type of Facility → Zoning District ↓	Processing	Manufacturing (non-volatile)	Manufacturing (volatile)	Testing	Retail / Dispensary	Distribution	Microbusiness
RC (Rural Community)	<input checked="" type="checkbox"/> - AP	<input checked="" type="checkbox"/> - AP	<input type="checkbox"/> - UP	<input type="checkbox"/> - UP	<input type="checkbox"/> - UP	<input checked="" type="checkbox"/> - UP	<input type="checkbox"/> - UP
AG (Agriculture)	<input type="checkbox"/> - AP	-	-	-	-	-	-
UR (Upland Residential)	<input type="checkbox"/> - AP	-	-	-	-	-	-
RL (Rangeland)	<input type="checkbox"/> - AP	-	-	-	-	-	-
FL (Forest Land)	<input type="checkbox"/> - AP	-	-	-	-	-	-
C1 (Limited Commercial)	<input type="checkbox"/> - UP	-	-	-	ZC**	-	-
C2 (General Commercial)	<input type="checkbox"/> - AP	<input type="checkbox"/> - UP	-	ZC**	ZC**	<input type="checkbox"/> - UP	<input type="checkbox"/> - AP
I1 (Limited Industrial)	ZC**	ZC**	<input type="checkbox"/> - AP	ZC**	<input type="checkbox"/> - UP	ZC**	<input type="checkbox"/> - AP
I2 (General Industrial)	ZC**	ZC**	<input type="checkbox"/> - AP	ZC**	<input type="checkbox"/> - UP	ZC**	<input type="checkbox"/> - AP
PI (Pinoleville Industrial)	ZC**	ZC**	<input type="checkbox"/> - AP	ZC**	<input type="checkbox"/> - UP	ZC**	<input type="checkbox"/> - 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))
☐ 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.

Signature of Applicant/Agent: [Signature] Date: 9/10/19
 Signature of Owner: [Signature] Date: 9/10/19

FACILITY PROJECT DESCRIPTION & QUESTIONNAIRE

1. Does the proposed facility meet the following setbacks?

☐ YES

☒ NO

- 1,000 feet from all youth-oriented facilities, schools, parks, churches, or residential treatment facilities.

2. Please describe the project in full.

We will be developing a processing and distribution hub in Claytonville to provide needed services to the local community.

3. Please describe the project site. Include improvements such as structures, wells, septic systems, grading, vegetation removal, roads, etc.

The project contains two fully constructed buildings. They are serviced by existing septic and wells. There is no need to change the site significantly.

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.

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: | <input type="checkbox"/> ON-SITE <input type="checkbox"/> OFF-SITE | |

6. In order to develop the proposed facility, will it be necessary to:

A. Remove oak species or commercial tree species?

YES

☐

NO

☒

B. Make substantial changes in terrain?

☐

☒

7. Will there be employees? ☒ YES ☐ NO If YES, how many employees will be present on the largest shift? 7

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):

Size: _____ ft² Type (i.e. freestanding, wall, etc): _____

9. How many parking spaces will be on provided on-site? 10 How many accessible parking spaces? 2

10. Please provide an inventory of the structures on the property. If additional space is needed, please provide a separate sheet. Please note improvements may be subject to permit requirements.

- | | | | |
|---------------------------|-------------------------------------|---|----------------------------------|
| 1. <u>Building #1</u> | Existing Use: <u>Yoga Studio</u> | Proposed Use: <u>Processing/Manufacturing</u> | Size: <u>674</u> ft ² |
| 2. <u>Garage/Appendix</u> | Existing Use: <u>Garage/Storage</u> | Proposed Use: <u>Distribution</u> | Size: <u>633</u> ft ² |
| 3. <u>Out Building #1</u> | Existing Use: <u>Storage</u> | Proposed Use: <u>None</u> | Size: <u>160</u> ft ² |
| 4. <u>Out Building #2</u> | Existing Use: <u>Storage</u> | Proposed Use: <u>None</u> | Size: <u>120</u> ft ² |
| 5. _____ | Existing Use: _____ | Proposed Use: _____ | Size: _____ ft ² |

11. Will there be any security lighting? ☒ YES ☐ NO If YES, will the light be cast downward? ☒ YES ☐ NO

12. Briefly describe the surrounding properties including vegetation, animals, structures, and/or cultural/historic assets.

