

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL
USE PERMIT FOR A 19,428 SQUARE-FOOT COMMERCIAL CANNABIS CULTIVATION
(TYPE 2A) USE WITHIN AN EXISTING BUILDING LOCATED AT 3055 WILJAN COURT;
APN: 043-220-004 FILE NUMBER CUP21-081

WHEREAS, an application was submitted requesting the approval of a Conditional Use Permit for Commercial Cannabis Cultivation (Type 2A) to be located within an existing building located at 3055 Wiljan Court, also identified as Sonoma County Assessor's Parcel Number 043-220-004;

WHEREAS, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and,

WHEREAS, the Planning Commission has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and,

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- 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, in that 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, in that 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, in that 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, in that: 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 in that: 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; and
- F. The proposed use has been reviewed in compliance with the California Environmental Quality Act (CEQA) and it 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. 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.

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Conditional Use Permit for Commercial Cannabis Cultivation, is approved subject to each of the following conditions:

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

GENERAL:

1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of Building Permit review and approval. All fees must be paid prior to issuance of a Building Permit.
2. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
3. All work shall be done according to the final project documents dated received by the City on January 5, 2022.

EXPIRATION AND EXTENSION:

4. This Conditional Use Permit shall be valid for a two-year period. If construction has not begun or if an approved use has not commenced within two (2) years from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
5. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.

BUILDING DIVISION:

6. Obtain a Building Permit for the proposed project.

ENGINEERING DIVISION:

7. Compliance with Engineering Development Services Exhibit A, dated January 18, 2022, attached hereto and incorporated herein.

PLANNING DIVISION:

8. Compliance with all applicable operational provisions of Zoning Code Chapter 20-46 is required.
9. The building materials, elevations, and appearance of this project, as presented for issuance of a building permit, shall be the same as that approved by the Planning Commission. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
10. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
11. All exterior lighting shall comply with Zoning Code Section 20-30.080.
12. Provide bike parking spaces in compliance with Zoning Code Chapter 20-36.
13. All landscaping shall be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens, as necessary.
14. No signs are approved as part of this Conditional Use Permit. All signs require a separate review process and both Planning and Building permits. In accordance with Zoning Code Section 20-46.080(F)(11), advertising or marketing cannabis or cannabis products on an advertising sign within 1,000 feet of a day care center, school providing instruction in kindergarten or any grades 1 through 12, playground, or youth center is prohibited.
15. Any new signage should be placed so that it is outside of the vision triangle at the project driveway to maintain existing sight lines.

ENVIRONMENTAL COMPLIANCE:

16. The operator(s) and/or owner(s) shall submit a Wastewater Discharge Permit Application including plumbing plans to City of Santa Rosa Environmental Services section. The Application requires no permit fee and it can be accessed online at: www.srcity.org/generalapp
17. Any cannabis production and/or cultivation trench drain(s) excluding restroom waste lines shall connect to one common process waste line prior to any connection to the City sanitary sewer.
18. Install a sample box as per City Standard #522 or equivalent at the common process waste line in an area that is free of forklift traffic, and accessible to City personnel.
19. **May be required to install a City approved effluent meter or equivalent to measure all process waste discharges to the City sanitary sewer.** The effluent

meter will be used to determine discharge flow data for City commercial sewer discharge fees.

BE IT FURTHER RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 24th day of February 2022, by the following vote:

AYES: ()
NOES: ()
ABSTAIN: ()
ABSENT: ()

APPROVED: _____
KAREN WEEKS, CHAIR

ATTEST: _____
JESSICA JONES, EXECUTIVE SECRETARY

ATTACHMENTS:
Exhibit A: Engineering Development Services Exhibit “A” dated January 18, 2022