# 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 FAX: 707-463-5709 FB PHONE: 707-964-5379 FB FAX: 707-961-2427 pbs@mendocinocounty.org www.mendocinocounty.org/pbs

February 12, 2020

#### **REVISED REFERRAL**

Department of Transportation Environmental Health - Ukiah Building Inspection - Ukiah Cannabis Program Mendocino County Sheriff's Office Assessor Air Quality Management CalFire- LAND USE California Highway Patrol Long Valley Fire District Laytonville MAC Laytonville Water District Harwood Healthy Start Program Laytonville School District 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:** Use Permit to allow a facility for the processing, (level 1) non-volatile manufacturing, and distribution of cannabis. The request includes a reduction of the setback requirement by 50 feet to a new setback requirement

of 550 feet.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

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

**SUPERVISORIAL DISTRICT:** 3

**STAFF PLANNER**: SAM VANDEWATER **RESPONSE DUE DATE**: FEBRUARY 24, 2020

#### PROJECT INFORMATION CAN BE FOUND AT:

www.mendocinocounty.org

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@co.mendocino.ca.us">pbs@co.mendocino.ca.us</a>. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above ap	plication and recommend the followi	ng (please check one):
☐ No comment at this time.		
Recommend conditional appr	roval (attached).	
	information (attach items needed, ces in any correspondence you may h	or contact the applicant directly, copying nave with the applicant)
Recommend denial (Attach re	easons for recommending denial).	
☐ Recommend preparation of a	n Environmental Impact Report (atta	ach reasons why an EIR should be required).
Other comments (attach as n	ecessary).	
REVIEWED BY:	December	Dete
Signature	Department	Date

CASE: U\_2019-0021

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intersection with Harwood Rd (CR 319), located at 44550 Willis Avenue, Laytonville (APN: 014-140-05)

**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.

	ADJACENT GENERAL PLAN	<b>ADJACENT ZONING</b>	<b>ADJACENT LOT SIZES</b>	<b>ADJACENT USES</b>
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**

LOCAL

✓ Air Quality Management District

☑ Assessor's Office☑ Building Division

☑ Department of Transportation (DOT)

⊠ Environmental Health (EH)
 ⊠ Long Valley Fire District
 ⊠ Laytonville MAC

□ Laytonville Water District

☑ Mendocino County Cannabis Program

☑ Mendocino County Sheriff's Office

☒ Harwood Healthy Start Program☒ Laytonville School District

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STATE

☑ California Highway Patrol

TRIBAL

☑ Cloverdale Rancheria

☑ Redwood Valley Rancheria☑ Sherwood Valley Band of Pomo Indians

**ADDITIONAL INFORMATION:** No structural development is proposed in relation to this project. The facility setback from sensitive receptors (baseball field at Harwood Memorial Park) encroaches roughly 40 feet into the outer left field.

**STAFF PLANNER:** SAM VANDY VANDEWATER **DATE:** 9/18/19

# **ENVIRONMENTAL DATA**

1. MAC:

GIS

Laytonville MAC

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

High Hazard Area

3. FIRE RESPONSIBILITY AREA:

CALFIRE ERAP mans/GI

CalFire

4. FARMLAND CLASSIFICATION:

GIS

N/A

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Mans (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; G

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-

NO

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only): GIS

NO

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adonted Specific Plan Areas: GIS

NO

21. STATE CLEARINGHOUSE REQUIRED:

Polic

NO

22. OAK WOODLAND AREA:

USDA

YES

23. HARBOR DISTRICT:

Sec. 20.51

N/A



# Department of Planning and Building Services

Case No: U_Z019-0021
CalFire No: NA
Business License No: NA
Fee: \$ 3190,38
Receipt No:
Received By: Vandy
Date Filed: 9-12-2019
Office use only

