

# PLANT ROAD OUTDOOR CULTIVATION

## PROJECT DESCRIPTION

Ver. 04-01-2026

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### 1. SUMMARY OF PROJECT

The project consists of preparing and operating an outdoor cannabis farm on land previously used for agriculture. There is an existing barn (approx. 4,000 sf) that is intended to be used as part of the farming operation, upon reconciliation of existing issues with the assessor's map. No alterations to the exterior of the building are proposed at this time, but may be required as part of the permitting process as required by building code.

Exterior construction activities will include the following: installation of tied-wire field fencing around the perimeter of the cultivation premises; installation of one or more access gates along the fence line; designation of parking and turnaround areas within the premises; and preparation of beds/rows using standard tillage methods used in row-crop production.

Agricultural structures will be used consistent with Mendocino County's policies related to 'Ag-Exempt' structures. A cargo/shipping container will be used to house the designated spaces for harvest storage and pesticide/agricultural chemical storage as required by the Department of Cannabis Control (DCC) regulations. Hoop Houses will be used for season extension. No structural attachments, electrical, or lighting equipment will be used.

### 2. PROJECT LOCATION AND SIZE

The project site is adjacent to existing agricultural activities to the West and Northwest, City of Ukiah Wastewater treatment facilities to the South, and the Russian River to the East and Northeast.

The project is located on an approximately 17-acre leased lot and will include a maximum of 12 acres of flowering canopy. Including storage areas, work areas, pathways, and flowering canopy areas, the project's total footprint will be less than 15 acres.

### 3. ACTIVITIES OCCURRING ONSITE

The project activities involve the outdoor cultivation of cannabis. The Department of Cannabis Control regulations define "outdoor cultivation" as "the cultivation of mature cannabis without the use of artificial lighting in the canopy area at any point in time." The land is leased to the applicant by the City of Ukiah for the express purpose of "cannabis

outdoor cultivation, including without limitation, nursery, cultivation and processing operations, and any related activities...” and all proposed activities fall within this permitted use.

Operations may expand to include nursery, processing, and any related activities permitted in the lease agreement.

Signage will be installed at the project site on the west side of the property, facing US Hwy 101, and will be less than the maximum allowable size. It will either be wood or metal, engraved or painted with the logo and name under which the operation conducts business and has duly filed a fictitious business name statement. It is planned to be constructed with metal or wooden legs, elevating it from the ground.

The initial operation will consist of flowering canopy only, and activities will be limited to those related to the cultivation of flowering cannabis plants. Plant stock will be delivered to the site from an off-site nursery and planted in the flowering canopy areas. Harvested material will be immediately transported to an off-site processing facility. It is intended that the operation include pre-planting or post-harvest activities in the future (i.e., propagation, immature plant stock production, drying, curing, storage, etc.), and related infrastructure as described in Section 1 above may be utilized on site.

Specifically, the activities related to the cultivation of flowering plants may include: receipt of delivered plants, growing of immature plant stock in containers to prepare for transplant to native soil beds, planting out of immature plant stock, pruning and training of plants, maintaining soil and plant health, fertility management, pest and pathogen management, removal of plant waste, removal of noxious weeds, harvesting, loading, and removal of harvested plant material.

These activities are standard agricultural practices, and the land has previously been used for agriculture. Therefore, the project activities are consistent with historical agricultural land use and will not have a significant environmental impact.

#### **4. OPERATION AND MAINTENANCE ACTIVITIES**

The exact hours of operation and work shift schedules will change throughout the season, with peak operations during planting and harvest. The project will be active from March through November and relatively dormant from December through February. Generally, when the project is active, employees may be present any day of the week, usually between 5:00 am and 12:00 am.

Planting and/or harvesting typically occur in March, July, and October. During these periods, more intensive operations will occur five to seven days per week for approximately eight to ten hours each day. During the planting and/or harvesting periods, 10 to 20 employees may be on site intermittently, but on average, six or fewer will be on site five to seven days a week for approximately eight hours each day.

Throughout the active season, basic maintenance operations will be conducted for 4-8 hours each day. During these non-intensive periods, there will be 1-4 employees on-site for each shift. These shifts may occur at any point during the hours of operation (12:00 am-11:59 pm).

There will be two cultivation cycles annually. The first cycle will be planted in March/April and harvested in June/July. The second will be planted in June/July and harvested in October/November. We estimate that 5-8 compost deliveries will occur at the start of each cultivation cycle and at the end of the season. During each harvest period, there will be 2 to 4 truck pickups per day for 30-45 days.

Access to the project site will be via the access road near the eastern terminus of Norgard Lane, and it will not substantially increase traffic volume or alter the residential character of the lots adjacent to the access road. Operations will not differ substantially from those of other commercial agricultural operations also accessing farmland via Norgard Lane.

## 5. UTILITY USAGE

Irrigation water is provided by the City of Ukiah. The lease agreement specifies that the applicant requires a minimum of 4-acre feet of water per canopy acre planted and that the City of Ukiah will provide this water, including maintenance and repair of the water system, as needed.

We plan to install four water-holding tanks for water and fertility storage. Three will be used for regular fertigation/irrigation, and one will be for emergency backup in case maintenance or repair of the City of Ukiah water system is necessary, and delivery of water to the site is temporarily unavailable.

There will be ADA-accessible portable toilets for employee human waste, regularly serviced with waste removed from the site.

There is a 25-foot-by-25-foot rootball composting area where cannabis waste is composted on-site. All other cannabis waste is removed from the site either by self-hauling or via a contracted/permitted waste hauler to Ukiah Solid Waste.

The project site has no existing permanent electrical utilities.

A small generator with a rating of under 65 decibels will be used to agitate fertilizer tanks during irrigation and to power pesticide application equipment. The generator will use modern noise-reduction technology.

## 6. ENVIRONMENTAL SETTING

There are no significant topographical features on the project site. The average slope of the cultivated areas is zero. The topography is generally flat in the vicinity of the proposed premises.

The project site is located at approximately 633 feet in elevation and comprises flat terrain. According to the United States Department of Agriculture, Natural Resources Conservation Service's Web Soil Survey, the soil underlying the project is considered Prime Farmland, and the mapping units comprising the project site are as follows:

Approximately 90% of the project area has soil designated by Map Unit Symbol 188,

Russian loam, 0 to 2 percent slopes. The remaining area has soil designated by Map Unit Symbol 128, Gielow sandy loam, 0 to 5 percent slopes. The project site is adjacent to existing agricultural activities.

There are no watercourses or riparian habitats within 150 feet of the proposed premises.

The Russian River is located 150 feet East of the proposed cannabis cultivation activities. However, the project does not include any surface water diversion and would continue to source water from the City of Ukiah municipal water supply. Though the project would not include any surface water diversion, operation of the project would still be required to comply with Terms 63 and 64 of SWRCB Order WQ 2023-0102-DWQ. Operation of the project would be required to comply with the terms of the SWRCB Order described above, including setback requirements, water quality control measures, and other standards, to ensure the identification, avoidance, and protection of biologically sensitive habitats.

There are no known stream crossings or other features within the project site that would be considered projects by California Department of Fish and Wildlife (CDFW) requiring a Lake or Streambed Alteration Agreement (LSAA). Department of Cannabis Control (DCC) regulations require cannabis cultivation sites to submit a Lake or Streambed Alteration Notification, and we anticipate they will determine that no LSAA is needed for this cultivation site.

There are no scenic resources within the vicinity of the project site. Proposed operations would not result in the removal of any on-site trees. No known historic (built), cultural, or tribal resources exist within the project site, nor any paleontological resources. Tillage activities will only be done to a standard agricultural depth of 6-8”.