We ~~are~~ have 20 acres of forest land ~~and~~ in the rear and 4 acres of pasture to the front.

13. Please indicate the surrounding land uses.

	NORTH	EAST	SOUTH	WEST
Vacant	<u>X</u>			
Residential/Agricultural		<u>X</u>	<u>X</u>	
Commercial/Industrial			<u>X</u>	
Institutional/Timberland				<u>X</u>
Other				

14. Utilities will be supplied to the site as follows:

A. Electricity

☒ Utility Company (existing)

☐ Utility Company (planned)

☐ On-Site Generation – Specify _____

B. Gas

☒ Utility Company (existing)

☐ Utility Company (planned)

☐ On-Site Generation – Specify _____

☐ None

C. Water

☐ Community water system – Specify provider _____

☒ Well

☐ Spring

☐ Pond

☐ Other – Specify _____

D. Sewage

☐ Community sewage system – Specify provider _____

☒ Septic Tank

☐ Other – Specify _____

15. Please provide driving directions to the facility using identifiable landmarks (streets, mailboxes, etc).

Take 101 N to Harwood turn left. Take Harwood until it ends and turn right. Proceed about 1/2 mile until you see a driveway marked 44550. Turn left and the building are less than a half mile down the driveway.

FOR PROCESSING

P01. How will natural (trimmings) or other (plastics) materials be disposed?

All plant material will be sold. All plastics will be recycled ~~or~~ when possible and delivered to the dump when not possible.

P02. What equipment (i.e. machines [specify], trimmers, hangers, etc) will be used for processing?

We will be using Reserator brand trim machines and hand trimming. We will also use Freeze Drying equipment.

FOR MANUFACTURING

M01. What solvents will be used?

We will not be using solvents just water.

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.

We will be extracting using ice and cold water. This is an ancient, hand done form of extraction.

M06. What products are being made? (i.e. edibles, topicals, tinctures, soap/skin products, etc)

Cold water hash,

M07. How will hazardous (chemicals), natural (trimmings), or other (plastics) materials be disposed?

Natural materials will be composted, plastic recycled and no chemicals are used.

FOR RETAIL/DISPENSARY

R01. Will there be consumption of cannabis products on-site?

☐ YES

☐ NO

R02. Will the facility have a mobile delivery component? ☐ YES ☐ NO If YES, number of vehicles to be used? _____

FOR DISTRIBUTION

D01. How many vehicles will operate from this facility? 1

FOR MICROBUSINESS

B01. What is the primary use of the microbusiness (i.e. retail, processing, etc)? _____

B02. What are the accessory uses that are incidental to the primary use? _____

I, the undersigned below, certify that the information submitted with this application is true and accurate:

