

**Application for Major Conditional Use Permit
Cannabis Retail
Sonoma CHO, LLC dba Flora Terra
4575 Highway 12**

Proposed Use: Cannabis Retail (2,031 sqft)
Owner: Kent Woodell and Bill Bishop
Applicant: Sonoma CHO, LLC dba Flora Terra
Address: **4575 Highway 12**
APN: 182-490-013
Zoning: CN, Neighborhood Commercial
General Plan: Neighborhood Shopping Center

**City of Santa Rosa
June 1/2022
Planning & Economic
Development Department**

Introduction

Sonoma CHO, LLC dba Flora Terra (the “Applicant”), proposes to occupy an area of approximately 2031 square feet consisting of a portion of a building located on the northeast corner of Highway 12 (Sonoma Highway) and Mission Street in the City of Santa Rosa, in the County of Sonoma, State of California, Sonoma County APN 182-490-013, and obtain a Major Conditional Use Permit for cannabis retail. The remainder of the building is occupied by a mattress retail store, the proposed suite was formerly occupied by Starbucks.

This project does not involve any exterior modifications to the Building or the surrounding site, other than security upgrades.

On December 19, 2017, the Santa Rosa City Council unanimously adopted the City’s Comprehensive Cannabis Ordinance to regulate the issuance of permits for cannabis retail use in CN and other zones. Santa Rosa City Code section 2046.050(D) allows for cannabis permits to be issued, provided the use is authorized by both local and state law.

At the state level, Title 16, Section 5400 of the California Code of Regulations provides for the Adult-Use and Medical dispensary (or “Type 10”) license, which allows a business to conduct Medical and Adult-use cannabis retail sales.

Flora Terra is a highly compliance-minded business with an experienced leadership team currently running a licensed cannabis business in the City of Santa Rosa and will ensure compliance with all State and local laws and regulations.

Additional Documents

The following documents are included with this project description:

- Universal Application (with attached site plan, floor plan, neighborhood map, and elevations)
- Property Owners Consent
- Indemnification Form
- Disclosure Form
- Copyright Release
- Electronic Signature Disclosure
- Storm Water Determination Worksheet

General Operating Requirements 20-46.050

A. Dual Licensing and Land Use

- a. The Applicants plans for the Building to meet all the requirements to operate as a licensed 'C-10' Medical and Adult-Use Cannabis Retail facility and will obtain a Conditional Use Permit (CUP) at the local level, and a state license to legally operate a cannabis retail facility. The applicants will pursue a State license within the required timeframe of 10 months and will remain operators in good standing.

B. Minors

- a. Medical Cannabis Businesses shall only allow on the premises a person who is 18 years of age or older and who possesses a valid government-issued photo identification card and a valid medical recommendation. Adult Use Cannabis Businesses shall only allow on the premises a person who is 21 years of age or older and who possesses a valid government-issued photo identification card. All government issued identification cards will be visually inspected by trained personnel. Flora Terra uses several tools to determine the validity of identification including scanning into Treez POS, utilization of UV lights, or looking up the ID in the 2022 ID Verification Guide. Treez POS can also be used as a tool to validate a medical recommendation. In the event that identification can not be verified, the patron will be asked to leave the premises.

C. Inventory and tracking

- a. Inventory, customer profiles, and purchase limits are all tracked through a State approved cloud based track and trace software, Treez POS. Standard operating procedures from Flora Terra's existing retail location will be used to maintain compliance with Local and State Laws which include but are not limited to: proper identification verification, vendor license verification, METRC track and trace training, intake procedures, product handling, and more. Bi-weekly and monthly inventory reconciliations are completed to ensure compliance with state regulations.

D. Multiple permits per site

- a. There will only be one permit on this site, C-10 cannabis retail.

