

City of Santa Rosa
Planning & Economic
Development Department
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**Jane Dispensary
4040 Highway 12
Santa Rosa, CA 95409**

**Project Description
Narrative**

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Summary of Commercial Cannabis Land Use

Major CUP to occupy 1,997 sq. ft of an existing 4,776 sq. ft. building, zoned Neighborhood Commercial, for Medical and Adult Use Cannabis - Retail (Dispensary), California State License Type 10 (Dispensary; General).

Dual Licensing – Compliance with State Law. § 20-46.050 (A)

Applicant must first obtain local authorization prior to applying for a State of California Commercial Cannabis License. California Business and Professions Code Section 26050.1 (a)(2) and Bureau of Cannabis Control Regulations Sections 5001 and 5002.

Accordingly, Applicant has not yet applied for an Annual License from the California Bureau of Cannabis Control (the "Bureau"). However, Applicant intends to immediately apply for an Annual State License - Type 10 (Dispensary; General) - after obtaining approval of this Major CUP.

Applicant further recognizes that under California Business and Professions Code Section 26050 (b), all licenses will "bear a clear designation indicating whether the license is for commercial adult-use cannabis activity as distinct from commercial medicinal cannabis activity by prominently affixing an "A" or "M," respectively." However, licensees may hold both an A-license and an M-license for the same commercial cannabis activity; therefore, Applicant proposes to conduct both medicinal and adult-use commercial cannabis retail activity.

Applicant will comply with all Annual License Application requirements, as outlined in Section 5002 of the Bureau of Cannabis Control Regulations, including providing the Bureau with:

- (i) Business information (including business formation documents, DBAs, funds and a list of all individuals who hold a financial interest in the business, a list of all owners of the business and their contact information, etc.);
- (ii) Conviction information, if applicable (including a detailed description of each conviction, date of conviction, dates of incarceration, dates of probation or parole, description of the offense, and statements of rehabilitation for each conviction);
- (iii) A description of any suspension or revocation of a commercial cannabis license, or sanctions for unlicensed commercial cannabis activity;
- (iv) A premises diagram;
- (v) Proof of local authorization from Santa Rosa; and
- (vi) A detailed description of transportation procedures, inventory procedures, quality control procedures, and security procedures.

Applicant further recognizes that the Bureau of Cannabis Control Regulations Section 5007 requires landowner approval to operate a commercial cannabis business; therefore, Applicant will provide the State with the lease agreement between Jane Dispensary and the property owner, the Assignment and Assumption Agreement whereby Applicant is assigned the rights and assumes the obligations under this lease,

as well as a signed statement from the property owner that states that Applicant has the right to occupy the property and to use it as both an adult use and medicinal cannabis retail facility.

Applicant understands that the Bureau may request additional information and documents from Applicant and Applicant will provide the information and documents within the allotted time, in accordance with Bureau of Cannabis Control Regulations Section 5011.

Applicant recognizes that its Annual State License must be renewed each year and that applicable license fees must be paid each year prior to issuance of a renewed license by the State (Bureau of Cannabis Control Regulations Section 5020). Applicant will timely renew its Annual State License, as well as its local authorization with the City, to ensure that at all times, Applicant is operating its cannabis retail facility in compliance with both State and Local laws and regulations. Both the local permit and State License will be displayed at all times.

State Operational Standards CCR Title 16 Division 42

Applicant will comply with all operational requirements promulgated by the Bureau or other applicable State agency. These state operational requirements include, but are not limited to the following:

