CASE#: UM_2019-0003 & V_2019-0005  
DATE FILED: 10/28/2019  
OWNER/APPLICANT: DHARMA REALM BUDDHIST ASSOCIATION  
AGENT: JOHN CHU  
REQUEST: This project involves past entitlements and has two (2) components:  
(1) Modification of previously approved Use Permit (U 11-99/2009) and Variance (V 7-99/2009) to modify and remove a portion of Condition B1, which included a limitation that the "Maximum heights of structures [be] limited to the height limits provided for within the applicable Zoning Districts";  
(2) A Variance to Mendocino County Code Chapter 20.052.055 (Agricultural Zoning District - Building Height Limit) to increase the height of the proposed Assembly Hall from the present maximum of 50 feet to 65 feet.  
LOCATION: 3.9± miles southeast of the City of Ukiah, in the community of Talmage, lying east of the intersection of State Route 222 (SR 222/Talmage Road), and Old River Road (CR 201), located at 4951 Bohdi Way, Talmage (APN: 181-190-05).  
SUPERVISORIAL DISTRICT: 1  
STAFF PLANNER: JESSE DAVIS  
RESPONSE DUE DATE: October 8, 2020  

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
This project involves past entitlements and has two (2) components:

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APN/S: 181-190-05-00
PARCEL SIZE: 28.5 ± Acres (APN 181-190-05)
GENERAL PLAN: Agriculture, minimum parcel size 40 acres, (AG40)
ZONING: Agriculture, minimum parcel size 40 acres, (AG:40)
EXISTING USES: Multiple Uses (Residential; Educational; Religious Assembly)
DISTRICT: 1st Supervisors District (Brown)
ADJACENT GENERAL PLAN

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<th>NORTH</th>
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ADJACENT ZONING

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ADJACENT LOT SIZES

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<tr>
<td>76.5 Az</td>
<td>14.55 Az</td>
<td>60.34 Az</td>
<td>31.85 Az, 1.4 Az, 2.25 Az, 1.13 Az</td>
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</table>

ADJACENT USES

- Agricultural
- Mixed-Use
- Residential & Agricultural
- Agricultural

REFERRAL AGENCIES

LOCAL
- Agricultural Commissioner
- Air Quality Management District
- Building Division (Ukiah)
- Department of Transportation (DOT)
- Environmental Health (Ukiah)
- Ukiah Valley Fire District
- City of Ukiah (Planning)
- Assessor

STATE
- California Dept. of Fish & Wildlife
- California Highway Patrol
- CALTRANS
- State Water Resources Control Board

FEDERAL
- US Army Corps of Engineers

TRIBAL
- Cloverdale Rancheria
- Guidiville Rancheria
- Redwood Valley Rancheria
- Sherwood Valley Band of Pomo Indians

ADDITIONAL INFORMATION: An EIR was certified in 2002 with overriding considerations justifying the loss of prime agricultural lands and a mitigation fee to allow for the development of the International Institute of Philosophy and Ethics (IIPE).

The IIPE project was most recently modified in 2016. In 2016, an immaterial modification was facilitated to reposition the building footprints of the IIPE to new locations on the subject property ensuring a protective buffer for wetlands, as conveyed by an updated Wetland Delineation Report. This action was appealed, but upheld by the Board of Supervisors on November 14, 2016. Materials from that ‘BOS Hearing’ are available via the following link:


The Applicant has drafted and provided ‘Findings’ pursuant to Mendocino County Code Section 20.200.020, which are included in conjunction with the referral materials, along with simulated visualizations of the subject structure at 65’ in height from multiple vantage-points surrounding the campus.