# **Application for Facilities - Use Permit / Administrative Permit**

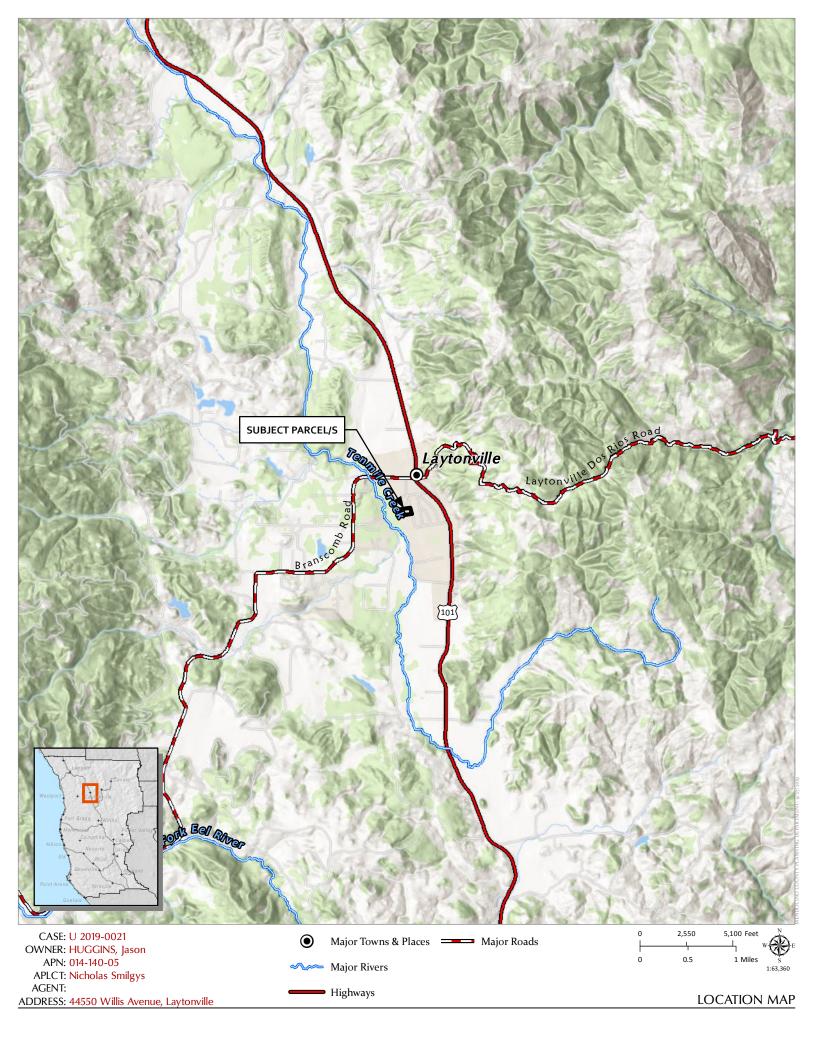
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Type of Facility →	Processing	Manufacturing	Manufacturing	Testing	Retail /	Distribution	Microbusiness
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# **FACILITY PROJECT DESCRIPTION & QUESTIONNAIRE**

1. Does the proposed facility meet the following setbacks?
1,000 feet from all youth-oriented facilities, schools, parks, churches, or residential treatment facilities.
2. Please describe the project in full.
in Laytonville to provide needed services to the local
in Laytonville to provide needed services to the local
COMMUN, ty.
3. Please describe the project site. Include improvements such as structures, wells, septic systems, grading, vegetation
removal roads etc
The project contains two tilly constructed buildings. They are
Serviced by existing septil and weys. There is no need to
Shore the site significantly.
July July July July July July July July
·
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
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:
and the develop and proposed tasinty, time to hossissary to.
YES NO
A. Remove oak species or commercial tree species?
2. mans substantial shanges in terrain:
7. Will there be employees? VIYES NO If YES, how many employees will be present on the largest shift?
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: ft <sup>2</sup> Type (i.e. freestanding, wall, etc):

9. How many parking spaces will be on provided on-site?	How many accessible parking spaces?
10. Please provide an inventory of the structures on the property separate sheet. Please note improvements may be subject to pe	y. If additional space is needed, please provide a ermit requirements.
1. Building Al Existing Use: Yoga Studio	Proposed Use: Prusha Janthuto Size: 674 ft2
2. Cange April Existing Use: Garage (Stronge	
3. Out building the Existing Use: France	Proposed Use: None. Size: 160 ft <sup>2</sup>
4. Out On Was #2 Existing Use: Storage	Proposed Use: iVanc Size: 120 ft <sup>2</sup>
5. Existing Use:	Proposed Use: Size: ft <sup>2</sup>
12. Briefly describe the surrounding properties including vegeta	of land and in the real and
13. Please indicate the surrounding land uses.  NORTH EAST	SOUTH WEST
Vacant Residential/Agricultural	X
Commercial/Industrial Institutional/Timberland	* *
Other	1
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	
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 identification for the facility using identification for the facility using identification.	left. Take Marwood Until it hads
and trin right. Proceed about 5	mile until you see a dr. veway
marked 445550 Tun left and the	Coulding are less than a lymile down