- (i) ensuring only individuals who are at least 21 years of age (with valid proof of identification) or who are 18 years of age (with valid proof of identification) and with a valid physician's recommendation are allowed to access the retail space or arrange for a delivery;
- (ii) maintaining limited access areas where only authorized employees, distributors, etc. are allowed to enter;
- (iii) never operating its retail business outside of the hours of 6:00 A.M. to 10:00 P.M.;
- (iv) never displaying cannabis goods in a place where they are visible from outside the licensed premises;
- (v) only receiving cannabis goods from a licensed distributor;
- (vi) verifying that no products have exceeded their expiration or sell-by date (if provided);
- (vii) never selling alcohol or tobacco (or any alcohol or tobacco products) at the licensed retail premises;
- (viii) ensuring it does not sell more than the applicable daily limits of cannabis and cannabis products to each individual;
- (ix) never reselling any cannabis goods that have been returned;
- (x) never providing free cannabis goods to any person, unless to a medicinal cannabis patient in compliance with Section 5411 of the BCC Regulations;
- (xi) recording all inventory and transactions into the track and trace system;
- (xii) never accepting any cannabis goods from a distributor that are not packaged as they will be sold at final sale;
- (xiii) always placing cannabis goods purchased by a customer into an opaque exit package before leaving the retail premises;

- (xiv) only delivering to privately-owned physical addresses through the use of an enclosed motor vehicle;
- (xv) always preparing a delivery request receipt for each delivery;
- (xvi) ensuring delivery drivers do not deviate from their designated delivery routes;
- (xvii) maintaining an accurate record of inventory at all times;
- (xviii) maintaining an accurate record for every sale made to a customer; and
- (xix) maintaining all retailer-specific records in accordance with Section 5037 of the BCC Regulations. Applicant will consistently review the Bureau of Cannabis Control's Regulations to ensure that Applicant is operating in compliance with state laws and regulations at all times.

Operator in Good Standing §20-46.050 A(1)

Applicant will not commence operations at the Building premises, until it has received all necessary approvals from the City (e.g. building permit and occupancy permit) and an Annual License from the Bureau.

Minors § 20-46.050 B

Applicant will ensure only individuals who are at least 21 years of age (with valid proof of identification) or who are 18 years of age (with valid proof of identification) and with a valid physician's recommendation are allowed to access the retail space or arrange for a delivery as applicable to Adult Use or Medical cannabis products, respectively.

Separation of License Types. § 20-46.050 D

Applicant does not propose to conduct any commercial cannabis activity at the subject premises other than retail of commercial cannabis products.

Building and Fire Codes. § 20-46.050 E

Applicant will obtain all necessary building permits, fire permits, and CUP A permits, as necessary for the project and the facility, and will provide a Fire Department lock box for keys to gates and doors.

Applicant recognizes that a Building Permit is required to verify occupancy for this cannabis facility, and that solely obtaining a Conditional Use Permit does not authorize the Applicant to begin to operate its business within this facility. Applicant will submit all construction plans, calculations, and related documentation supporting the Building Permit application to the City to begin the process of obtaining a Building Permit and a Certificate of Occupancy after Applicant has obtained discretionary approval in the form of a Conditional Use Permit. Applicant will ensure that all Building Permit design and supporting documentation is prepared by qualified design professionals licensed and registered by the State of California and that all construction and related work is performed by contractors licensed by the State of California for the specific discipline of work to be performed. Moreover, all design and construction will be consistent with the provision of the Santa Rosa City Code and the current edition of the California Building and Fire Codes.

Applicant will install and maintain all required improvements to ensure compliance with the Fire Code. Applicant is committed to installing proper electrical wiring and

components for all electrical fixtures within the facility. Applicant understands that all construction or work for which a permit is required is subject to inspection by the Building Division and/or the Fire Department and that such construction or work must remain accessible and exposed for inspection purposes until approved. Applicant will ensure all City approved plans, specifications, and related documents are kept on the premises for City inspection staff. Applicant will not use or occupy the Subject Property until the Building Official has issued a Certificate of Occupancy.

