

# Jonathan Sklar

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## Santa Rosa Minor Use Permit Application Cultivation and Distribution Type 11 (State Microbusiness Type 12)

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**Name:** Jonathan Sklar

**Address:** 335 O'Hair Court, Santa Rosa Ca, 95403

**Zoning:** IL

**Building Size:** 23,224 square feet

**Proposed Occupied Space Cultivation:** 4,319.26 square feet

**Proposed Occupied Space Distribution:** 3,736.9 square feet

**Lot Size:** 1.75 Acres

**APN:** 043-135-008

**General Plan Designation:** Light Industrial

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### Property Description Summary:

- Indoor Cultivation (Nursery), up to 5,000 sq. feet of canopy
- Distribution Type 11

The proposed project is in a previously developed building with historic industrial use. This application and the proposed commercial cannabis businesses are in compliance with the Santa Rosa City Cannabis Ordinance. There is no current or existing cannabis activity on the property. The applicant intends to obtain all appropriate permits and authorizations before conducting any building improvements for the proposed cannabis use.

### Zoning and General Plan Consistency

The applicant proposes a cannabis indoor cultivation, and cannabis distribution business within an existing building located at 336 O'Hair Court, Santa Rosa. The indoor cultivation will occupy approximately 4,319 square feet of the total 23,224 square feet of unoccupied space in the building. The cannabis distribution activities will occupy approximately 3,736.9 square feet of the total 23,224 square feet of unoccupied space in the building.

The applicant has previously submitted a Cannabis Retail Conditional Use Permit with the city of Santa Rosa for the adjacent suite within the 335 O'Hair Court building. Retail permit application has passed initial review and is pending planning commission review. The applicant plans to apply for Cannabis Microbusiness Type 12 through the state of

California. The proposed project site does not abut a residential zone or parcel with residential use.

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## CUP Application

Please see complete CUP application (*attachment 1*)

## Indemnification Form

Please see Indemnification form attached with complete CUP application (*attachment 2*)

## Copyright Materials Release

Please see Copyright materials release attached with complete CUP application (*attachment 3*)

## Disclosure Form

Please see Disclosure form attached (*attachment 4*)

## Storm Water Determination Worksheet

No exterior modifications to the building for footprint are proposed at this time. The proposed site at this time is less than 10,000 square feet of impervious surface.

(See Storm Water Determination Worksheet *attachment 5*)

## Project Description

The applicant proposes a medical and adult use indoor cannabis cultivation of up to 5,000 square feet. The cannabis cultivation activities will consist solely of nursery cultivation of clones, immature plants, mature plants and seeds. No processing will be conducted. The facility will conduct storage and batch sampling, packaging and labeling, and deliveries for the Distribution permit. Cultivation will take up 4,319 square feet and Distribution 3,736.9 square feet.

## Storage and Waste Disposal

All cannabis products and any cannabis waste will be stored in a secure area that is not visible to the public. All vendors will be pre-scheduled in advance and must present valid identification. Vendors will only be granted access to the areas required for removal of waste. All waste removal vendors will be required to document and track all waste materials removed from the site.

All other non-cannabis waste will be stored in a secure area and disposed by an approved waste removal vendor. As detailed below, hazardous waste will be stored and disposed of according to local and state guidelines

## Existing Use and Future Proposed Use

The proposed facility is currently vacant. Previously, the applicant applied for a Conditional Use Permit for medical and recreational cannabis Retail. The application is still pending.

## Separation of Premises

The applicant will apply for a State of California Cannabis Microbusiness. Separation of premises meets the State of California Cannabis Microbusiness requirements. See maps, (*attachment 7*).

## Accessory Use

There are no other uses proposed at this time other than those mentioned within this application.

## Design Review

No Exterior modifications to the building are proposed.

## Building and Fire Codes

### Building Improvements

The Applicant intends to conduct building improvements to enhance the layout design for the proposed use and to improve the overall character and safety of the building. The Applicant will adhere to all 2016 California Building, Fire, Mechanical, Electrical and Plumbing Codes, and Chapter 18 of the City Code. Fire and Life Safety features will meet the National Fire Protection Association (NFPA) Standards.

### Fire Codes

In addition, the applicant will adhere to the new California Fire Code Chapter 38 regarding plant extraction and processing and be guided by the City of Santa Rosa Building and Fire Code Requirements for Cannabis Occupancies. Certified Unified Program Agency permits will be obtained including the Environmental Reporting System (CERS) submission for hazardous materials inventory. The Santa Rosa City Fire Department will have accessibility to a lock box with keys to gates and doors to the facility. The facility has been designed, and is being constructed with sophisticated fire suppression and ventilations systems.

The Applicant will install sprinklers and a fire alarm system, which will be routinely inspected and maintained in good working order. A fixed extinguishing system and extension of the wet fire sprinkler system will be installed in all extraction lab spaces. Battery backup for emergency lighting will be installed to illuminate the exits during a power outage. Fire extinguishers, placed throughout the facility, will be regularly maintained and inspected. Chemical storage cabinets will be used for storage of all solvents and hazardous materials. The Applicant will utilize spill management systems and will install emergency exit route maps. All employees will receive training on fire and safety systems and procedures. Also, the Applicant will install air quality and ventilation systems.