The project site is not listed as a hazardous materials site.

## 7. PLAN OF OPERATIONS

State-licensed cannabis businesses are required to comply with state law, obtain the necessary state licenses, permits, or certificates, and follow rules set forth by state agencies. Cannabis cultivation licensees have additional compliance obligations specific to cultivation.

In addition to receiving local authorization from the City of Ukiah, the cultivation operation proposed will require the following:

- Annual Cultivation License(s) from the Department of Cannabis Control (DCC)
- Follow DCC regulations regarding the use of the METRC Track-and-Trace plant tagging and tracking system
- Lake or Streambed Alteration Agreement (LSAA) from the Department of Fish and Wildlife (CDFW) or a determination by CDFW that an LSAA is not required.
- Enrollment in the State Water Resources Control Board (SWRCB) Cannabis Cultivation General Order WQ 2023-0102-DWQ
- Follow guidelines set by the Department of Pesticide Regulation (DPR)
- Maintain a valid Sellers Permit with the California Department of Tax and Fee Administration (CDTFA)

- Follow all standard rules pertaining to business operations in California, including those set by Cal-OSHA, EDD, etc.

Additional specific compliance requirements outlined within the City of Ukiah Code §9174.2 Section (B)(5) Operating Plans:

#### Storage

After-hours storage of cannabis and cannabis products will occur within a locked Ag-Exempt cargo/shipping container. The project activities do not propose to utilize on-site storage of harvested cannabis except in rare circumstances where on-site storage is unexpectedly necessary. Harvested cannabis material will be transported to off-site processing facilities immediately upon harvest.

#### Security Plan

The cultivation premises will be enclosed by a perimeter fence and locked gates at all times, with controlled, limited access. Additional security measures will be determined in consultation with Ukiah's Chief of Police to ensure adequate security is maintained.

#### Emergency Access

Access codes and other information relevant to emergency site access will be provided to the Ukiah Valley Fire Authority.

#### Emergency Contact

Joshua Keats (or another individual to be determined in the future) will serve as the community relations staff person and the primary point of contact for project-related operating issues. Every good-faith effort will be made to encourage neighborhood residents to contact the business's community relations staff to resolve operating problems before making complaints to the City of Ukiah.

## 8. CANNABIS-RELATED BUSINESS STANDARDS

Specific business standards are ascribed to cannabis-related businesses as outlined in the City of Ukiah Code §9174.2 Section (B)(1-11).

#### Criminal History of All Owners

Plant Road Farming LLC is managed by Heritage Holding of California, Inc. All owners/officers/managers of both are current holders of cannabis cultivation licenses from the Department of Cannabis Control (DCC) and were required to disclose all criminal history and submit to livescan background check. No owners have potentially disqualifying criminal history.

Individuals with a potentially disqualifying criminal history are subject to Departmental review to determine whether their criminal history is substantially related to the license activities and whether the criteria for rehabilitation have been met. (CCR Title 4 §15017)

DCC regulations further mandate that any criminal convictions occurring after a state license is approved must be disclosed to the department within 48 hours. (CCR Title 4 §15035)

### Minors

No employees under the age of 21 will be hired. I-9s will be completed and verified by Human Resources to ensure all employees are at least 21 years of age by reviewing either a valid passport or two forms of ID, one of which must be a photo ID.

### Inventory and Tracking

Department of Cannabis Control regulations mandate that all commercial cannabis licensees enroll in METRC, the state's inventory track and trace system, and comply with all relevant regulations. These regulations dictate specific inventory tracking activities from seed to sale. The project will comply with all DCC regulations at all times. (CCR Title 4 Article 6. Track and Trace Requirements §15047-15051)

### Multiple Permits per Site

The proposed activities consist of a single permitted activity (outdoor cannabis cultivation) and thus require a single Use Permit from the City of Ukiah.

### Employee Records

A list of employees can be made available to a City official upon request.

### Compliance with all applicable laws

Our operations will comply with all applicable laws, regulations and orders, existing or as may be amended from time to time.

### Display of Permit

The City of Ukiah Use Permit and State Cultivation License(s) shall be displayed in a conspicuous place so that they may be readily seen by persons entering the premises.

### Inspections

Compliance inspections by City officials, officers, and/or affiliates are welcome with twenty-four (24) hours' notice.

### Notification of Theft, Loss, Criminal Activity

If we encounter any theft, loss, or criminal activity, we will notify UPD within twenty-four (24) hours of discovery and include full details of the occurrence. We will comply with any request made to provide evidence, documentation, records, etc.

Property Diagram ver. 5/29/26

PROPERTY OWNERS

The City of Ukiah, California

CULTIVATORS/APPLICANTS

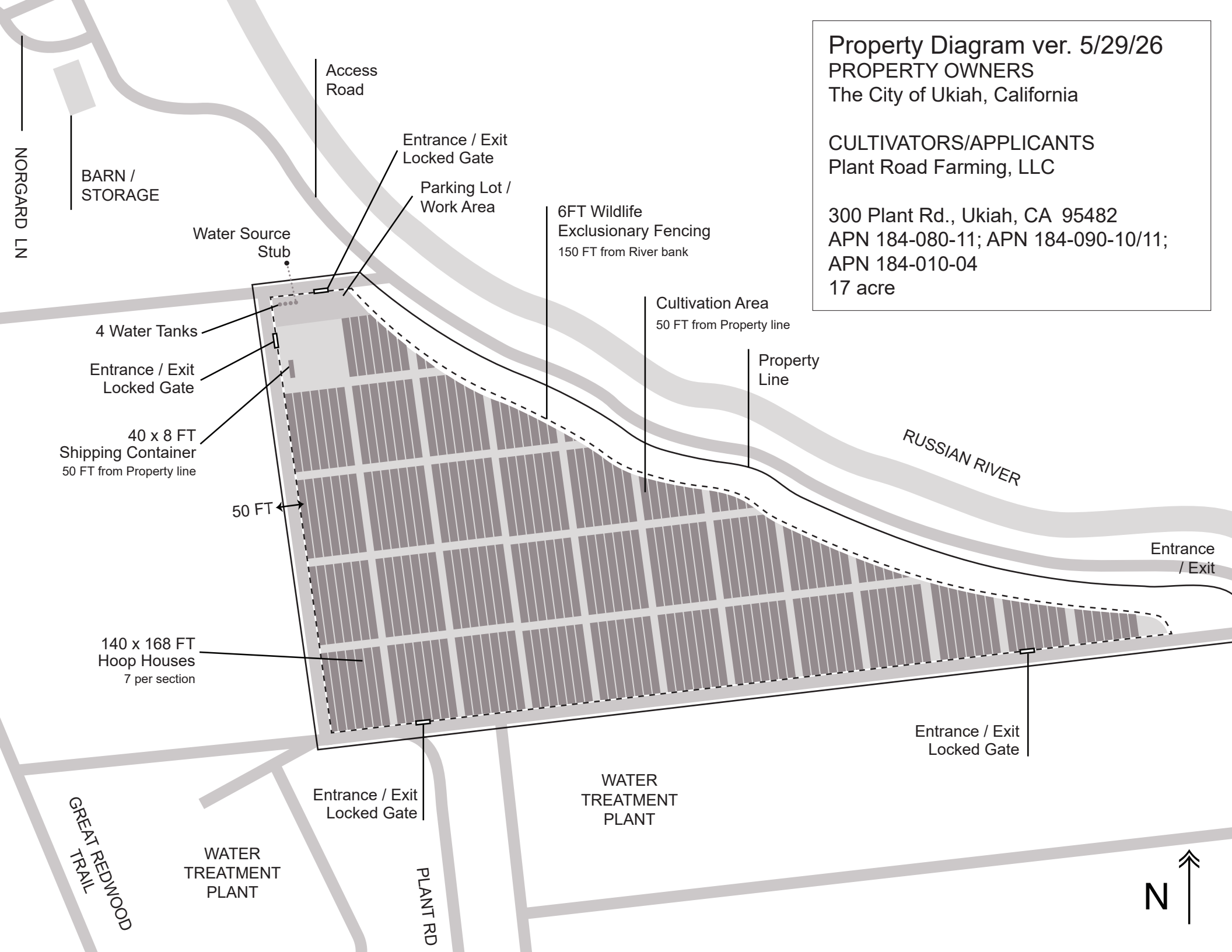
Plant Road Farming, LLC

300 Plant Rd., Ukiah, CA 95482

APN 184-080-11; APN 184-090-10/11;