E. Building and fire permits

- a. The floor plan and site plan submitted with the Application were drafted by knowledgeable professionals that will comply with all applicable laws, including Santa Rosa building code and fire code, and the Americans with Disabilities Act. For the building phase of its project, Applicant will hire only licensed contractors who are familiar with such requirements and competent to ensure compliance. The facility itself—including entrances, exits, and bathrooms—is already compliant with the Americans with Disabilities Act. Furthermore, the Applicant acknowledges that once it obtains a Conditional Use Permit, Applicant must still obtain building permits and all other permits required under the City Code. Before commencing operations, for example, Applicant will obtain building and other permits required under Chapter 18 of the City Code, obtain all required fire permits and inspections, and will provide a Fire Department lock box for keys to doors via the standard KnoxBox. In addition to building and fire permits, the applicant will obtain a Health Permit from the County of Sonoma in accordance with local regulations.

F. Transfer of Ownership

- a. The Applicant understands that transfer of ownership is not permitted unless they adhere to the requirements of both the Local and State regulations.

G. Security

- a. The Building will employ security measures as required by Section 20-46.050(G) and Title 16, Sections 5042 through 5047, of the California Code of Regulations, including:
 - i. on-site security personnel compliant with Chapters 11.4 and 11.5 of Division 3 of the California Business and Professions Code;
 - ii. twenty-four hour security cameras covering all areas where cannabis is handled and all limited-access areas; cameras will be installed by licensed professionals;
 - iii. a professionally monitored robbery alarm system, including alarms on all doors and windows, and motion detectors throughout the facility, and silent alarms throughout the facility;
 - iv. secure card-based system to control and log access through all doors, integrated with the cameras and security system; cards are issued by Human Resources upon hire and collected upon termination of employment;
 - v. secure storage for all cannabis products and waste;
 - vi. commercial-grade door and window locks; installed by licensed professionals;
 - vii. interior commercial-grade security shutters on all windows; this is to deter theft and
 - viii. emergency access measures in compliance with California Fire Code and Santa Rosa Fire Department standards.
- b. **Security cameras:** Flora Terra will have high-definition (HD) security camera monitoring and recording 24-hours per day, seven days per week. Cameras will

monitor all entrances and exits to and from the premises, and all limited-access spaces within the business, including all places where cannabis or cash is handled, processed, or stored. Video recording shall be maintained for a minimum of 90 days and shall be made available to the City of Santa Rosa, the City Police Department, or an official designee upon request. CCTV access is in a limited access area but accessible remotely at any time for constant monitoring of the facility.

- c. **Alarm system:** Flora Terra will have a professionally installed, maintained and monitored alarm system. All doors will have a keycard entrance requirement of an ID badge with personal identification number. Keycards are employee specific and will have access rights based on the individual's job. Sensors will be installed to detect entry and exit from all secure areas, and panic buttons installed in appropriate locations in the event of an emergency.
- d. **Secure storage and waste:** all inventory and waste stored on the licensed premises shall be secured in a limited-access area. Waste will be disposed of in accordance with Local and State Laws. utilizing internal locked storage for any damaged, spoiled, or defective cannabis products, all cannabis waste will be destroyed in accordance to state regulations;
- e. **Transportation:** The Applicant will not be offering delivery services directly to the consumer; A licensed retailer shall receive a shipment of cannabis goods only from a licensed distributor or licensed microbusiness authorized to engage in distribution. All deliveries from licensed distributors will take place between 8am - 5:30pm, delivery drivers will enter and exit through the limited access/employee door of the building not visible from the customer entrance door.
- f. **Locks:** commercial-grade door and window locks will be installed by a licensed contractor. All locks will only be accessible via an assigned keycard. Enhanced security measures will be implemented to ensure the facility is not accessible to the public.
- g. **Emergency access:** A Knox Box will be installed on site and a keycard will be provided to the local fire department for access to the premises in the event of an emergency.

H. Odor control

- a. The Applicant will comply with all of the City of Santa Rosa's odor mitigation standards set forth in Zoning Code Chapters 20-46. Carbon filtration is the industry standard method for removing cannabis related odors from exhaust system airstreams. Flora Terra will have a professionally installed carbon filtration system. Carbon filtration works by using activated carbon to remove contaminants and impurities from the air through chemical absorption. These filters are designed to control odors from volatile organic compounds and are the gold standard in the cannabis industry for odor control. Flora Terra will have their carbon filtration system properly sized by Mechanical Engineer and maintained by the Owner per manufacturer specifications. See the attached letter from the Mechanical Engineer. Maintenance to the filtration system will take place according to the manufacturers specifications to ensure the system is functioning

at all times. The facilities manager will ensure this by monitoring the effectiveness of the system and staying on top of all routine maintenance.