### Hazardous Materials and Storage and Disposal

All hazardous materials will be stored in specialized flammable materials storage cabinets. The Applicant will containerize and transport small quantities of hazardous

materials as a US EPA Very Small Quantity Generators - VSQGs (also known as Conditionally Exempt Small Quantity Generators - CESQGs). This provision allows operators to transport 100 kilograms or less per month to an authorized facility. Accordingly, the Applicant will transport hazardous waste to the Solid Waste Management Authority located at 2300 Country Center Drive in Santa Rosa. For larger quantities of hazardous waste, the Applicant will hire vendors to transport and dispose hazardous waste in accordance with rules and regulations.

### Landscaping Plans

The applicant proposes two new planter boxes between parking spaces. The planter boxes will have drought resistant plants.

### Energy Source

The applicant will register with Sonoma County Clean Power SCP Evergreen (SCP). In addition to registering with SCP the applicant is reviewing the option of supplement energy usage with the installation of solar panels to provide 100% renewable energy.

### Signage

No signage for the business is proposed at this time. Inside the facility, signage will be posted to comply with cannabis rules, relevant laws and safety codes.

### Design Review

The proposed project is exempt from the Design Review under Zoning Code Section 20-52.030, as there are no proposed exterior changes to existing building.

### Security Plan

The applicant's Security Plan will prevent theft or diversion of any cannabis, as well as to discourage loitering, crime, and illegal or nuisance activities. The entrances have locked and secured doors. There are exterior and interior video surveillance systems. The surveillance system will be maintained in good working condition, and surveillance videos will be maintained for 60 days, or as required by local or state law. Management will require that employees follow necessary procedures to ensure that medical cannabis and any related by-products from the project site are not visible or accessible to the public. No weapons or firearms will be allowed at the distribution site.

All deliveries and pickups will be scheduled in advance and a member of management will authorize access for the scheduled delivery time by person pre-approved to deliver materials to the site. Every employee will be required to participate in training to learn the Applicant's security and safety protocols required for continuous employment. The Applicant will mandate that all employees be well versed in all security procedures. Additionally, the Applicant will adapt the Security Plan to comply with state laws and regulations for cannabis licensing security requirements.

For transportation of cannabis and cannabis products, the Applicant will use secure vehicles with alarm systems. The Applicant will tailor the vehicle security requirements based on the anticipated regulations from the relevant state agencies.

(See detailed security plan in separate binder)

### Employee Plan

The applicant will use the Santa Rosa and Sonoma County employee pool as a primary hiring resource and at the maximum scale will employ a maximum of 6 employees for cultivation and 3 employees for distribution. All potential employees will be required to submit to a Live Scan background check. All employees will be trained on workplace safety, security, operating procedures, and best management practices including OSHA required trainings such as Injury and Illness Prevention Plan, Hazardous Communication Plan, Emergency Preparedness and Site Security.

The applicant prohibits the use, sale, possession, purchase or transfer of illegal drugs on company property. Although cannabis and alcohol are not considered an illegal drugs, the company policy prohibits employee use of cannabis or alcohol during work hours. Purchasing or selling of cannabis or alcohol during work hours is strictly prohibited.

The applicant will comply with all federal and state labor laws and regulations including federal and state wage and hour laws, CAL/OSHA, OSHA and the California Agricultural Labor Relations Act.

### Air Quality / Odor Control Plan

The applicant will include an air quality and odor control plan to mitigate any odors associated with proposed activities within the building to ensure the impact to the environment is minimal. The building will be equipped with an HVAC system that incorporates the use of carbon filters, which act as a means of filtering air within the building containing cannabis odors before being expelled to outside air. Odor control tests will be conducted by the applicant to ensure the system in place is adequate and will not negatively affect neighbors or the environment surround the facility.

All odor mitigation systems and plans are consistent with accepted and best available industry specific technologies designed to effectively mitigate cannabis odors. The applicant will insure that all odor control and air quality systems routinely inspected and maintained in good working order at all times. All staff will receive training on air quality and odor control systems. The Odor Control Plan is addressed to Santa Rosa Craft Collective, which is owned and operated by Jonathan Sklar. The Odor Control Plan was created for the entire building, including the previous submitted retail conditional use permit.

Please see certified Odor Control Plan, (*attachment 6*).

## Outdoor Lighting

The applicant will ensure that all exterior lighting will be shielded and downcast to avoid casting light onto the night sky or neighboring parcels. Exterior lighting will be strategically located to ensure safe entrance and exit to the facility, provide illumination to public right of way, and assist in mitigating security concerns.

## Noise Study

The applicant will comply with Chapter 17-16 of the Santa Rosa City Code. There will be no use of generators except for in the event of a temporary, emergency back-up system.

## Setbacks

There are no setbacks required for the proposed site. The proposed site meets all setback requirements set forth by the City of Santa Rosa.

## Plans

Please see Plans attached:

- Site Plan (*attachment 7*)
- Floor Plan (*attachment 7*)
- Neighborhood Context Map (*attachment 7*)

## Traffic/Parking

The proposed location complies with the parking requirements set forth in the Santa Rosa City Ordinance (ORD-2017-025). The proposed facility has 5 dedicated parking spaces for cultivation and 3 dedicated parking spots for distribution in the parking lot. Bike racks, and ride shares will be utilized by employees. There are 41 existing parking spaces. The applicant proposes 22 new spaces that will make a total of 63 spaces at the facility.

## Hours of Operation

The applicant plans to conduct cultivation operations between the hours of 7am and 9pm, 7 days a week unless the review authority imposes more restrictive hours. Distribution will be conducted 9am-9pm, 7 days a week unless review authority imposes more restrictive hours.