APN 184-010-04

17 acre



NORGARD LN

BARN / STORAGE

Access Road

Entrance / Exit Locked Gate

Parking Lot / Work Area

Water Source Stub

6FT Wildlife Exclusionary Fencing 150 FT from River bank

Cultivation Area 50 FT from Property line

Property Line

RUSSIAN RIVER

Entrance / Exit

4 Water Tanks

Entrance / Exit Locked Gate

40 x 8 FT Shipping Container 50 FT from Property line

50 FT

140 x 168 FT Hoop Houses 7 per section

Entrance / Exit Locked Gate

WATER TREATMENT PLANT

Entrance / Exit Locked Gate

WATER TREATMENT PLANT

GREAT REDWOOD TRAIL

PLANT RD

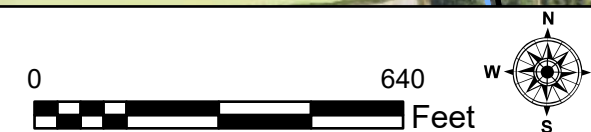
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### AERIAL IMAGERY AND LEASE AREA MAP

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

THIS MAP SERVES AS A VISUAL INTERPRETATION AND APPROXIMATION OF LEGAL AND ASSESSED DESCRIPTIONS THAT MAY NOT BE 100% ACCURATE. BOUNDARIES MAY NOT BE AS DEPICTED.



**Legend**

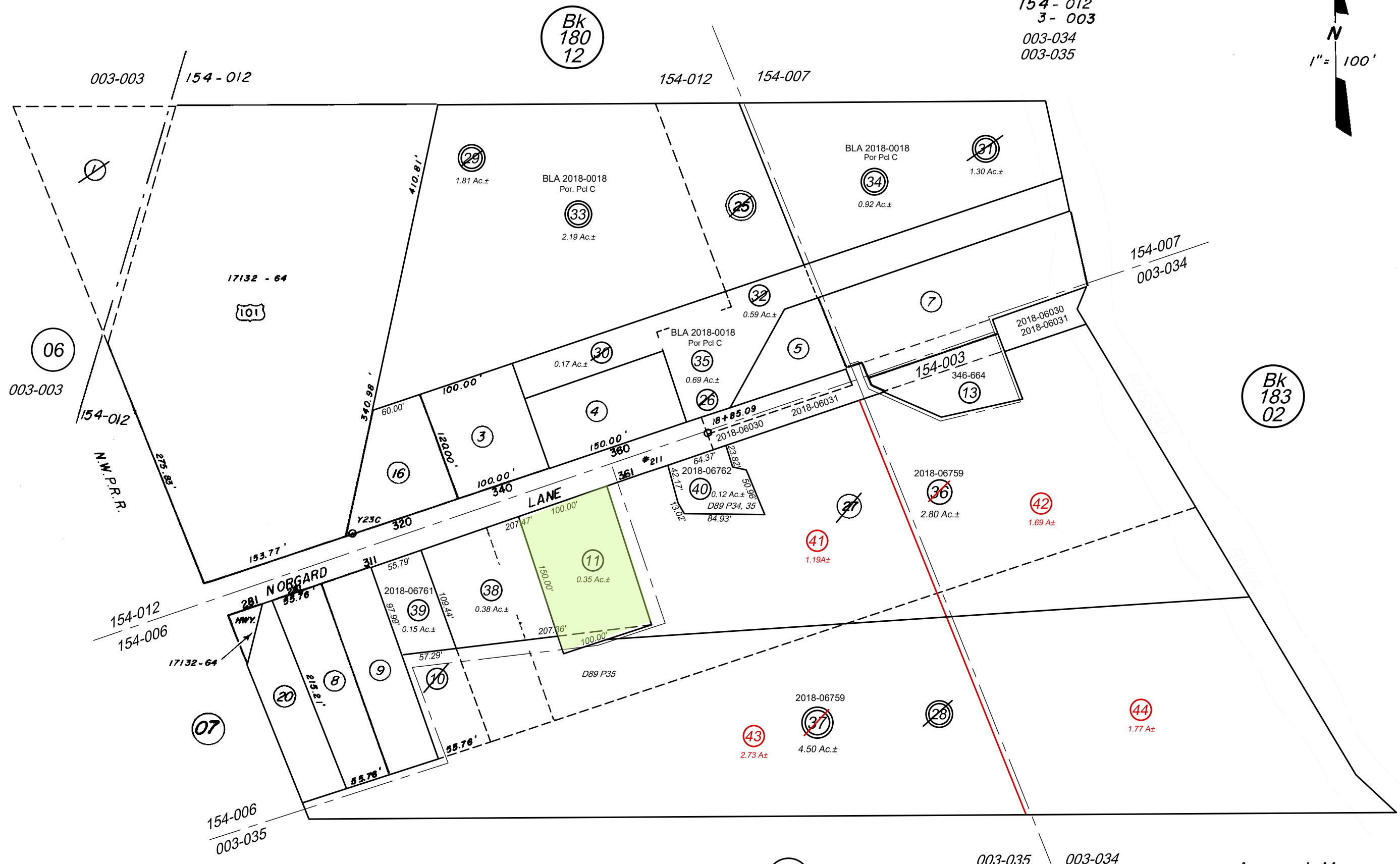
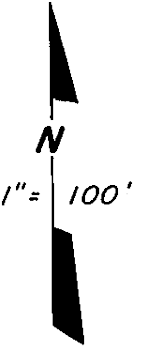
Rivers	Lease Area A	Access Roads
Ukiah Parcels	Lease Area B	