*FOR PROCESSING*
P01. How will natural (trimmings) or other (plastics) materials be disposed?
All plant majoral will be sold. All plashes will be regaled
when possible and delivered to the damp when not possible.
P02. What equipment (i.e. machines [specify], trimmers, hangers, etc) will be used for processing?
We will be using Resonator brand from machines and hand from make
We will be true Resorator brand from machines and hand from make.
*FOR MANUFACTURING*
M01. What solvents will be used?
We Will not be using Solvents just water.
M02. Will <i>hazardous materials</i> (as defined by Mendocino County Code [MCC] Section 8.70.010) be used? ☐ YES 🌠 NO
M03. Will <i>hazardous materials</i> be stored in quantities greater than 55 gallons, 500 pounds, or 200 cubic feet?
√ NO ☐ YES; please specify
M04. Will <i>hazardous waste</i> (as defined by MCC section 8.70.010) be generated on-site? ☐ YES
M05. Please describe the extraction process. Provide an additional sheet if necessary.
· · · · · · · · · · · · · · · · · · ·
This is an ancient, hard done form of extruction
This is an ancient man and for some
M06 What products are being made? (i.e. edibles, tepicals, tipetures, seap/skip products, etc)
M06. What products are being made? (i.e. edibles, topicals, tinctures, soap/skin products, etc)
Cold water hash,
MOZ Havavilla a sadava (ab assisata) a starat (timorina) a sathar (alastica) matariata ba disassado
M07. How will hazardous (chemicals), natural (trimmings), or other (plastics) materials be disposed?
Mutural materials will be composted, plastic recycled and the chemicals are object
*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?
*FOR MICROBUSINESS*  B01. What is the primary use of the microbusiness (i.e. retail, processing, etc.)?
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:
Nuholas Smilys 8/9/19 Nicholus Smilys 9/9/19
Print Name of Applicant/Agent Date Print Name of Owner Date
Signature of Applicant/Agent Signature of Owner