I. Lighting

- a. Interior and exterior lighting shall utilize best management practices and technologies for reducing glare, light pollution, and light trespass onto adjacent properties. Exterior and interior lighting will comply with the standards set forth in Santa Rosa Ordinance section 20-46.050(I). All lighting will be installed by licensed professionals and maintained by the facilities manager.

J. Noise

- a. No special measures are required to comply with the City's noise ordinance (City Code, Chapter 17-16) because the project does not involve equipment that could produce noise in excess of 55 decibels, which is the baseline ambient noise level for office and commercial zones under Section 17-16.030.

In addition to the above General Operating Requirements, Flora Terra will also be in compliance with City Code 20-46.080 Cannabis Retail (Dispensary).

City Code 20-46.080 Cannabis Retail (Dispensary)

A. Conditional use

- a. Flora Terra will obtain a Conditional Use Permit to operate a Cannabis Retail operation for adult use and medical patients.

B. Delivery services

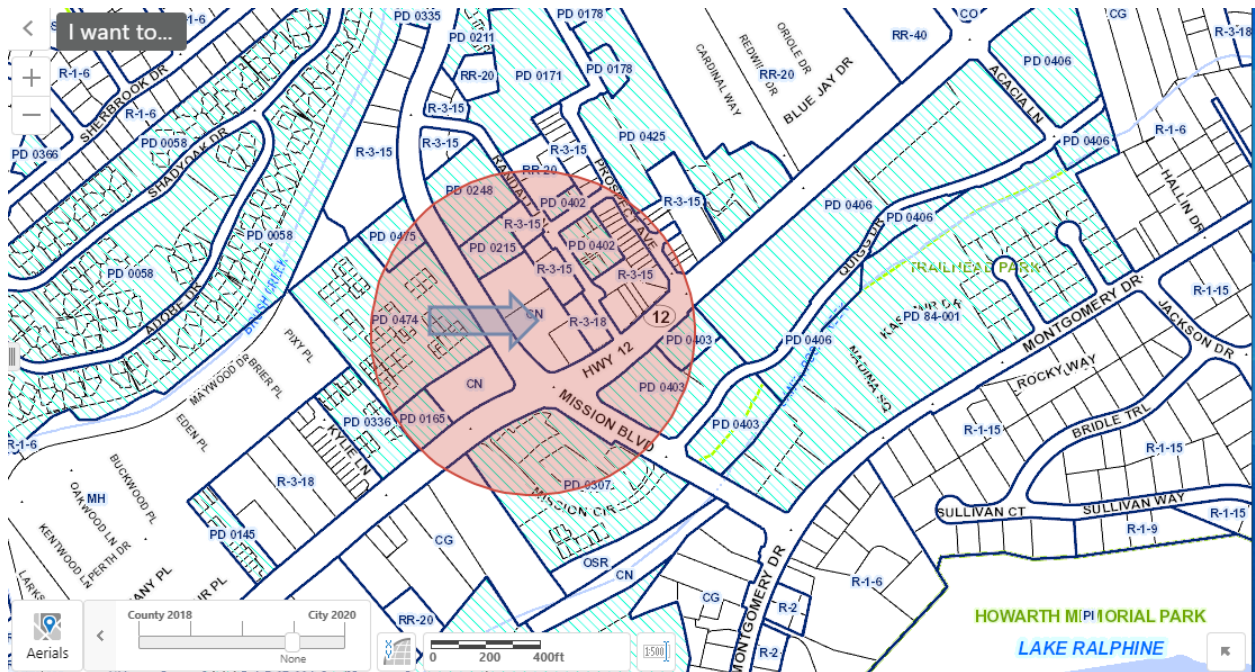
- a. Flora Terra will not engage in cannabis delivery sales.