# Por. Lot 71, Yokayo Rancho

184-08

154-003  
154-006  
154-007  
154-012  
3-003  
003-034  
003-035



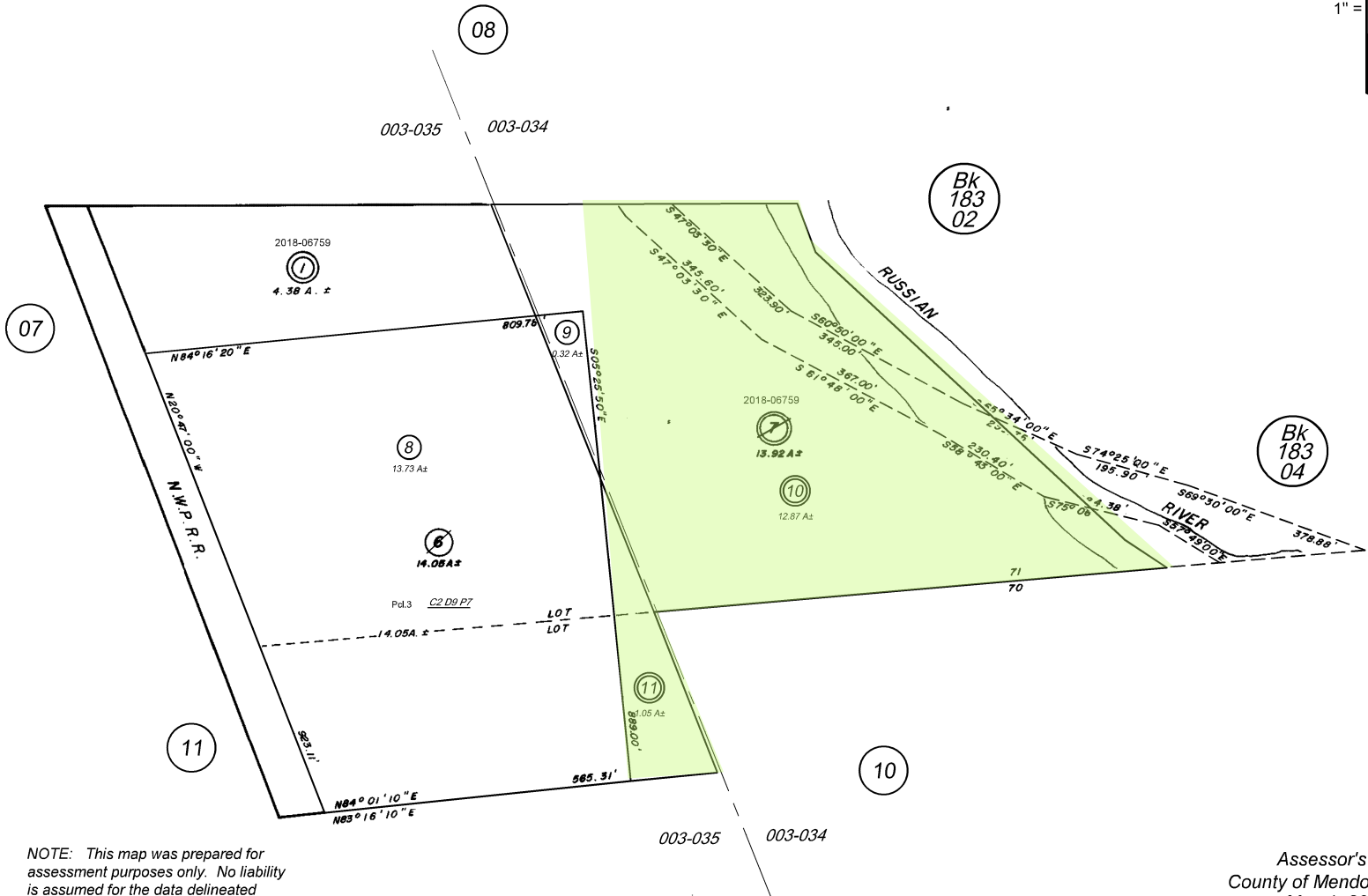
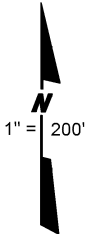
NOTE: This map was prepared for assessment purposes only. No liability is assumed for the data delineated hereon.

Assessor's Map  
County of Mendocino, Calif.  
December 19, 2025

Por. Lots 70 & 71, Yokayo Rancho

003-034  
003-035

184-09



NOTE: This map was prepared for assessment purposes only. No liability is assumed for the data delineated hereon.

Assessor's Map  
County of Mendocino, Calif.  
May 1, 2024

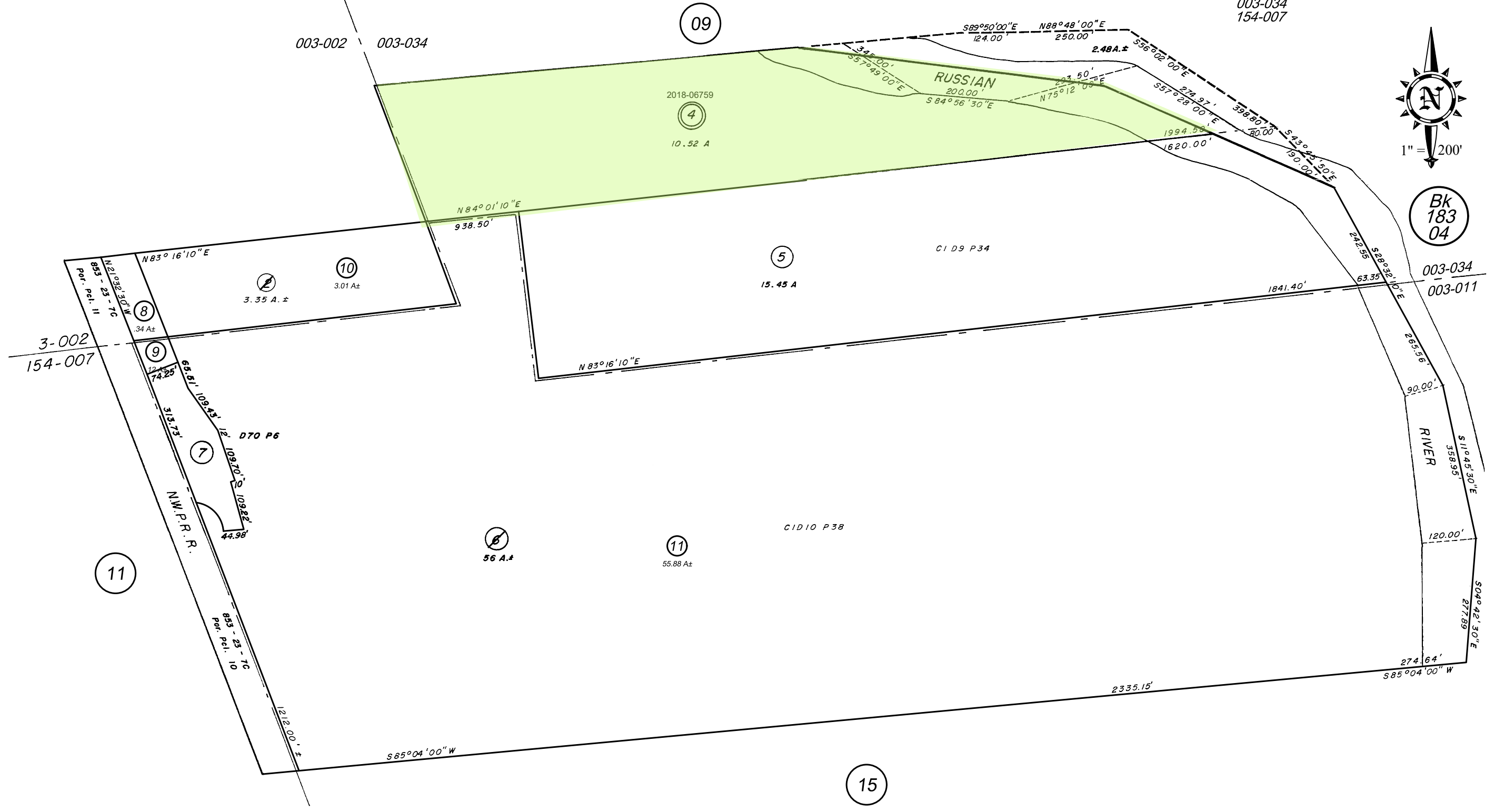
Por. of Lot 70 Yokayo Rancho

003-002  
003-011  
003-034  
154-007

184 - 10



Bk  
183  
04



154-007 3-011

NOTE: This map was prepared for assessment purposes only. No liability is assumed for the data delineated hereon.