Applicant also recognizes that many State and local codes regulate cannabis facilities (aside from MAUCRSA, the State Regulations, and the City Ordinance). These many codes include, but are not limited to, the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Fire Code, California Existing Building Code, California Green Building Standards Code, California Health and Safety Code, California Business and Professions Code, National Fire Protection Association Standards, and the Santa Rosa City Code. As Applicant moves into the Building Permit phase after it obtains a CUP for its retail cannabis facility, Applicant will consult with trained licensed architects, designers, contractors, and other professionals to ensure that all building plans and subsequent construction is in compliance with all applicable codes, including provisions relating to: accessibility and accessible paths of travel; fire-resistance, fire alarm systems, smoke detectors, fire extinguishers, and exit paths; ventilation and exhaust systems; electrical systems; plumbing fixtures, fittings, and systems; lighting controls and energy consumption; and CalGreen Code requirements; among others.

As stated above, Applicant understands that it may be required to have a key box installed in a location approved by the Fire Department in the event that the Fire Code Official determines that access to or within a structure or area is restricted because of secured openings, or that immediate access may be necessary for live-saving or fire-fighting purposes. In this event, Applicant will promptly install and maintain a box of an approved type that will contain keys to gain necessary access, as required by the Fire Code Official and the California Fire Code.

As reiterated throughout this section, Applicant is committed to complying with all provisions of the Fire Code. Accordingly, Applicant will ensure all fire protection equipment, including fire extinguishers and fire alarm systems, are maintained in working order and serviced at regular intervals. Applicant will maintain clear access to all such fire protection equipment and will ensure that proper exit widths are appropriate and clear in the event of an emergency. Furthermore, Applicant will ensure that all illuminated "exit" signs are working at all times.

Applicant does not propose to keep any hazardous waste or hazardous materials on-site but will ensure that any potentially flammable items or materials are kept out of the Utility room and stored securely at all times.

Security Plan § 20-46.050 G

Please see Security Plan Attachment

Odor Mitigation Plan § 20-46.050 H

Applicant will have a comprehensive odor mitigation plan. Applicant recognizes that the City requires this odor mitigation plan to be certified by a licensed professional engineer to ensure that all mitigation controls are sufficient to effectively mitigate odors from all odor sources (City Ordinance Section 20-46.050(H)).

Applicant intends to implement the Odor Mitigation Plan prepared by 15000, Inc to ensure that its odor mitigation controls are sufficient to effectively mitigate odors from all odor sources. Please see the attached letter from Matthew Torre of 15000, Inc.

Odor mitigation will be accomplished through using of carbon filtration throughout the facility, to ensure no cannabis odors escape the facility. Odor mitigation systems will be always operational when cannabis is present within the facility.

A carbon filter is a round, hollow device with a membrane that contains activated charcoal (carbon). "Dirty" air passes through the carbon filter and clean, odorless air exits the other side. Carbon filters are the most popular odor control option on the market because they are highly effective, widely available, and low maintenance. Granular Activated Carbon charcoal is so effective because of its high degree of microporosity. Carbon filters are low maintenance and with a proper pre-filter, Applicant will only have to change the activated carbon every 12 to 18 months, although this can vary depending on fan speed, hours of use, carbon quality, etc. Fans will create air circulation to avoid stagnant areas where odors can collect. Applicant's air filtration system will be properly maintained in accordance with industry standards to ensure appropriate air quality.

Outdoor Lighting § 20-46.050 I

Notable goals of the Open Space and Conservation section of the Santa Rosa General Plan are to (1) to "reduce energy use in existing and new commercial, industrial, and public structures," and (2) to "identify opportunities for decreasing energy use through installation of energy efficient lighting, reduced thermostat settings, and elimination of unnecessary lighting in public facilities." In accordance with this goal, all exterior lighting at Applicant's facility will be limited to a maximum height of 14 feet, will use energy efficient LED fixtures and lamps, and will not include lighting that will blink, flash, or be of unusually high intensity or brightness. In the parking area of Applicant's facility, Applicant will remove the existing flood light and will install an LED area light and a 13-watt LED globe fixture, along with a laser cut Corten sign with a lighted panel behind. (See attached Site Plans).