C. Drive-through services

- a. Flora Terra will not have a drive-through or walk up window.

D. Location requirements

- a. Overconcentration: Flora Terra will not be within 600ft radius of any current Cannabis Retail facilities. The diagram below shows the current setbacks.



- b. Setback to schools: California Business & Professions Code section 26054 requires cannabis licensees to be at least 600 feet from grade schools, day care centers, or youth centers. Santa Rosa has not set a different required radius. The Parcel easily meets this requirement,
- c. Visibility of entrance: Flora Terra has an unobstructed view of the public entrance from 4th Street.

E. Edible products

- a. Upon approval of Flora Terra's Use Permit, Flora Terra is prepared to comply with all applicable Sonoma County requirements, including securing a permit from the Department of Health Services for the sale of edible products.

F. Operational requirements

- a. **Employees:** Flora Terra is currently operating in Santa Rosa and will use the existing management and staff employed by the company to train new employees at the proposed location 4575 Highway 12. Hiring practices will focus on the Santa Rosa and Sonoma County employee pool. Employees and managers receive extensive training on safety and best management practices, the requirements of Santa Rosa ordinances, California regulations, and the requirements of Flora Terra's permits and licenses. Flora Terra supports the City of Santa Rosa's goals of creating a sustainable jobs base and head-of-household jobs. Flora Terra is committed to paying a living wage and will set the minimum compensation at \$18.00 per hour after a probationary period. Flora Terra also provides paid time off, sick time, and a comprehensive health plan to all full-time employees after the probationary period. The Applicant will ensure an employee roster will be maintained to include the first and last names, date of birth, and employee identification number of all active employees.

- b. **Recordkeeping:** Flora Terra will utilize Treez, a State approved POS Software to maintain customer/patient sales records in accordance with State law. Treez software is a cloud based service for cannabis retail operators.
- c. **Entering the site:** No person shall be permitted to enter Flora Terra without government issued photo identification. Identification is scanned into the Treez POS system and visually inspected to ensure authenticity. In compliance with local and state laws, Flora Terra will not sell cannabis to any person who does not possess a valid government-issued photo identification card and a valid physician's recommendation under Section 11362.712 of the Health and Safety Code for medical patients.
- d. **Hours of operation:** Retail hours of operation will be 9am-9pm 7 days per week.
- e. **Secured access:** Cannabis and cannabis products that are not used for display purposes or for immediate sale will remain locked in a secured room that is only accessible by authorized employees. A keycard entrance will be used to prevent unauthorized individuals from accessing the area.
- f. **Sale of paraphernalia:** Flora Terra will provide a small offering of smoking devices available for sale to customers. All sales will comply with local and State regulations.
- g. **Onsite physician restriction:** Flora Terra will not employ an onsite physician in accordance with local regulations.
- h. **Site management:** Flora Terra will employ qualified security personnel to discourage and correct any behavior that may constitute a nuisance surrounding the premise and adjacent properties. Should we determine that any of our customers are causing a nuisance, a warning notice will be issued, if the behavior continues the customer will be banned from Flora Terra. At Flora Terra's existing retail store located at 1825 Empire Industrial Court, the POS system tracks customer profiles allowing the security team to place warnings on customer accounts. We have found this highly effective in customer management and have banned customers from the premise for causing a nuisance.
- i. **Display of permit:** Upon issuance of any license, Flora Terra will prominently display the license on the licensed premises where it can be viewed by state and local agencies and within plain sight of the public.
- j. **Onsite consumption:** No onsite consumption will be permitted. Signs will be posted around the premises indicating that no onsite consumption will be permitted in accordance with local and State regulations.

Design Concept:

Flora Terra will be designed similarly to the existing location at 1825 Empire Industrial Court pictured below. The design has a boutique feel with wood and glass fixtures, elegant mural designs on the interior walls, and a limited selection of products available for sale.

The floor plans submitted with the permit application describe the internal modifications to the Building, including the layout and square footages for the various planned uses.