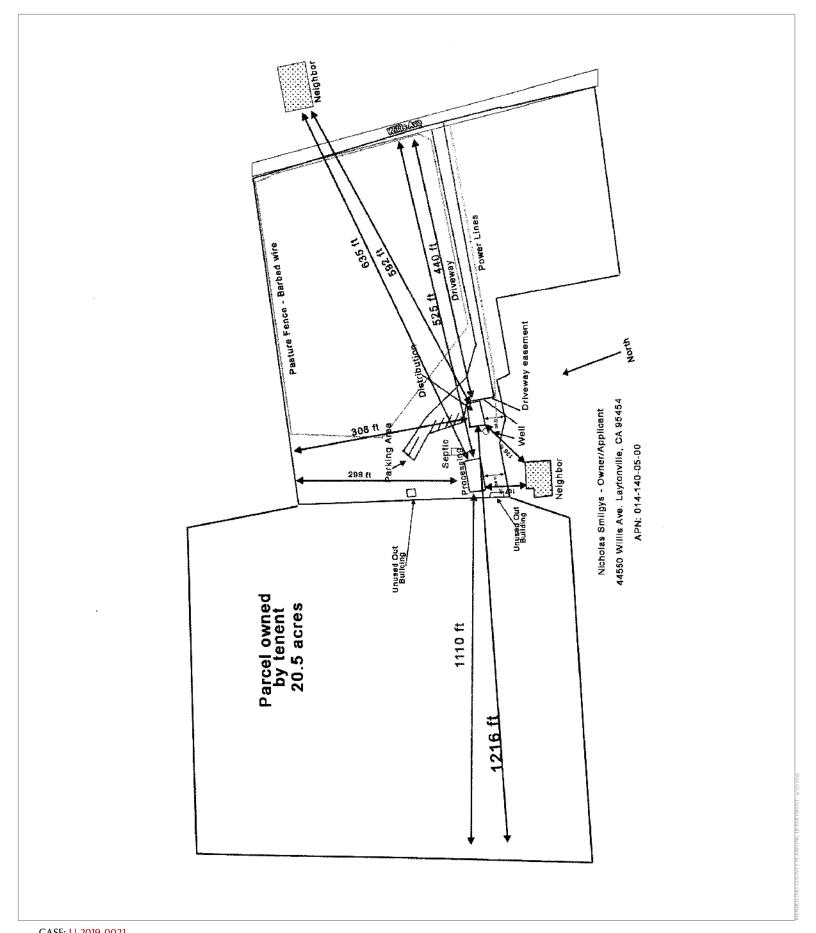


APLCT: Nicholas Smilgys AGENT:

ADDRESS: 44550 Willis Avenue, Laytonville

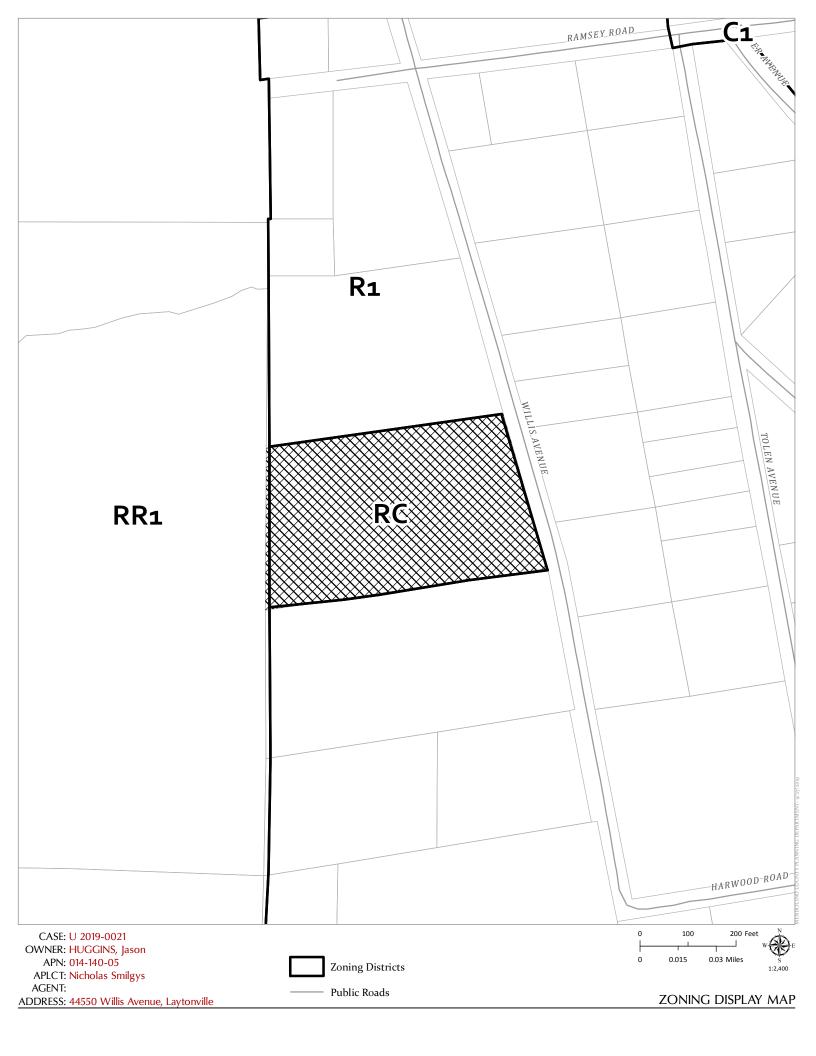
Public Roads

LOCATION MAP

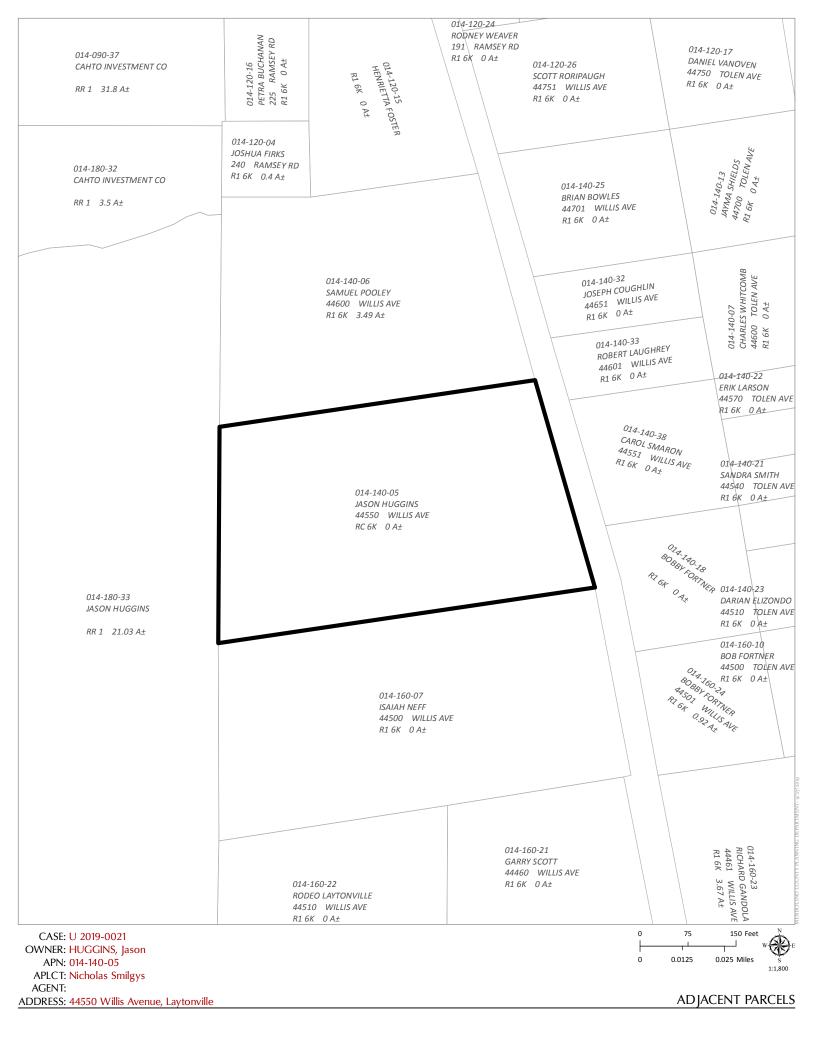


CASE: U 2019-0021 OWNER: HUGGINS, Jason APN: 014-140-05 APLCT: Nicholas Smilgys AGENT:

NO SCALE









SECURITY PLAN: 44550 WILLIS AVE. LAYTONVILLE, CA 95454

#### Introduction:

Principals of Shimmins Consulting Corporation have been working in the regulated cannabis industry for the past ten years, including opening and operating dispensaries in challenging neighborhoods in San Francisco, manufacturing facilities in Oakland and cultivation facilities in Mendocino county. Through our direct experience, including creating and refining security policies for cannabis operations, we have developed a proven strategy and approach to prevent and deal with threats, perceived and real, to our business.

We believe that the best defense is a good offense. We have implemented strong security measures that will deter offenders, notify law enforcement when appropriate and provide tools as evidence in the event of an incident. We use a mix of active and passive tactics to deter and control crime.

There is no magic pill that can make theft not happen. It is our goal to slow penetration to a point that it is impossible to get in and out before law enforcement arrives. These are proven techniques that we have learned over our years in the cannabis industry.

# **Monitored Security System:**

Perhaps our most important tool is our monitored security system. Our system is internet connected with redundant power sources. This system is designed to detect any penetration or abnormality on the perimeter. This system has an "In" and "Away" setting. We can use the "In" setting to ensure that there is no unauthorized entry during work hours and the "Out" setting to arm all sensors and alert us to any movement or activity at the site. Our current system includes the following elements:

- Entry sensors Each entry has a dedicated sensor that can tell whether or not the door is opened. Each sensor feeds to the central tower that can send alerts via cell phone to supervisors.
- 2. Motion detectors Each room is equipped with a motion detector that will detect any movement in the room. We currently have one of these installed in each room.
- Glass break sensors Each building is equipped with one glass break sensor that will trigger the alarm if any windows are broken in the facility. These sensors work for a radius of over 30 ft.
- 4. Fire Sensors Each building is equipped with a fire sensor that will alert first responders in the event of a fire or extreme temperature in the facility.
- 5. Water Sensors We have equipped each building with water sensors to detect a water leak and catch it before serious damage is done.
- 6. Enhanced Siren If the alarm is tripped we have a 105 decibel siren that will sound in the main studio room. We will be adding a second siren in the garage area.
- 7. Panic Buttons Each room is equipped with a stand alone panic button that directly connects to law enforcement.
- 8. Panic Codes Each keypad is equipped with a panic code that an employee can enter in if they are being forced to disarm the alarm.
- 9. Visual Confirmation Cameras The security system is equipped with a separate camera system that allows the monitoring company to visually confirm if there is an intruder and directly feed this information to law enforcement.

The system is monitored 24/7 by offsite monitoring companies and can be controlled from mobile devices using a well designed app. Employees with access are each issued an

individual PIN number so management can tell who disarms the system without visual confirmation. This system is equipped with battery and cellular back up function in the event of a power or internet outage.

# **Security Camera System:**

We have installed a fully functional and robust camera system through out the entire facility. Every door and entry, working area, storage area and parking area are monitored. These cameras are also operating on a battery backup and have a securely stored NVR that can hold more than 30 days of video. These cameras are set up to save any motion that they record.

We currently have 10 total placements and will be adding additional placements prior to opening. The objective is to have no blind spots inside them facility. We currently have cameras on every work space and are covering the entire secured storage area. Our cameras are able to record in dark and light conditions and allow us to zoom up on any recorded material. They are full HD as well.

Some additional features of our camera system:

- 1. Camera covers all entries, approaches and exits.
- 2. Cameras are set for 24/7 record on motion.
- The network video recorder is encrypted and secured under lock with a UPS for uninterrupted recording if power supply is purposely crippled.
- 4. The system provides alerts via mobile phone if motion is triggered at key locations in the facility.
- 5. Alerts are relayed via a secure internet link with a failsafe alarm mechanism should the network connection fail.

#### **Passive Security Measures:**

Passive security measures are things that a potential prowler may not see immediately but will slow their ability to penetrate the perimeter. We will be adding these as we evaluate the needs of the facility. The following items have been added to our facility:

- 1. Smart Locks Main entrances are equipped with smart locks that allow us to give each employee their own PIN to gain access to the facility. They also eliminate the threat of an employee losing their keys or having them stolen.
- 2. Restricted access areas Inside each structure we have enhanced security measures that restrict access to areas that product is stored. These are either entire rooms that are locked with additional deadbolts and steel doors or they are steel cages used for material that is currently being worked. All material will always be in a secure section of the facility unless it is currently being worked by an employee.
- 3. Smash proof window tinting Windows throughout the facility are coated with a special tinting material that prevents them from being broken from the outside. Windows will break but should hold their integrity enough to prevent entry.
- 4. Window Shades and locks Each window is closed and locked each night. We also have shades to prevent anyone from seeing anything inside the facility. When a person can't see what they are breaking into, it lessens the chances of a burglary.
- 5. Extra deadbolts Roll up doors are equipped with industrial grade deadbolt locks.

#### **Active Security Measures:**

Active security measures are things that a potential intruder will encounter while attempting to break into the facility. We will be adding and expanding these items as we deem necessary over the next few months. Currently we have implemented or are planning to implement the following:

- 1. Driveway Gate (scheduled for install week of 2/17) This will be an automatic gate that will prevent unauthorized vehicles from entering the facility grounds.
- Fencing (planned for Q2 2020) We will be fencing the entire facility grounds with an
  aesthetically pleasing but effective privacy fence. This will prevent access from all
  directions to the facility and grounds.
- Security lighting We have lights that we are upgrading to motion detectors. These will be on 24 hours a day and will be angled down and shielded so that they do not bother our neighbors.

# **Additional Security Procesdures:**

There are many other things that we implement as an organization to ensure the safety of our staff and product. Below you will find additional protocols that SCC employees are trained on and expected to follow at all times. This list will be growing and expanded as needed.

#### **Entry and Exit protocols:**

This is when we are the most vulnerable to unwanted entry and robbery. The goal of this protocol is to ensure the safety of our facility and most importantly the safety of our employees. All of these should be done with a minimum of 2 employees at all times. Especially while closing during the winter hours when it is dark early in the afternoon.