STAFF PLANNER: Jesse Davis  DATE: 9/22/20
1. **MAC**: N/A

2. **FIRE HAZARD SEVERITY ZONE**: MODERATE

3. **FIRE RESPONSIBILITY AREA**: LOCAL – UKIAH VALLEY FIRE DISTRICT

4. **FARMLAND CLASSIFICATION**: PRIME (P); GRAZING (G)

5. **FLOOD ZONE CLASSIFICATION**: N/A

6. **COASTAL GROUNDWATER RESOURCE AREA**: N/A

7. **SOIL CLASSIFICATION**: NATURALLY OCCURRING ASBESTOS (NOA); EASTERN COUNTY SOILS (MULTIPLE)

8. **PYGMY VEGETATION OR PYGMY CAPABLE SOIL**: N/A

9. **WILLIAMSON ACT CONTRACT**: ADJACENT

10. **TIMBER PRODUCTION ZONE**: N/A

11. **WETLANDS CLASSIFICATION**: N/A

12. **EARTHQUAKE FAULT ZONE**: ADJACENT

13. **AIRPORT LAND USE PLANNING AREA**: N/A

14. **HAZMAT SITE**: YES; FORMER STATE HOSPITAL DUMP SITE

15. **NATURAL DIVERSITY DATABASE**: N/A

16. **STATE FOREST/PARK/RECREATION ADJACENT**: N/A

17. **LANDSLIDE HAZARD**: N/A

18. **WATER EFFICIENT LANDSCAPE REQUIRED**: YES

19. **WILD AND SCENIC RIVER**: N/A

20. **SPECIFIC PLAN/SPECIAL PLAN AREA**: YES (UKIAH VALLEY AREA PLAN)

21. **STATE CLEARINGHOUSE REQUIRED**: N/A

22. **OAK WOODLAND AREA**: YES

23. **HARBOR DISTRICT**: N/A

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**ATTACHMENTS**

2. Visual Simulations and Site Photographs – LACO & Associates
3. Location Map
4. Aerial Image
5. Site Plan A
6. Site Plan B
7. Site Plan (2011) & Site Plan (2016) – Wetland Delineation
8. IIPE Elevation Profile – 65’
9. Zoning Map
10. General Plan Map
11. Adjacent Parcels Map
12. Fire Responsibility Area & Hazards Map
Supplemental Information for Height Variance Request
V_2019-0005/UM2019-0003
The International Institute of Philosophy and Ethics (IIPE)

Presented by DRBA
September 1, 2020
The Application

• Dharma Realm Buddhist Association (DRBA) submitted the Height Variance application to Mendocino County on Oct 28, 2019 to raise a portion of one building from 50 feet to 65 feet.
The Assembly Hall of IIPE
A dignified Assembly Hall would visually enhance and highlight the cultural and religious diversity of Mendocino County
Proposed findings (Sec 20.200.020)

(A): That there are special circumstances applicable to the property involved, including size, shape, topography, location, or surrounding

- The natural topography and site limitations have created practical difficulties that require the use of a variance.
- Building pads were relocated in 2016 to preserve the natural environment, resulting in the Assembly Hall being about 15 feet lower than other buildings.
- There is a 600-foot buffer zone on the east and wetlands on the south and west of the site. With these restrictions on either side, the Assembly Hall must be built in between.
The Special Circumstance

- This is a religious based educational facility. The Assembly Hall presents an orientation toward “the heavens above.” Some latitude in the permissible height is necessary to achieve this.

- The Assembly Hall is meant to inspire and unite people. It should be impressive and awe-inspiring.

- In summary, the topography, geology, wetlands, the scale of the campus, and the intended use of the facility are “special circumstances.”
Proposed findings (Sec 20.200.020)

(B): That such special circumstances or conditions are not due to any action of the applicant subsequent to the application of the zoning regulations contained in the Division

- The project was moved north to protect the natural environment.
- After the move, the applicant faced a site-based feature — a steeper slope that presented challenges related to building height.
- This circumstance is due to the site characteristics of the property, not any subsequent action of the applicant.
(C): That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property in question

- As with other permitted land uses in this rural zone, there are essential features that are needed for the applicant to fully use this property.

- Other properties do not face the same topographical disadvantages. They do not have the unique features of a building site surrounded by wetlands on two sides and a 600-foot buffer zone on one side, are free to construct their project at roughly the grade of Guidiville Road, and are not in a depression.
Site Elevations

View from South

View from West
Assembly Hall’s elevation is 38 feet lower than Guidiville Road

Note: At the request of John Chu, Summit Engineering reviewed the elevation of the Guidiville Road relative to the Assembly Hall shown in the section above. In general it is consistent with the topographical map prepared by Doble Thomas & Associates and is 790’+/-'. The finish floor elevation of the Assembly Hall is proposed to be 752’ as shown on this page, which results in a difference of 38’ and a building height of 65’-38’=27 feet above Guidiville Road at that location. The sections are prepared by others.—by Monica Shah, tel: 707-527-0775
● The intent of the building’s design program is to present a sacred orientation toward “the heavens above.”