Nicholas Smilgys

Print Name of Applicant/Agent

8/9/19

Date

Nicholas Smilgys

Print Name of Owner

9/9/19




Date

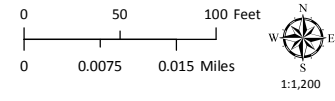
Signature of Applicant/Agent

Signature of Owner

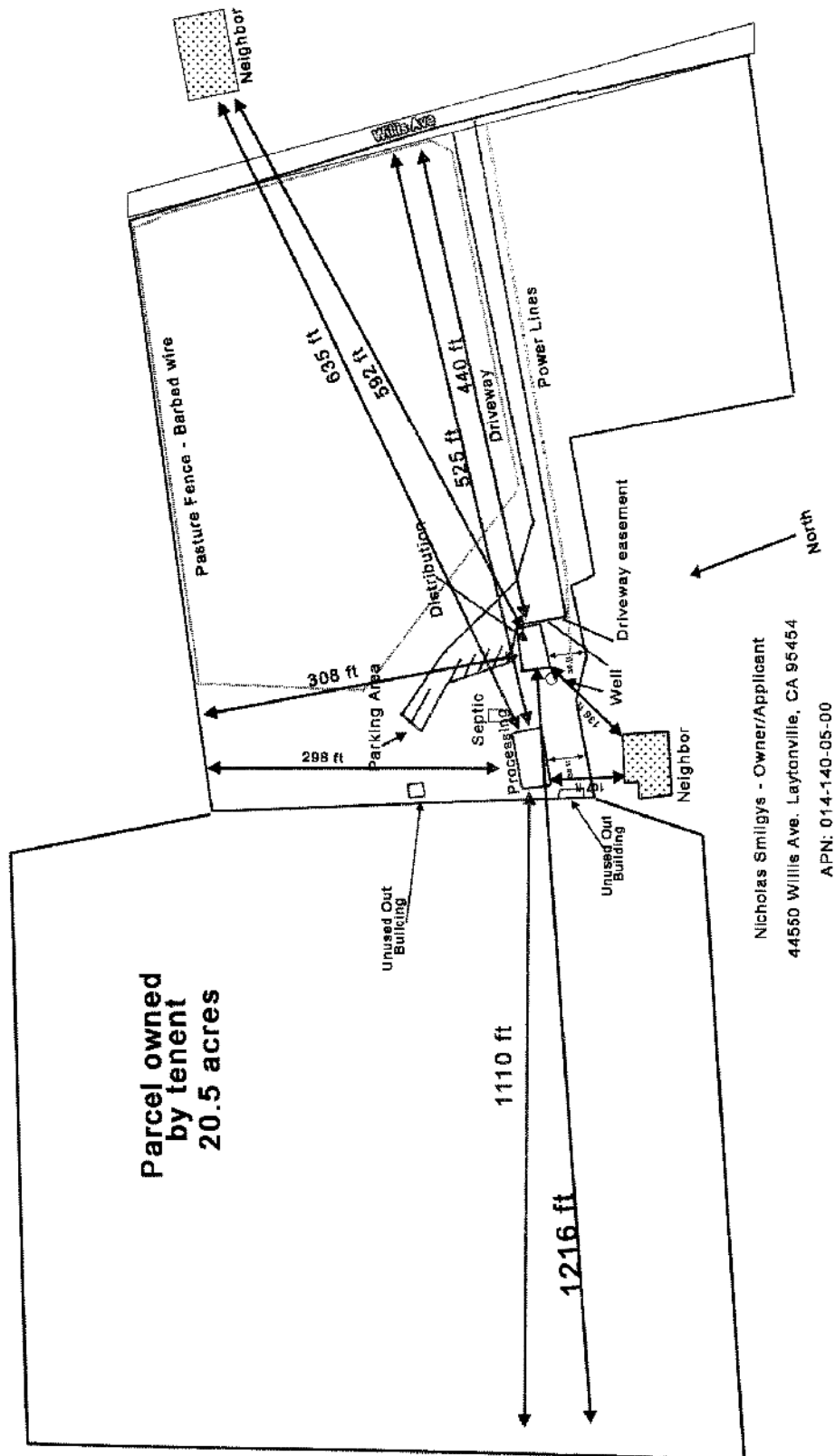


CASE: U 2019-0021
OWNER: HUGGINS, Jason
APN: 014-140-05
APLCT: Nicholas Smilgys
AGENT:
ADDRESS: 44550 Willis Avenue, Laytonville

