

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION
February 24, 2022

PROJECT TITLE

UMMA2 LLC

ADDRESS/LOCATION

3055 Wiljan Ct

ASSESSOR'S PARCEL NUMBER

043-220-004

APPLICATION DATE

September 21, 2021

REQUESTED ENTITLEMENTS

Conditional Use Permit (CUP)

PROJECT SITE ZONING

IL – Light Industrial

PROJECT PLANNER

Monet Sheikhal

APPLICANT

Bobby Sarisallani

PROPERTY OWNER

Robertson Peter & Bobby Sarisallani

FILE NUMBER

CUP21-081

APPLICATION COMPLETION DATE

October 21, 2021

FURTHER ACTIONS REQUIRED

NA

GENERAL PLAN DESIGNATION

Light Industry

RECOMMENDATION

Approval

Agenda Item #8.1
For Planning Commission Meeting of February 24, 2022

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR WEEKS AND MEMBERS OF THE COMMISSION

FROM: MONET SHEIKHALI, CITY PLANNER
PLANNING AND ECONOMIC DEVELOPMENT

SUBJECT: UMMA2 LLC

AGENDA ACTION: RESOLUTION

RECOMMENDATION

The Planning and Economic Development Department recommends that the Planning Commission, by resolution, approve a Conditional Use Permit to allow 19,428-square-feet of Commercial Cannabis Cultivation (Type 2A) for the property located at 3055 Wiljan Court.

EXECUTIVE SUMMARY

The applicant, UMMA2 LLC, proposes to operate a Commercial Cannabis Cultivation (Type 2A) facility within an existing 19,428-square-foot industrial building. Hours of operation would be 8:00 am to 5:00 pm seven days a week. The facility will not be open to the public.

BACKGROUND

The Project site is located in the southwest quadrant of Santa Rosa on a 1.02-acre lot within the Light Industrial (IL) zoning district. There is an existing 19,428 square foot industrial building on the lot which the proposed Project will occupy. Vehicular access is provided via two existing driveways along Wiljan Court. The operation would take place entirely within the locked building while fully secured with commercial grade door and window locks.

The floor plan indicates that approximately 9,000-square-feet will be used exclusively for flower rooms, and the remaining square-footage will consist of two drying rooms, a trimming room, a trim office, a storage room, office rooms, break room, server room, water room, vault, restrooms, and a reception area.

Exterior building improvements are limited to security lighting and cameras. Site improvements include ADA-compliant parking and paths of travel and restriping 34 existing parking spaces.

Existing & Surrounding Land Uses

North: Light Manufacturing and warehousing
South: Light Manufacturing and warehousing
East: Auto dealership parking lot
West: Auto vehicle shop

The proposed site was developed in 1988 with an industrial building and previous uses within the building were furniture manufacturing and tortilla manufacturing and production. The Project is in an area zoned and used primarily for light industrial uses and parking lots for auto dealerships.

Project History

September 21, 2021	Project applications submitted.
September 25, 2021	Notice of Pending Application was mailed to property owners and tenants within 600-feet of the project site.
October 21, 2021	Application was deemed complete.
February 14, 2022	Planning Commission public hearing noticing distributed.

ANALYSIS

1. Santa Rosa General Plan 2035

The site is designated Light Industrial on the General Plan Land Use Diagram. This classification is intended to accommodate, among other uses, auto repair, warehousing, manufacturing/assembly, home improvement and landscape material retail, research oriented industrial, and services with large space needs, such as health clubs. (General Plan p. 2-12)

The following General Plan goals and policies are applicable to the Project:

LAND USE AND LIVABILITY

LUL-I-1 Provide a range of commercial services that are easily accessible and attractive, that satisfies the needs of people who live and work in Santa Rosa and that also attracts a regional clientele.

ECONOMIC VITALITY

EV-A-1 Continue to promote Santa Rosa as the North Bay's premier location for technology, clean/green technologies, and entrepreneurial businesses, which create new products and business models that will attract national and international markets.

EV-A-5 Maintain diversity in the types of jobs available in Santa Rosa to lessen the impact of economic cycles.

EV-D Maintain the economic vitality of the downtown, Neighborhood
Commercials, offices and industrial areas.

The Zoning Code specifically identifies the General Industry District as a district appropriate for cannabis cultivation, distribution, manufacturing, and retail (dispensary). Although cannabis uses are not explicitly addressed in the General Plan, the Light Industrial zoning district is intended for manufacturing, cultivation, distribution and retail uses with operational patterns similar to the operational patterns (i.e. traffic, parking, hours of operation) of the proposed Project.