● Extra height is necessary as an essential feature of this land use, in order to bring about a sense of spiritual inspiration and reverence.

● A similar function is served by church roofs and spires in Western buildings. In non-Western structures, extra height is needed, as shown below.

● Such structures contribute to the religious and cultural diversity of the Mendocino community and beyond.
An **85-foot-high** Buddhist temple in Sonoma County was approved and built in the **1980s**

**COPPER MOUNTAIN TEMPLE**

The heart of the Odiyan Center is the Copper Mountain Temple, a three-dimensional mandala rising eighty-five feet high. The construction was completed in 1983 and the interior ornamentation was finished in 1988.

The applicant only asks for a portion of one building to be at **65 feet** 😊 and it will be shielded by many tall native trees.
The Assembly Hall should be the highest building on site to show respect for ceremonies and induce a sense of grandeur and scale.
UC Merced was developed on agricultural lands with buildings over 50 feet
Proposed findings (Sec 20.200.020)

(D): That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located

● Guidiville Road, adjacent to the property, is 38 feet higher in elevation than the Assembly Hall.

● At 65 feet, the roof of the Assembly Hall would only rise 27 feet above Guidiville Road due to the depressed topography.

● The project includes a 600-foot landscape buffer.
Proposed findings (Sec 20.200.020)

- Buffer will be designed and installed in accordance with the County of Mendocino Final Findings and Conditions of Approval, Biological Resources and Landscaping Items 23 – 27.
- Landscaping plan includes berms together with substantial and varied plantings to mitigate visual impact.
- With this landscaping, the views of the building will not be substantially visible to neighbors’ properties or those traversing Guidiville Road.
600-foot landscape buffer zone
Proposed findings (Sec 20.200.020)

(E): That the granting of such variance will not adversely affect the General Plan

- The structures were originally approved because they are consistent with the General Plan.
- Potential **visual impact** caused by additional height is minimal and will not adversely affect the General Plan.
- The height variance concerns no more than 30% of the total roof area of one building.
Views from surrounding points
View 1, after visual mitigation

Northbound View
View 2, after visual mitigation

Southbound Hill View
View 2, visual mitigation — redwood grove

DESIGNER: Dale D. Higgins

Cedrus

Redwood

Quercus
Other Benefits

- Additional height can contribute to the energy efficiency of the building.
- Allows clerestory windows to be installed, permitting natural lighting and ventilation.
- Minimizes need for artificial lighting and mechanical ventilation.
- Improves life safety, as clerestory windows allow smoke and heat to escape.
Climate Benefits

The higher ceiling of 65 feet will increase the volume to spread out the heat build-up in the summer months, keeping the floor level cooler. In addition, the operable clerestory windows can open at night to release the accumulated hot air. Night flushing starts with opening windows or vents near the floor and let cool air flow in forcing the hotter air higher and vent out the clerestory windows. This natural temperature regulation means less mechanical equipment and will save energy.
Life Safety Benefits

Fusible link smoke vents on some of the clerestory windows can be used for smoke extraction. A low-level smoke layer near the floor ensures the possibility of escape and rescue. Also, thermal relief of the building. This will help with self-rescue and fire-fighting. This also prevents the spread of destructive flames and smoke that limits damage to the building.

Vents near roof ridge allow smoke and heat to escape

Some Clerestory windows open with fusible link to allow smoke and heat to escape

Smoke and heat escapes

Accumulated smoke

Assembly Building

Fresh air

Wall vents open in emergency to allow fresh air to enter

Scale 1:20
Questions & Answers
Please contact IIPE project coordinator: John Chu at Tel: 707-462-0939
September 22, 2020

Mendocino County Planning and Building Services
860 North Bush Street
Ukiah, California 95482

Attention: Jesse Davis, Senior Planner

Subject: Visual Simulation Procedure
Project #V 2019-0005/UM 2019-0003
4951 Bodhi Way, Ukiah, California 95482

Dear Mr. Davis:

This letter describes the procedure used by LACO Associates (LACO) to create the visual simulations for the Dharma Realm Buddhist Association (Client) located in Ukiah, California. The visualizations show the expected visual impacts at various locations after the construction of a 65-foot tall main building on the site. The following tools and software were used to develop the visual simulations.