-  Accommodation Districts
-  Cannabis Facilities
-  Public Roads



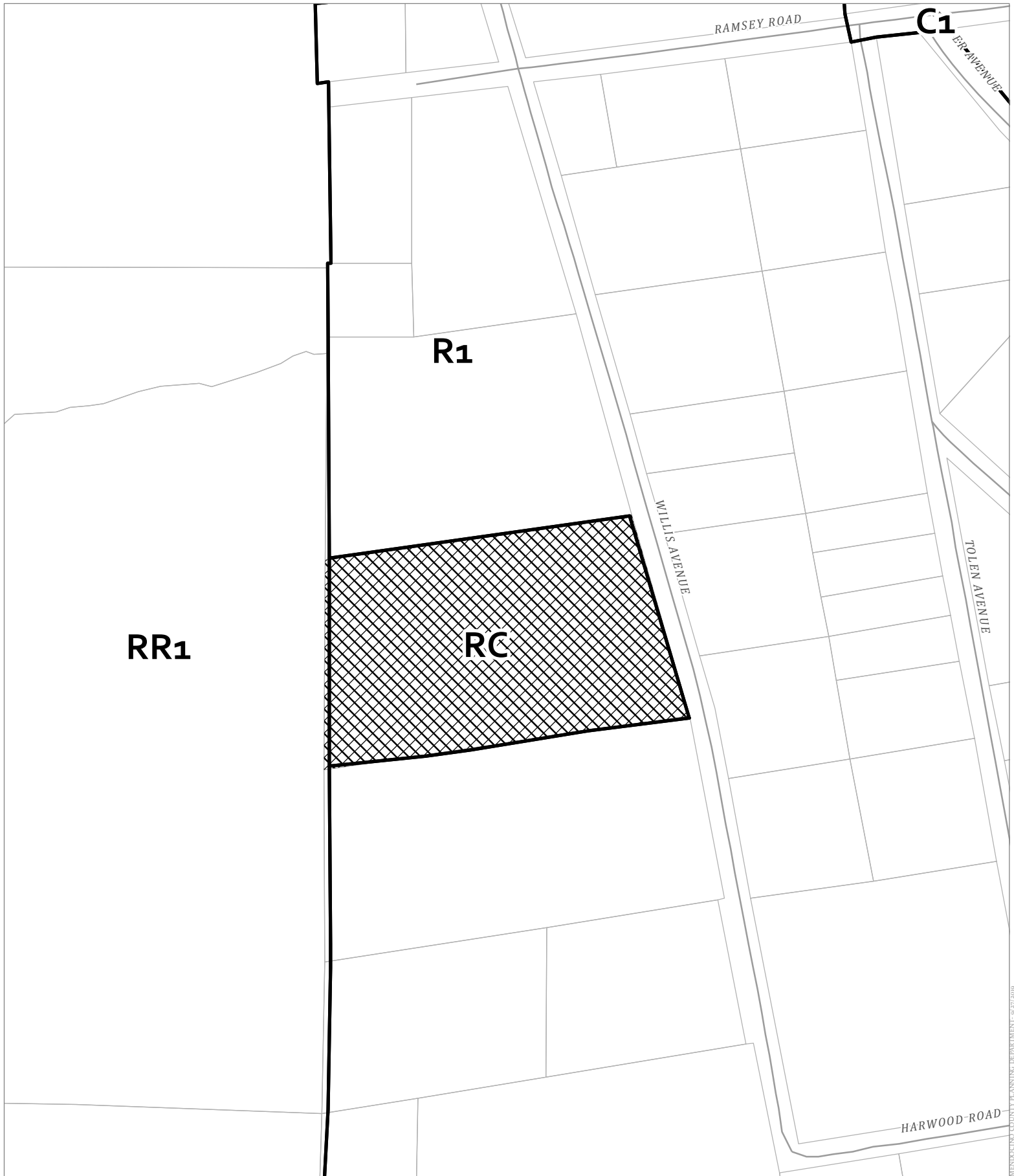
LOCATION MAP




CASE: U 2019-0021
 OWNER: HUGGINS, Jason
 APN: 014-140-05
 APLCT: Nicholas Smilgys
 AGENT:
 ADDRESS: 44550 Willis Avenue, Laytonville

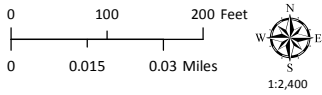
NO SCALE

SITE PLAN



CASE: U 2019-0021
OWNER: HUGGINS, Jason
APN: 014-140-05
APLCT: Nicholas Smilgys
AGENT:
ADDRESS: 44550 Willis Avenue, Laytonville



 Zoning Districts
 Public Roads

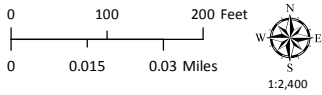


ZONING DISPLAY MAP



CASE: U 2019-0021
OWNER: HUGGINS, Jason
APN: 014-140-05
APLCT: Nicholas Smilgys
AGENT:
ADDRESS: 44550 Willis Avenue, Laytonville

 General Plan Classes
 Public Roads



GENERAL PLAN CLASSIFICATIONS