At Applicant's facility, all exterior lighting systems will be provided for security purposes in a manner sufficient to provide illumination and clear visibility to all outdoor areas of the premises, including all points of ingress and egress, in accordance with Section 20-46.050 I of the City's Ordinance. Applicant will have lights installed at various locations on the exterior of the building, some of which will be motion sensor lighting. Exterior lighting will be stationary, fully shielded, directed away from adjacent properties and public rights of way, and of an intensity compatible with the neighborhood. All exterior lighting will be Building Code compliant and will comply with Section 20-30.080 of the City of Santa Rosa Municipal Code. Interior light systems will be fully shielded, including

adequate coverings on windows, to confine light and glare to the interior of the structure.

Noise § 20-46.050 J

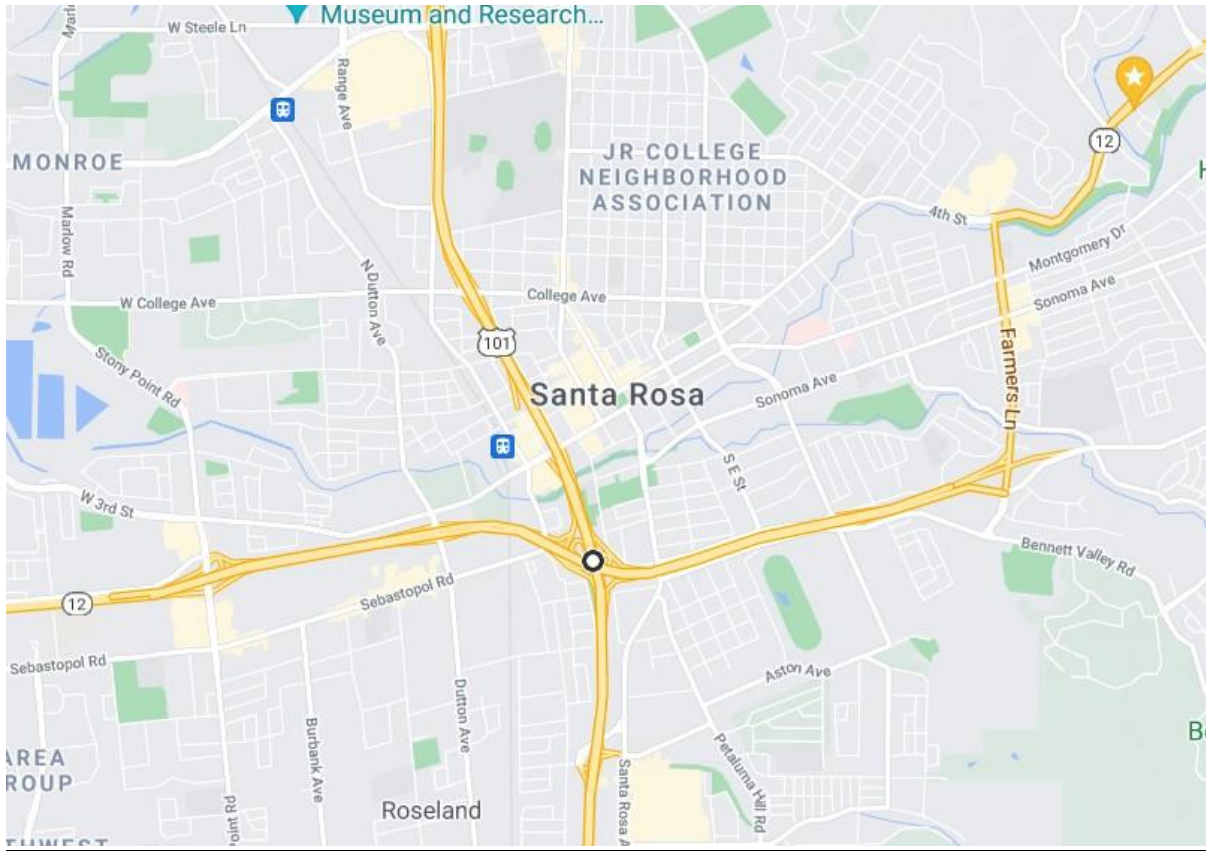
Applicant recognizes that according to the Santa Rosa City Code (Chapter 17-16) it is unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. Accordingly, Applicant will ensure all noise from Applicant's facility complies with the provisions of Chapter 17-16, including by:

- (i) ensuring the operation of machinery, equipment, pumps, fans, air-conditioning apparatus, or similar mechanical devices do not cause the noise level at the property line that exceeds the ambient base noise level by more than five decibels;
- (ii) not operating or allowing employees to operate a pandemonic motor vehicle or operating a motor vehicle in any way that a reasonable person of normal hearing sensitivity is caused discomfort or annoyance; and
- (iii) not utilizing any sound-amplifying equipment.

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Vicinity and Neighborhood Context Maps

Vicinity Map



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Neighborhood Context Map



Parking Analysis

One of the Goals and Policies of the Land Use and Livability section of Santa Rosa's General Plan is to "provide a range of commercial service 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." The site was previously used as another retail store, Pawsarotti's. In accordance with the General Plan, Applicant will have ample parking at the Subject Property.

Use	Parking Required	Total Square Footage	Parking Spaces Required
Retail	1 vehicle parking space per 250 square feet; 1 bicycle space per 5,000 square feet	2,000 Square Feet	Vehicle: 8 Bicycle: 1
Total Parking Spaces Required			Vehicle: 8 Bicycle: 1

Based on the size of the subject premises, 2,000 square feet, 8 parking spaces and 1 bicycle parking space are required.

The parking area at the Subject Property has thirty-six (36) parking spaces, including two (2) ADA-compliant parking space. Two ADA-accessible paths of travel begin adjacent to the ADA-compliant parking spaces to the front doors of the premises.

Applicant understands that one of the Guiding Principles of the City of Santa Rosa's General Plan is to "Reduce dependence on the automobile by improving pedestrian, bicycle, and transit alternatives and by locating essential commercial services in proximity to housing." In furtherance of reducing dependence on the automobile while also attracting a regional clientele, and in accordance with the City of Santa Rosa's Design Guidelines for parking, bicycle parking will be provided at Applicant's facility (see attached Site Plans).

Hours of Operation

Applicant's retail facility will be open to the public between 9:00 A.M. and 9:00 P.M. daily. Applicant's employees will work varying shifts between the hours of 8:00 A.M. and 10:00 P.M.; however, Applicant's security personnel will cover shifts to ensure that the Property has security on-site 24 hours per day. Applicant will limit all commercial deliveries to the hours of 9:00 A.M. to 5:00 P.M. Monday through Friday.

Specific Use Requirements: Commercial Cannabis Retail/Dispensary §20-46-080

Location Requirement §20-46-080 D

Pursuant to a request for a Development Review Pre-Application Meeting the proposed project at 4040 Highway 12 has been given authorization to submit a Conditional Use Permit Application. The proposed project site is not within 600 feet of another Cannabis Retail (Dispensary) land use or K-12 School. There are no pending CUP applications submitted. Please see the Cannabis Retail Applications Map below.



Medicinal/Adult Use §20-46.080 A

Medical and Adult Use Cannabis - Retail (Dispensary)

Operational Plan §20-46.080 F

§20-46.080 F(1) Employee Register	Page 4
§20-46.080 F(2) Recordkeeping	Page 3-4
§20-46.080 F(3) Persons Entering Site	Page 3-4
§20-46.080 F(5) Secured Access	Page 13
§20-46.080 F(11) Display of Permit	Page 3