- Georeferenced photographs taken from points of interest in the direction of the project area to be used as the base images for each simulation.
- Google Earth Pro for georeferencing and distance/direction measurements.
- SketchUp Pro 2015 (Model provided by client) for a scaling visual representation of the structure.
- CanVis 3 to merge the photographs with the structure model cleanly.

Georeferenced photographs were taken at various points of interest by LACO staff on August 19, 2020 with a field of view directed at the project area. The coordinates of each photograph were added to Google Earth and an overlay of photograph locations was produced. This overlay was used to determine the angle and distance from each photograph site to the project area.

The Client provided a 3-dimensional model of the proposed project, developed in SketchUp. This model shows proposed and existing on-site improvements. The model was manually oriented to each of the photograph locations based on distance and direction as shown using the Google Earth measurements. Once oriented, the proposed structure was captured at the correct angle from the 3-dimensional model as a 2-dimensional image for importing into CanVis3.

Photographs were imported into CanVis with the corresponding 2-dimensional image of the structure. The image was manually placed in the correct position using landmarks and the 3-dimensional model to verify the position. Landmarks, such as existing structures on-site, were used where able to add precision to the structure overlay. Once orientated, CanVis tools were used to erase any portions of the captured image that would be obscured by intervening objects such as terrain and vegetation.

The result of this analysis is a series of images showing how the proposed 65-foot structure would be viewed from the various points of interest.
Sincerely,
LACO Associates

Elizabeth Burks, AICP
Regional Manager/Planning Principal
Note:
The information illustrated in this map was derived from publicly-available GIS data. LACO Associates cannot guarantee the accuracy of the data.
Guidiville 1: Looking northwest towards project site.

Guidiville 2: Looking southwest towards project site.
Guidiville 3: Looking northwest towards project site.

Guidiville 4: Looking southwest towards project site.
Guidiville 5: Looking west toward project site.

McClure 1: View looking east, structure not visible.

McClure 1: Looking east towards project site.
McClure 2: Looking east towards project site.

McClure 3: Looking southeast towards project site.
McClure 4: Looking southeast towards project site.
CASE: UM 2019-0003
OWNER: Dharma Realm Buddhist Assn., Inc.
APN: 181-190-05
APLCT: Dharma Realm Buddhist Assn., Inc.
AGENT: John Chu
ADDRESS: 2500 McClure Subdivision Road, Talmage

Named Rivers  Driveways/Unnamed Roads
Public Roads
Private Roads

AERIAL IMAGERY
2016 WETLAND DELINEATION

PRELIMINARY SITE PLAN PER 2011 PLANNING COMMISSION APPROVAL

FINAL BUILDING SITE PLAN IN RESPONSE TO CONDITION B-1
CASE: UM 2019-0003
OWNER: Dharma Realm Buddhist Assn., Inc.
APN: 181-190-05
APLCT: Dharma Realm Buddhist Assn., Inc.
AGENT: John Chu
ADDRESS: 2500 McClure Subdivision Road, Talmage

ZONING DISPLAY MAP
CASE: UM 2019-0003
OWNER: Dharma Realm Buddhist Assn., Inc.
APN: 181-190-05
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AGENT: John Chu
ADDRESS: 2500 McClure Subdivision Road, Talmage

GENERAL PLAN CLASSIFICATIONS

AG 40
RL 160
RC
UKIAH VALLEY FIRE PROTECTION DISTRICT

CASE: UM 2019-0003
OWNER: Dharma Realm Buddhist Assn., Inc.
APN: 181-190-05
APLCT: Dharma Realm Buddhist Assn., Inc.
AGENT: John Chu
ADDRESS: 2500 McClure Subdivision Road, Talmage

Very High Fire Hazard
Moderate Fire Hazard
County Fire Districts