Assessor's Map  
County of Mendocino, Calif.  
May 1, 2024

## ARTICLE 15.7. STANDARDS FOR SPECIFIC LAND USES THAT ARE SUBJECT TO DISCRETIONARY REVIEW

Section:

[§9174: Purpose](#)

[§9174.1: Applicability](#)

[§9174.2: Cannabis-Related Businesses](#)

[§9174.3: Cannabis Retailers](#)

[§9174.4: Commercial Cannabis Cultivation](#)

[§9174.5: Reserved](#)

[§9174.6: Reserved](#)

[§9174.7: Reserved](#)

[§9174.8: Reserved](#)

[§9174.9: Reserved](#)

### §9174 PURPOSE

This article provides site planning, development, and/or operational standards for certain land uses that are allowed in certain zoning districts and are subject to discretionary review through the use permit process but that may have unique adverse impacts. The standards for each use are intended to mitigate any potentially adverse impacts associated with the specific use. (Ord. 1190, §3, adopted 2018; Ord. 1253, §5, adopted 2025)

### §9174.1 APPLICABILITY

The land uses and activities included in this article shall comply with the provisions of the section applicable to the specific land use, in addition to all other applicable provisions of this article and the Ukiah City Code.

A. Where Allowed: The uses that are subject to the standards in sections 9174.2 through 9174.9 of this code shall only be located in the zoning districts indicated in Chapter 2, Articles 3 through 15 of this division, or as otherwise indicated in this chapter.

B. Development Standards: The standards for specific land uses included in this article are required and supplement those included in the Ukiah City Code. In the event of any conflict between the requirements of this article and those included elsewhere in the City Code, the requirements of this article shall control. (Ord. 1190,

§3, adopted 2018; Ord. 1226, §7, adopted 2022; Ord. 1253, §5, adopted 2025)

### **§9174.2 CANNABIS-RELATED BUSINESSES**

#### **A. Cannabis-Related Business Use Permit Application Requirements:**

1. **Submission:** A complete use permit application submittal packet shall be submitted in accordance with section 9262 of this code, including a detailed written statement as to how the proposed cannabis-related business complies with this section, and any other information or submissions required by this code. All applications for use permits for cannabis-related businesses shall be filed with the Community Development Department, using forms provided by the City, and accompanied by the applicable filing fee and any other applicable fees or charges. It is the responsibility of the applicant to provide information required for approval of the permit. The application shall be made under penalty of perjury.

2. **Effect Of Other Permits Or Licenses:** The fact that an applicant possesses other types of State or City permits or licenses does not exempt the applicant from the requirement of obtaining a use permit.

3. **Submittal Requirements:** Any application for a use permit for a cannabis-related business shall include the following information, unless the information is inapplicable for applicant's business type:

- a. **Applicant(s) Name:** The full name (including any current or prior aliases, or other legal names the applicant is or has been known by, including maiden names), present address, and telephone number of the applicant;
- b. **Applicant(s) Mailing Address:** The address to which notice of action on the application is to be mailed;
- c. **Verification Of Age:** Written proof that the applicant is at least twenty-one (21) years of age;
- d. **Physical Description:** Applicant's height, weight, color of eyes and hair;
- e. **Photographs:** Passport quality photographs for identification purposes;
- f. **Tax History:** The cannabis-related business tax history of the applicant, including whether such person, in previously operating in this or another city, county or state under license, has had a business license revoked or suspended, the reason therefor, and the business or activity or occupation in which the applicant engaged subsequent to such action of suspension or revocation;
- g. **Management Information:** The name or names and addresses of the person or persons having the management or supervision of applicant's business;
- h. **Criminal Background:** A completed background investigation verifying whether the applicant or any

owner, as defined in Business and Professions Code section 26001(ap), as may be amended from time to time, of applicant's business have been convicted of a crime(s), the nature of such offense(s), and the sentence(s) received therefor;

i. Employee Information: Number of employees, volunteers, and other persons who will work at the cannabis-related business;

j. Plan Of Operations: A plan of operations describing how the cannabis-related business will operate consistent with the intent of State law, including obtaining all applicable State licenses, and the provisions of this section, including but not limited to ensuring that the cannabis-related business will not engage in cannabis-related commercial activities that violate California law or this chapter;

k. Written Response To Cannabis-Related Business Standards: The applicant shall provide a comprehensive written response identifying how the cannabis-related business plan complies with each of the standards for review in this chapter, specifically the limitation on location and operating requirements in this article;

l. Security Plan: A detailed security plan and diagram outlining the proposed security arrangements for ensuring the safety of persons and to protect the premises from theft. The plan shall include installation of security cameras, a premises and panic alarm system monitored by a licensed operator, and a security assessment of the site conducted by a qualified professional;

m. Floor Plan: A sketch or diagram showing the interior configuration of the premises, including a statement of the total floor area occupied by the cannabis-related business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches (6");

n. Site Plan: A sketch or diagram showing exterior configuration of the premises, including the outline of all existing and proposed structures, parking and landscape areas, and property boundaries. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions to an accuracy of plus or minus six inches (6");

o. Accessibility Evaluation: A written evaluation of accessibility to and within the building, and identification of any planned accessibility improvements;

p. Neighborhood Context Map: An accurate straight-line drawing depicting the building and the portion thereof to be occupied by the cannabis-related business, and: (1) the property lines of any school within six hundred feet (600') of the property line of the business for which a permit is requested, (2) the property lines of any cannabis-related business within two hundred fifty feet (250') of the primary entrance of the business for which a permit is requested, and (3) the property lines of any youth-

oriented facility or residential zone or use within two hundred fifty feet (250') of the primary entrance of the business;

q. Lighting Plan: A lighting plan showing existing and proposed exterior premises and interior lighting levels that would be the minimum necessary to provide adequate security lighting for the use and comply with all City standards regarding lighting design and installation. All lighting shall be fully hooded and downcast, and shall not shine towards the night sky, adjacent property or any street;

r. City Authorization: Written authorization for the City, its agents and employees to seek verification of the information contained within the application;

s. Statement Of Owner's Consent: A statement in writing by the owner that he or she certifies under penalty of perjury that the applicant has the consent of the owner and landlord to operate a cannabis-related business at the location;

t. Applicant's Certification: A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct;

u. Other Information: Such other information as deemed necessary by the Community Development Department to demonstrate compliance with this section including all City and State codes, including operating requirements established in this section.

4. Effect Of Incomplete Filing: Upon notification that an application submittal is incomplete, the applicant shall submit any additional documents or information required to complete the application within thirty (30) days of the date the applicant is notified in writing by the Planning Community Development Department that the application is incomplete. If the applicant fails to complete the application within said thirty (30) days, the application shall be deemed withdrawn and a new application submittal that complies with this section shall be required in order to proceed with the application.

B. Operating Requirements For Cannabis-Related Businesses: Cannabis-related business operations shall be established and managed only in compliance with the following standards:

1. Criminal History: Any applicant and any additional owner of the business, as defined in Business and Professions Code section 26001(ap) and as may be amended, shall not have been convicted of any of the felony offenses enumerated in Business and Professions Code section 26057(b)(4), or of a felony or misdemeanor involving moral turpitude, or on probation for a drug offense, or engaged in misconduct related to the qualifications, functions or duties of a permittee. Notwithstanding the above, an application shall not be denied solely on the basis that the applicant or any owner has been convicted of a felony, if the person convicted has obtained a certificate of rehabilitation (expungement of felony record) under California law or under a similar Federal statute or State law where the expungement was granted. In addition,

notwithstanding the above, a prior conviction, where the sentence, including any term of probation, incarceration, or supervised release, is completed, for possession of, possession for sale, sale, manufacture, transportation, or cultivation of cannabis or cannabinoid preparations, is not considered related to the qualifications, functions, or duties of a permittee, and shall not be the sole ground for denial of an application.