Staff has determined that Cannabis Cultivation use is consistent with the General Plan goals and policies of the Light Industry land use designation. Specifically, the proposed use would assist in maintaining the economic viability of the area; broaden the available positions for both full and part time employment within the City; and provide a viable commercial service, while ensuring compatibility with the surrounding neighborhoods through proposed operational and security measures.

2. Zoning

The project site is located within a Light Industrial (IL) Zoning District and is surrounded by IL – Light Industrial zoned properties supporting various manufacturing, processing, wholesale, retail, or general services uses. The IL zone, which is consistent with the General Industry General Plan land use designation, is applied to areas appropriate for light industrial uses, as well as commercial service uses and activities that may be incompatible with residential, retail, and/or office uses. Surrounding zoning districts include:

North: Light Industrial (IL)
South: Light Industrial (IL)
East: Light Industrial (IL)
West: Light Industrial (IL)

Zoning Code Section 20-24.020(B) describes the purposes of the Light Industrial zoning district and the manner in which the district is applied as follows:

“The IL zoning district is applied to areas appropriate for some light industrial uses, as well as commercial service uses and activities that may be incompatible with residential, retail, and/or office uses. Residential uses may also be accommodated as part of work/live projects. The IL zoning district is consistent with the Light Industry land use classification of the General Plan.”

Cannabis cultivation is an allowed use in the IL zoning district subject to discretionary approval of a Conditional Use permit. Zoning Code Chapter 20-46 provides operational requirements for commercial cannabis facilities. The applicant’s building improvement plans, and operational plans are in compliance with standards relating to requirements of the Zoning Code including security, lighting, odor control and noise. These requirements are summarized below.

Odor Control

Zoning Code [Section 20-46.050\(H\)](#) requires cannabis businesses to “*incorporate and maintain adequate odor control measures such that the odors of Cannabis cannot be detected from outside of the structure in which the Business operates.*” The applicant has provided a certified Odor Mitigation Plan prepared by Matthew Torre from 15000 Inc., received by the City on January 5, 2022. The Odor Mitigation Plan has been certified by a licensed professional mechanical engineer and includes: Operational Process and Maintenance Plan, Engineering Controls, and Staff Training Procedure. The Odor Mitigation Plan includes the combination of activated carbon air filtration and building pressure control.

Lighting

As a part of the project, the applicant proposes to comply with the requirements of Zoning Code Sections 20-30.080 and 20-46.80. The applicant has indicated that exterior lighting systems will be provided for security purposes in a manner sufficient to provide illumination and clear visibility to all entry points and other areas of interest. All outdoor areas of the premises will be fully shielded lights directed away from adjacent properties and from the public right-of-way. Lighting will be activated by motion detection and serves as a deterrent to unlawful activities. Additionally, interior lighting will be fully shielded, including adequate coverings on windows, to confine light and glare to the interior of the structure.

Noise

Other than delivery vehicles, all operations are proposed within the fully enclosed building located on the site. Interior operations are not anticipated to generate excessive noise. Mechanical equipment will be required to comply with the Noise Ordinance, City Code Chapter 17-16.

Security Plan

Zoning Code Section 20-46.050(G) requires cannabis businesses to provide adequate security to ensure the public safety, and safety of persons in the facility to protect the business premises from theft. Cannabis business applications are required to provide a security plan that includes lighting and alarms, secure storage and waste, procedures for the safe transportation of products and currency, controlled building access and emergency access. A detailed Security Plan, received by the City on January 5, 2022, was included with the Project application. Details of the plan are provided in the Project narrative which includes the following key features:

- Security cameras – 91 motion-sensor surveillance cameras will be provided around and inside the exiting building, providing 24-hour surveillance and recordings that will be retained for 60 days.
- Alarm system – A professionally monitored alarm system will be obtained from the Santa Rosa Police Department. The alarm system will be installed in all potential intrusion designated spaces and provide 24-hour monitoring.

- Secure storage – All waste will be disposed of in locked containers not accessible to the public. Waste will be disposed of regularly with a licensed facility.
- Transportation – An enclosed area with a roll-up door equipped with a Building Code compliant commercial-grade will be used to transport vehicles and on-site personnel will assist with deliveries and shipments.

Parking

The minimum number of required parking spaces for the proposed use is 19 (1 space per 1000sf), and the project site provides 34 parking spaces including one ADA space. The project site has a sufficient number of parking spaces for the proposed use.