Deliveries§20-46.080 d

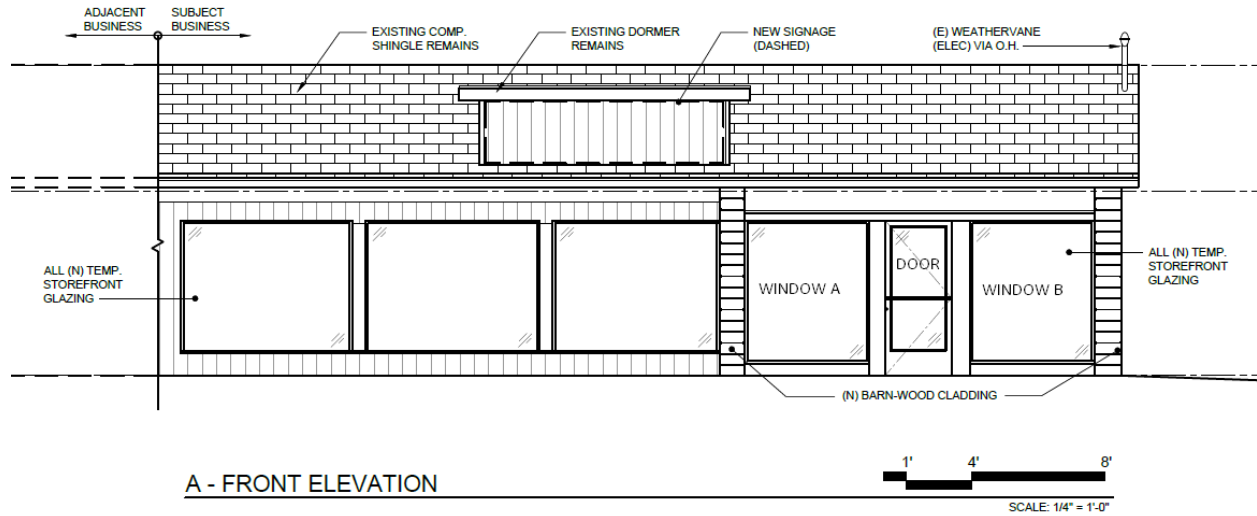
- (i) Vehicles transporting products from our facility will not be marked in any way that indicates medical marijuana is being transported. Transport vehicles will be equipped with GPS tracking, and a lockable cargo area for storing cannabis during transit, with video monitoring of the driver and passenger compartment as well as the storage area.
- (ii) Facility agents transporting medical marijuana must print an inventory manifest for the trip, generated from the statewide track and trace system, provide it to designated facility staff, and keep a copy in the vehicle.
- (iii) Trip plans will be maintained in _____ company records for five years. During transport, the facility agent must always have their agent ID and a means of communication accessible.
- (iv) Accidents involving the transport vehicle must be immediately reported to law enforcement, and any incident of theft or attempted theft must be reported immediately to law enforcement and to the Department within 24 hours.
- (v) Each Staff member and cannabis delivery will adhere to the following processes and paperwork:
 - 1. Order is Received online through our Point-of-Sale system
 - 2. Order is Processed
 - a. Verify Products are physically available for sale
 - b. Verify that payment has been received, and receipt is printed
 - c. Verify all packaging meets California packaging requirements
 - d. Verify the transport manifest has been filled out correctly, and then print and attach to the order
 - 3. During Transport
 - a. Verify that the vehicle is in proper working condition;
 - Lights, blinkers, and other essential items are working
 - The vehicle has enough fuel to reach the destination
 - b. Verify Products are in the secured lockbox within the delivery vehicle;
 - Ensure the Lockbox has been thoroughly cleaned before any cannabis or cannabis products are stored
 - c. Ensure the Monitoring systems are active and working properly;
 - Verify video monitoring is focused on the passenger compartment and any place where cannabis is stored
 - GPS is working properly
 - d. Verify shipping manifest has trip information:
 - The name of the facility agent(s)
 - The date and start time of
 - The anticipated delivery time
 - The anticipated route of transportation