2. Minors:

- a. It is unlawful for any permittee, operator, or other person in charge of any cannabis-related business to employ any person who is not at least twenty-one (21) years of age.
- b. The burden of proof is on the cannabis-related business personnel to establish compliance with this subsection B2 by clear and convincing evidence.

3. Inventory And Tracking: Cannabis-related businesses shall at all times operate in a manner to prevent diversion of cannabis and shall promptly comply with any track and trace program established by the State.

4. Multiple Permits Per Site: Multiple cannabis-related businesses proposed on any one site or parcel shall be granted permit approval only if all of the proposed cannabis businesses and their co-location are authorized by both City and State law. Operators of cannabis-related businesses issued use permits for multiple business types or State license types at the same physical address shall maintain clear separation between license types unless otherwise authorized by this code and State law.

5. Operating Plans: An operating plan for a cannabis-related business must contain the following unless not applicable due to the location or nature of the business:

- a. Storage: A cannabis-related business shall have suitable locked storage on premises, identified and approved as a part of the security plan, for after-hours storage of cannabis and cannabis products.
- b. Odors Control: The cannabis-related business shall have an air treatment system that prevents odors generated from any storage and cultivation of cannabis on the business property from being detected by any reasonable person of normal sensitivity outside the cannabis-related business premises. To achieve this, both the storage and cultivation areas shall be, at minimum, mechanically ventilated with a carbon filter or superior method. This requirement shall not apply to Outdoor Commercial Cultivation of Cannabis, as odor control will be achieved through location restrictions.
- c. Security Plans: A cannabis-related business shall provide adequate security on the premises, as approved by the Chief of Police, including lighting and a premises and panic alarm system monitored by a licensed operator, to ensure the safety of persons and to protect the premises from theft.
- d. Security Cameras: Security surveillance cameras shall be installed to monitor the main entrance

and exterior of the premises to discourage loitering, crime, illegal or nuisance activities. The security surveillance system shall comply with current State standards for digital video surveillance systems to be installed on the premises of licensed cannabis businesses, currently codified in the California Code of Regulations, title 16, section 5044, and as may be amended.

e. Security Video Retention: Security video shall be maintained for ninety (90) days. In the event of a crime on site or anywhere within range of the cannabis-related business's security cameras, the cannabis-related business shall provide the Chief of Police or his or her designee with a useable digital copy of the security video upon request or at the earliest convenience.

f. Alarm System: Professionally monitored premises and panic alarm system shall be installed and maintained in good working condition.

g. Emergency Access: Security measures shall be designed to ensure emergency access in compliance the California Fire Code and Ukiah Valley Fire Authority standards.

h. Emergency Contact: A cannabis-related business shall provide the Chief of Police with the name, email address, phone number and facsimile number of an on-site community relations staff person to whom one can provide notice if there are operating problems associated with the business. The business shall make every good faith effort to encourage neighborhood residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the City.

6. Employee Records: Each owner or operator of a cannabis-related business shall maintain a current register of the names of all volunteers and employees currently working at or employed by the cannabis-related business, and shall disclose such registration for inspection by any City officer or official for purposes of determining compliance with the requirements of this article.

7. Compliance With Other Requirements: The operator shall comply with all applicable provisions of local, State or Federal laws, regulations or orders, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders.

8. Confidentiality: The information provided for purposes of this section regarding the cannabis business security plans, security site plan, and background checks shall be maintained by the City as confidential information, and shall not be disclosed as public records unless pursuant to subpoena issued by a court of competent jurisdiction or otherwise compelled by court order or the California Public Records Act.

9. Display Of Permit: Every cannabis-related business shall display at all times during business hours the use permit issued pursuant to the provisions of this chapter for such business in a conspicuous place so that the same may be readily seen by all persons entering the business.

10. Inspections: During normal business hours, cannabis-related businesses permitted under this chapter shall provide access for administrative inspections by City officials or officers or consultants hired by the City to verify compliance with this article. Any cannabis-related business's refusal to comply with this section shall be deemed a violation of this article.

11. Notification Of Theft, Loss, And Criminal Activity: Cannabis-related businesses shall comply with the California Code of Regulations title 16, section 5036, or as may be amended, by notifying the applicable State authorities and the Ukiah Police Department within twenty-four (24) hours of discovery of any of the following situations:

- a. A significant discrepancy in the business's inventory.
- b. The operator becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity pertaining to the operations of the business.
- c. The operator becomes aware of or has reason to suspect diversion, theft, loss, or any other criminal activity by an agent or employee of the business pertaining to the operations of the business.
- d. The operator becomes aware of or has reason to suspect the loss or unauthorized alteration of records related to cannabis goods, customers or clients, or the business's employees or agents.
- e. The operator becomes aware of or has reason to suspect any other breach of security.

The notification shall be in writing and include the date and time of occurrence of the theft, loss, or criminal activity and a description of the incident including, where applicable, the item(s) that were taken or lost.

C. Review And Revocation: Use permits issued for cannabis-related businesses shall be subject to review after the first year of operation according to the procedures set forth in subsection D of this section, and shall be subject to revocation according to the procedures set forth in subsection E of this section.

D. Review Of Use Permits For Cannabis-Related Businesses:

1. Use permits for cannabis-related business will be subject to review after the first year of operation by the Zoning Administrator, including inspection of the business by the Zoning Administrator or his designee, to determine whether the business is being operated in accordance with any conditions of approval imposed on the use permit as issued by the Planning Commission or Zoning Administrator. The City Council may, from time to time by resolution in accordance with the procedures required by law, establish fees to be charged and collected for annual review pursuant to this subsection.

2. In the course of review and after inspection, the Zoning Administrator shall make findings of fact regarding the cannabis-related business operator's adherence to the conditions of approval for the use

permit. In addition, the Zoning Administrator will consider the following nonexclusive criteria in making findings of fact which may be grounds for revocation of a use permit for a cannabis-related business:

- a. Whether the cannabis-related business operated pursuant to the use permit has generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the cannabis-related business.
  - b. Whether there have been excessive secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, cannabis use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, odors, or lewd conduct.
  - c. Whether the cannabis-related business operating pursuant to a use permit has a history of inadequate safeguards or procedures that show it is likely that it will not comply with any operating requirements and standards required in the conditions of approval.
  - d. Whether the cannabis-related business has failed to pay fees, penalties, or taxes required by the conditions of approval of the use permit or by this code or State law, or has failed to comply with any requirements for the production of records or other reporting requirements of this code.
  - e. Whether the applicant or any owner of the cannabis-related business, as defined in Business and Professions Code section 26001(ap), as may be amended from time to time, has been convicted of a felony, or has engaged in misconduct that is substantially related to the qualifications, functions or duties of an operator of a cannabis-related business. A "conviction" within the meaning of this chapter means a plea or verdict of guilty, or a conviction following a plea of nolo contendere. Notwithstanding the above, an application shall not be denied solely on the basis that the applicant or any owner has been convicted of a felony, if the person convicted has obtained a certificate of rehabilitation (expungement of felony record) under California law or under a similar Federal statute or State law where the expungement was granted.
  - f. Whether the operator or managers of the cannabis-related business have previously or are currently engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.
  - g. Whether the cannabis-related business has been operated in compliance with applicable State law and provisions of this code generally.
3. If the Zoning Administrator determines that the cannabis-related business is being operated in violation of any conditions of approval imposed on the use permit as issued by the Planning Commission or the Zoning Administrator, the use permit may be subject to revocation.