On your approach to and from the building make sure that there is nothing suspicious or out of the ordinary. Pay attention to the little things and look for signs that someone has been poking around. Common occurrences are things moved to gain entry to a high window, trash moved to create a hiding spot, something that was not where it was left when the place was locked up.

Please follow these whenever possible, stay vigilant and aware of your surroundings.

Please remember, we should never resist a robbery. Comply with the demands of the aggressor and give them access to whatever they want. If it can be done without risking your own safety, trigger the alarm or press the panic button in the event of an unwelcome entry or some other emergency (fire, serious medical emergency, etc.).

# Entry:

Park in the regular area. If you are the first one here, please wait for a second person to show up before you open the doors.

Unlock the door and enter your unique code in the keypad. There is a keypad in both the garage and the studio. Please do this promptly, you have 30 seconds until the police are notified of an alarm.

#### Exit:

The last people to leave should do so in a group. No one should ever be in the facility alone. When leaving, the key holder should be the last out. Press the "Away" button on the keypad and close and lock the door. If you do not exit in less than a minute, the alarm will be triggered. The key holder should also be the last one out of the parking lot. Please do not loiter in the parking lot after closing.

#### Other notes:

Duress Code - 3232 - If you are being forced to disengage the alarm, press 3232 and it will act as a panic button to the police and trigger the alarm.

Panic Buttons - There are panic buttons in both buildings. These should only be used in the case of an imminent threat. These are connected directly to the police as well. Do not press these if it threatens your safety.

# **Delivery Protocols:**

All deliveries should be conducted by no fewer than two registered employees. Drivers are instructed and trained to drive with heightened awareness and to vary their routes to eliminate the chances of a robbery during transportation.

When a delivery arrives at the facility, security staff will go out to meet the vehicle at the gate. Once the vehicle is inside the gate, the area should be swept to ensure that it is clear of unauthorized persons. If the delivery driver is a not an SCC employee, they should be registered and given a visitor badge.

Delivery vehicles should be pulled directly to the roll up door and backed up as close as possible. When opening the roll up door, all other doors in the building should be shut and locked. All material should be loaded or unloaded and the roll up door should be closed as quickly as possible. Loading and unloading should be done by no fewer than two people to confirm that the Metrc manifest is accurate. Any inaccuracies should be noted and rejected in Metrc.

Visitors should sign out and return their visitor badge at the completion of their delivery.

# **Door Lock Policy:**

All doors should remain locked at all times. This includes when workers are present. If a single door is open all others should be closed. When accessing a secured storage section please ensure that all doors in the building are closed and locked. While working in a secured storage location, all doors should be closed and locked.

Employees should only access areas that are needed for them to complete their work tasks. Non-management employees should always be accompanied by a manager when entering secured storage and restricted areas.

All employees personal items should be stowed appropriately in the designated areas and not brought into the work areas or secured storage areas.

# **ID and Lanyard Policy:**

Per BCC regulations, all employees must be wearing a an ID badge with a unique employee ID number, license number and photo displayed prominently. This should stay on during all work hours and anytime an employee is onsite or making a delivery.

Visitors to the facility should be signed into the visitor log and issued a visitor badge. All visitors should be accompanied at all times by an SCC employee. When the visitor leaves, they must sign out on the visitors log and return their badges.

# **Track and Trace Policy:**

All material handled by SCC must be previously in the METRC track and trace system. Manifests must match the material delivered exactly. Amounts that are not accurate should be noted and rejected. The farm or vendor should then adjust their transfer accordingly prior to our receiving any of the material.

Updates to the Metrc account should be done immediately when they are happening in real time. Our Metrc account should reflect all inventory exactly as it currently is with no discrepancies. If a discrepancy is found, it should be immediately reported to management.

# **Suspicious Activity Investigation Protocol:**

If a manager finds a discrepancy in Metrc that they believe to be a suspicious event, they should refer the issue immediately to the executive team.

Executive team will follow this protocol to investigate the issue:

- 1. Review footage to find the explanation If an issue is found the video clip should be saved and pulled off the server.
- 2. Isolate suspect from any work with active material Reassign team member to non-cannabis activities during investigative period.
- 3. Report findings to BCC Draft an incident report and include video clip in correspondence.
- 4. Take necessary disciplinary action on employee