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- e. Have facility agent identification cards accessible at all times;
 - f. Keep a copy of the applicable inventory manifest and trip plan in the transportation vehicle; shall be placed under the driver's seat or in a compartment beside the driver's seat for the duration of the delivery trip
 - g. Have a means of communication accessible at all times; Jane Dispensary will have a company-issued cell phone to be kept in the delivery vehicle at all times;
 - h. Immediately report any vehicle accidents to law enforcement
 - i. Immediately report any loss or theft of cannabis product to law enforcement and Track and Trace System
 - j. Any incident of theft or attempted theft of cannabis shall be reported to the department within twenty-four (24) hours of the incident.
 - Report to be filed with manager on duty immediately. Keep incidents logged in the incident report log, which will be stored in the delivery vehicle and at the premises.
 - Manager will initiate contact to the appropriate authorities.
4. Once delivery staff arrives at the delivery address,
- a. Staff will ensure they are in a safe area
 - b. Staff will only park in designated areas or legal parking spaces
 - c. Bring the delivery to the door
 - d. Verify patient or guest is intended recipient and government ID matches the transport manifest and receipt
5. After transport, revise the trip plan to reflect the actual route taken and the end-time of transportation. Deliver the revised trip plan to a person designated by the transportation facility for this purpose.

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Storefront §20-46.080 e



Storefront design:

- (i) New Signage proposed on existing dormer to say Jane Dispensary.
- (ii) New paint on existing surfaces.
- (iii) Add barnwood cladding to posts.
- (iv) No changes to the roof.
- (v) No changes to awning or overhang.

Window treatments:

- (i) Non-breakable film (glazing) applied to front windows.
- (ii) Verbiage decal (on Window A) stating that “smoking and vaping of Cannabis is prohibited on site or in the vicinity of the site”
- (iii) Vinyl decals:
 - Jane logo (entry door).
 - QR code to JANE loyalty program (Window B).
 - JANE Dispensary website url (Window B).

Accessory Uses §20-46.050 D

Accessory Uses by Zoning

Applicant will operate a medical and recreational storefront dispensary. Applicant will not conduct any other accessory use permitted under the city's commercial zoning code.

Accessory Uses by Room

Applicant will have limited-access areas where only authorized individuals (such as employees, vendors, contractors, or other people with a business-pw-pose) will be

permitted. An individual in the limited-access area who is not employed by Applicant (such as a vendor or distributor) will be escorted by Applicant or one of Applicant's employees at all times while within the limited-access area (Bureau of Cannabis Control Regulations Sections 5042 and 5401). In accordance with Section 5401, any individual within the limited access area will be at least 21 years old. Applicant will maintain a log of all authorized individuals who are not employees of the Applicant that enter the limited-access area. The logs will be made available to the Bureau of Cannabis Control upon request. Applicant will not receive consideration or compensation for permitting an individual to enter the limited-access area.

Restroom: No other use.

Utility Room: No other use.

Inventory Room: Uses that may be considered accessory uses are:

- (i) Securely storing cannabis in safes;
- (ii) Housing internet servers;
- (iii) Housing computer(s) dedicated to administrative uses;
- (iv) Storing monetary instruments such as cash and checks;
- (v) Warehousing locked cabinets that contain financial records including, but not limited to bank statements, sales invoices, receipts, tax records, and all records required by the CA Department of Tax and Fee Administration under Title 18 of the California Code of Regulations sections 1698 and 4901;
- (vi) Storing personnel records, including each employee's full name, social security or individual tax payer identification number, date employment begins, and date of termination of employment, if applicable;
- (vii) Storing of training records, including but not limited to, the content of training provided, and the names of the employees that received the training;
- (viii) Storing of contracts with other licensees regarding commercial cannabis activity
- (ix) Storing of copies of permits, licenses, and other local and state authorizations to conduct the licensee's commercial cannabis activity;
- (x) Storing Security Records;
- (xi) Storing records relating to waste management or destruction of cannabis goods;
- (xii) Storing documentation for data or information entered into the track and trace system;
- (xiii) Warehousing non-Cannabis related stationary, supplies, and materials;
- (xiv) Meetings with employees, vendors, contractors, or other people with a business-purpose.