E. Revocation Of Use Permits For Cannabis-Related Businesses:

1. In addition to the reasons for revocation of an approved use permit set forth in subsection 9262H2 of this code and subsection D2 of this section, an approved use permit for a cannabis-related business may be revoked through the City's revocation process, as set forth in subsection 9262H2 of this code, except that all references therein to the Planning Commission shall be deemed to refer to the Zoning Administrator, if the cannabis-related business is operated in a manner that violates the conditions of approval imposed by the use permit or the provisions of this code, or conflicts with State law. At the public hearing to be conducted by the Zoning Administrator as set forth in subsection 9262H2 of this code, the Zoning Administrator shall make findings regarding the alleged specific violations of this code or State law.

2. An appeal of the Zoning Administrator's decision on revocation of a use permit for a cannabis-related business may be made to the Planning Commission for a final decision. Any such appeal must comply with the requirements of section 9266 of this code, except that all references therein to the City Council shall be deemed to refer to the Planning Commission.

3. When a final decision revoking a use permit for a cannabis-related business is made as provided in this section, the permittee shall become ineligible for a period of three (3) years thereafter to apply for a use permit for a cannabis-related business. The ineligibility shall include any corporation or other business entity, including, but not limited to, a partnership or limited liability company, in which the permittee has any direct or indirect beneficial, financial or ownership interest.

F. Limitations On Locations Of Cannabis-Related Businesses:

1. All cannabis-related businesses, as defined in section 9278 of this code, operating subject to use permits under this chapter will operate indoors in a fully enclosed secure structure, as defined in section 9254 of this code, except as set forth in subsection 9174.3(c)(5) of this code regulating cannabis consumption areas, and in section 9174.4 of this code regulating outdoor commercial cannabis cultivation in the A-E District and districts with -A Overlay, and shall not be allowed in the following areas, except as otherwise set forth in this code:

a. Within six hundred feet (600') of a school, as defined in section 5702P of this code, with that distance measured as the horizontal distance in a straight line from the property line of the school to the closest property line of the lot on which the cannabis-related business is to be located without regard to intervening structures, pursuant to California Health and Safety Code section 11362.768; or

b. Within two hundred fifty feet (250') of a youth-oriented facility other than a school, as defined in section 5702R of this code, with that distance measured by street frontage from the property line of the youth-oriented facility to the closest property line of the lot on which the cannabis-related business is to be located, and not radial distance; or

- c. Abutting, on any side of the parcel upon which the cannabis-related business is located, a parcel occupied by a youth-oriented facility or a school; or
  - d. Within any residential zoned parcel or primary land use, or any property with an underlying residential or mobile homes general plan land use designation; or
  - e. On a parcel having a residential unit, or on a parcel directly abutting a residentially zoned property, unless there are intervening nonresidential uses between the cannabis-related business and the residential unit or the residentially zoned property that the decision-making entity charged with hearing and making the decision on the use permit application or the appeal of that decision determines sufficient to provide an appropriate separation.
2. A cannabis retailer, as defined in section 9278 of this code, shall not be allowed within two hundred fifty feet (250') of another cannabis retailer, with that distance measured by street frontage from the property line of the other cannabis retailer to the closest property line of the lot on which the cannabis retailer is to be located, and not radial distance.
  3. A waiver of the provisions in subsections F1a through F1e and F2 of this section may be granted if the applicant demonstrates on plans and materials presented for review and the Planning Commission determines that a physical barrier or other condition exists which achieves the same purpose and intent as the distance separation requirements established herein, and that, as a result, the Zoning Administrator or the Planning Commission makes a finding of no adverse impact resulting from the proposed location of the cannabis-related business.
  4. A cannabis cultivation business located in the A-E District or with an A- Overlay will not be subject to the location limitations set forth in subsections F1a through F1e of this section. (Ord. 1190, §3, adopted 2018; Ord. 1226, §7, adopted 2022; Ord. 1230, §1, adopted 2023; Ord. 1253, §5, adopted 2025)

### **§9174.3 CANNABIS RETAILERS**

A. **Applicability:** The standards and requirements in this section apply specifically to cannabis retailers, as defined in section 9278 of this code, and other cannabis businesses with a retail component, and shall apply in addition to the requirements and standards for all cannabis businesses set forth in section 9174.2 of this code and elsewhere in this code. In the event of any conflict between the requirements of this section and those included elsewhere in the City Code, the requirements of this section shall control.

B. **Definitions:** For the purposes of this chapter, the following words and phrases shall have the following meaning:

1. "Adult use" means a person the age of twenty-one (21) or over with a valid State ID, who is qualified to purchase cannabis from an established cannabis business.

2. "Delivery" means the commercial transfer of cannabis or cannabis products to a customer. "Delivery" also includes the use by a retailer of any technology platform.
3. "Identification card" shall have the same definition as in California Health and Safety Code section 11362.7, and as it may be amended.
4. "Medical cannabis" or "medicinal cannabis" means cannabis that is intended to be used for medical cannabis purposes in accordance with State law.
5. "On site" means an activity or accessory use that is related to the primary use – i.e., lawful, retail distribution of cannabis – and is located on the same legal parcel as the primary use.
6. "Primary caregiver" shall have the same definition as set forth in California Health and Safety Code section 11362.7, and as it may be amended.
7. "Qualified patient" shall have the same definition as set forth in California Health and Safety Code section 11362.7, and as it may be amended.

C. Operating Requirements:

1. Minors: Persons under the age of eighteen (18) shall not be allowed on the premises of a cannabis retailer unless they are a qualified patient or a primary caregiver, they are in the presence of their parent or guardian, and the cannabis retailer in question dispenses cannabis for medical use. Adult use cannabis retailers shall only allow on the premises a person who is twenty-one (21) years of age or older and who possesses a valid government-issued photo identification card.

2. Cannabis Retailer Access:

- a. The entrance into the cannabis retailer building shall be locked at all times with entry strictly controlled; e.g., a buzz-in electronic/mechanical entry system with a vestibule is highly encouraged. A viewer shall be installed in the door that allows maximum angle of view of the exterior entrance.
- b. Cannabis retailer personnel shall monitor site activity, control loitering and site access.
- c. Only cannabis retailer staff, persons the age of twenty-one (21) and over, qualified patients over the age of eighteen (18) who are purchasing medical cannabis, and persons with bona fide purposes for visiting the site shall be allowed on the premises.
- d. Only a primary caregiver and qualified patient or persons the age of twenty-one (21) and over shall be in the designated dispensing area with personnel. All other authorized visitors shall remain in the designated waiting area in the front entrance/lobby.

e. Restrooms shall remain locked and under the control of management.

3. Operations:

a. The cannabis retailer may sell cannabis or cannabis products to an individual only in an amount consistent with personal possession and use limits allowed by the State.

b. A cannabis retailer shall not have a physician on site to evaluate patients and provide a recommendation for medical cannabis.

4. Hours Of Operation: Hours of operation are limited to nine o'clock (9:00) A.M. to nine o'clock (9:00) P.M., seven (7) days a week.