3. Public Comments

Staff has not received any comments from the public regarding the proposed Conditional Use Permit.

4. Public Improvements/On-Site Improvements

It is recommended that any non-standard sidewalk sections and driveway approaches along the property's frontage be upgraded to the current standard in order to ensure a compliant path of travel within the public right-of-way or public easements and to mitigate any potential trip hazards.

FINDINGS REQUIRED FOR CONDITIONAL USE PERMIT

The Planning Commission must make the following findings as required in Zoning Code Section 20-52.050 to grant the Conditional Use Permit.

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code.

Staff Response: The proposed commercial cannabis Cultivation use will be located within the Light Industrial zoning district, where it is an allowed use, subject to Planning Commission approval of a Conditional Use Permit.

- B. The proposed use is consistent with the General Plan and any applicable specific plan.

Staff Response: The use proposed at this location implements the General Plan vision by accomplishing a variety of Land Use and Economic Development goals by ensuring that industrial uses contributing to economic vitality goals are located in appropriate areas and residential neighborhoods are protected.

- C. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity,

Staff Response: The proposed use will locate within an existing industrial development and will comply with Building and Fire Code Requirements for Cannabis Related Occupancies, and including general cannabis operating requirements.

- D. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Staff Response: The proposed use would be located entirely within an existing 19,428-square-foot industrial building, access to the site is provided via Wiljan Court; the building will be fully accessible pursuant to American's with Disabilities Act (ADA) standards, though no public access will be permitted due to the nature of the proposed use and for security purposes; and, all necessary utilities are available at the project site.

- E. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

Staff Response: The use is consistent with the surrounding land uses; the project Odor Mitigation Plan has been certified by a licensed engineer ensuring that all mitigation controls are sufficient to effectively mitigate odors from all sources; the project Security Plan seeks to effectively prevent theft or diversion of any cannabis, as well as to discourage loitering, crime, and illegal or nuisance activities through a camera surveillance system, a professionally monitored alarm system, access controls, secure storage and waste areas inventory controls, and implementation of employee safety and security operational procedures; the proposed site is not abutting any residential uses; the project is subject to Building and Fire permits, as described in Building and Fire Code Requirements for Cannabis Related Occupancies, and including general cannabis operating requirements.

ENVIRONMENTAL IMPACT

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and staff has determined that the project qualifies for:

- Class 1 Categorical Exemption under CEQA Guidelines Section 15301 in that the project is located within an existing structure involving a negligible expansion of an existing use that will not result in significant impact(s).
- Class 3 Categorical Exemption under CEQA Guidelines Section 15303 in that the project involves a change of use, which will require only minor exterior modifications to the structure/site.
- Class 32 Categorical Exemption under CEQA Section 15332 (In-fill Development Projects) of the State CEQA Guidelines in that:

- The Project is consistent with Santa Rosa General Plan 2035 and the current City of Santa Rosa Zoning Code;
- The Project is located within City of Santa Rosa jurisdiction, on a project site of no more than five acres substantially surrounded by urban uses;
- The Project site has been previously developed and has no value as habitat for endangered, rare or threatened species. While within the Santa Rosa Plain Conservation Strategy boundaries, the Project site was previously filled and is encircled by constructed roadways;
- The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. Based on the project description the trips generated by this project are negligible and the City's Traffic Division has reviewed the proposal and requested no additional Traffic Study. The proposed project will occupy an existing building and all the work will take place inside of the building and mechanical equipment will be required to meet the City noise ordinance. Based on the certified Odor Control Plan the project will not emit any cannabis related odors. Any wastewater will be treated by the City Sewer Treatment facility; and
- The Project site is located in a developed area where it can be adequately served by all required utilities and public services. City staff has reviewed the plans and conditions the project appropriately.
- The City has further determined that no exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2.)

NOTIFICATION

The project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website. Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

ISSUES

There are no unresolved issues.

ATTACHMENTS

Attachment 1: Disclosure Form

- Attachment 2: Vicinity Map
- Attachment 3: Neighborhood Context Map
- Attachment 4: Project Narrative, dated "received" by the City January 5, 2022
- Attachment 5: Project Plans, dated "received" by the City September 21, 2021
- Attachment 6: Odor Control Plan, dated "received" by the City January 5, 2022
- Attachment 7: Security Plan, dated "received" by the City January 5, 2022

Resolution
Exhibit A

CONTACT

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