5. Consumption Restrictions:

a. Except as set forth in subsections C5b and C5c of this section, cannabis shall not be consumed on the premises of the cannabis retailer, nor within any accessory structures, parking areas, or other surroundings within two hundred feet (200') of the cannabis retailer's entrance.

b. Cannabis may be consumed in a designated cannabis consumption area on the premises of a cannabis retailer upon approval of a use permit or modification of an existing use permit. The smoking of cannabis may be permitted in a designated cannabis consumption area as may be allowable under State law and subject to the terms of the use permit. A cannabis retailer's operation and use of a cannabis consumption area shall otherwise comply with the provisions of Division 5, Chapter 7 of this code, entitled "No Smoking." Cannabis consumption areas shall be secured and designed to prevent access by individuals who are not eligible adult use patrons. If an existing use permit is modified to reflect the creation of a cannabis consumption area, that use permit shall be subject to renewal one year after the cannabis consumption area has become operational.

c. A retailer with a cannabis consumption area that is not enclosed, such as on a patio or a deck, may allow smoking, vaping, and ingesting edible products, subject to all local and State laws.

d. Cannabis consumption areas shall be located in well-ventilated, private areas partitioned from access to all other areas of the premises, as well as from adjacent properties. Any cannabis consumption areas which allow smoking and vaping of cannabis products shall be designed to prevent the flow of smoke to any other area of the premises or adjacent property.

e. Cannabis retailer operations shall not result in illegal redistribution of cannabis obtained from the cannabis retailer, or use in any manner that violates local, State or City codes.

f. No person may consume cannabis, by smoking or vaporization, in any public places. Public places shall include, but are not limited to, City-owned parks and/or City-sponsored events where designated as nonsmoking areas by resolution of the City Council, streets, sidewalks, alleys, highways, public parking lots as defined in section 6000 of this code and as amended, enclosed places and places of employment as defined in sections 4503 and 4505 of this code and as amended, and any other property owned or leased by the City, or in which the City holds a right-of-way easement, and which is open to members of the general public, except while actively passing through on the way to another destination. Nothing in this section is intended, nor shall it be construed, to be inconsistent with the California Indoor Clean Air Act of 1976, Health and Safety Code section 118875 et seq. and as amended.

6. Retail Sales and Cultivation:

- a. No cannabis shall be cultivated on the premises of the cannabis retailer, except in compliance with this section and with sections 6093 and 9254 of this code and applicable State laws and regulations.
- b. Cannabis retailers may keep on the premises immature nursery stock cannabis plants, or clones, that are not intended to be raised to maturity by the cannabis retailer but instead sold to adult use patrons or qualified patients.
- c. Up to one hundred fifty (150) square feet of the total square footage of the cannabis retailer may be utilized for display and sales of devices necessary for administering cannabis, including but not limited to rolling papers and related materials and devices, pipes, water pipes, and vaporizers.
- d. Retail sales of cannabis that violate California law or this code are expressly prohibited.

7. Floor Plan: Cannabis retailers or other cannabis businesses with a retail component shall have a lobby waiting area at the entrance to receive clients, and a separate and secure designated area for dispensing cannabis to qualified patients or designated caregivers or to eligible adult use patrons. The primary entrance shall be located and maintained clear of barriers, landscaping and similar obstructions so that it is clearly visible from public streets, sidewalks or site driveways.

D. Site Management:

1. The operator of the establishment shall take all reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours if directly related to the patrons of the subject dispensary.

- a. "Reasonable steps" shall include calling the police in a timely manner; and requesting those engaging in objectionable activities to cease those activities, unless personal safety would be

threatened in making the request.

b. "Nuisance" includes, but is not limited to, disturbances of peace, open public consumption of cannabis or alcohol, excessive pedestrian or vehicular traffic, illegal drug activity, harassment of passersby, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct or excessive police detentions and arrests.

2. The operator shall take all reasonable steps to reduce loitering in public areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours.

E. Alcoholic Beverages: No cannabis retailer shall hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages, or operate a business on the premises that sells alcoholic beverages. No alcoholic beverages shall be allowed or consumed on the premises.

F. Delivery: A cannabis retailer located in the City may deliver cannabis to qualified patients and caregivers and to persons eligible for adult-use at their residence in the City or to the same class of persons outside the City's jurisdiction. Such permissible delivery of cannabis to qualified patients or adults at least twenty-one (21) years of age within the City limits shall be limited to delivery by lawfully operated, permitted retailers. All other cannabis delivery is a prohibited activity in the City, except where the City is preempted by Federal or State law from enacting a prohibition on such activity. (Ord. 1226, §8, adopted 2022; Ord. 1230, §2, adopted 2023; Ord. 1253, §5, adopted 2025)

#### **§9174.4 COMMERCIAL CANNABIS CULTIVATION**

A. Applicability: The standards and requirements in this section apply specifically to commercial cultivation of cannabis as defined in section 9278 of this code, and shall apply in addition to the applicable requirements and standards for all cannabis businesses set forth in section 9174.2 of this code and elsewhere in this code. In the event of any conflict between the requirements of this section and those included elsewhere in the City Code, the requirements of this section shall control.

B. Development Criteria:

1. Location Of Commercial Cannabis Cultivation: All commercial cannabis cultivation businesses shall comply with the limitations on location for cannabis-related businesses set forth in subsection 9174.2F of this code, except that businesses located in the A-E District and in a district combined with A- Overlay shall be exempted from these location limitations.

2. Setbacks: Commercial cannabis cultivation areas shall be set back a minimum of fifty feet (50') from all lot lines and shall comply with the setback requirements set forth the State Water Resources Control Board's comprehensive Cannabis Cultivation General Order.

C. Operating Requirements:

1. Cannabis Waste Discharge Requirements General Order: A commercial cannabis cultivation business shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers, within the State.
2. Odor Control: A structure for indoor or mixed-light cultivation must be equipped with a filtration and ventilation system to control odors, humidity, and mold; provided, that structures containing only packaged cannabis products may be excluded from this requirement.
3. Lighting: All lighting is to be fully shielded and downward casting so that it does not spill over onto neighboring properties. For operations cultivating within structures, all light is to be fully contained to minimize light trespass that is visible from neighboring parcels. A photometric and supplemental lighting plan shall be provided as a component of the application.
4. Accessory Uses: Cannabis cultivation may include accessory uses on the same parcel that directly support the on-site cannabis cultivation, such as: propagation, research and development, processing, drying, packaging and labeling, distribution, and other similar support uses as determined by the Zoning Administrator.
5. Limitations On Cannabis Harvesting Activities: In order to minimize cannabis odors, the drying, curing, and/or trimming of harvested cannabis shall either (a) be located within an enclosed structure which utilizes best available control technology, or (b) include techniques and/or equipment (e.g., the use of freeze drying techniques/equipment and immediate packaging of harvested cannabis in the field) that shall achieve an equivalent or greater level of odor control as could be achieved using an enclosed structure which utilizes best available control technology, or (c) be located at a sufficient distance from neighboring residential structures so as to avoid odor intrusion as a public nuisance as described in subsection 9254B4 of this code.
6. Generators: Generator use for cannabis cultivation must comply with the requirements set forth in California Code of Regulations, title 4, section 16306, as may be amended from time to time. (Ord. 1190, §3, adopted 2018; Ord. 1253, §5, adopted 2025)

**§9174.5 RESERVED**

(Ord. 1190, §3, adopted 2018)

**§9174.6 RESERVED**

(Ord. 1190, §3, adopted 2018)

**§9174.7 RESERVED**

(Ord. 1190, §3, adopted 2018)

**§9174.8 RESERVED**

(Ord. 1190, §3, adopted 2018)

**§9174.9 RESERVED**

(Ord. 1190, §3, adopted 2018)