

RECEIVED

CK# 4539

DEC 10 2018

APPEAL FORM

CITY OF SANTA ROSA  
CITY CLERK'S OFFICE

Fee: 509<sup>00</sup>

Date Received: \_\_\_\_\_

City Clerk's Office/Rec'd by: Sandra Bliss

Name of Appellant: SANTA ROSA CITY SCHOOLS

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL:

The above named appellant does hereby appeal to your Honorable Body the following:

The decision of the: (List Board/Commission/Dept.) CITY PLANNING COMMISSION

Decision date: NOVEMBER 29, 2018

Decision: (approval, denial, other) APPROVAL

Name of Applicant/Owner/Developer: BKIND

Type of application: (Rezoning, Tentative Map, etc.) CONDITIONAL USE PERMIT

Street address of subject property: 1128 SONOMA AVE

The grounds upon which this appeal is filed are: (List all grounds relied upon in making this appeal. Attach additional sheets if more space is needed.)

- 1. Proximity to the Santa Rosa French-American Charter School
- 2. \_\_\_\_\_

The specific action which the undersigned wants the City Council to take is: (Attach additional sheets if more space is needed.)

Appeals shall be submitted in writing.....on a City application form within 10 calendar days after the date of the decision. The time limit will extend to the following business day where the last of the specified number of days falls on a day that the City is not open for business.

[Signature] \_\_\_\_\_ Date \_\_\_\_\_  
Diann Kitamura 211 RIDGWAY AVE, SANTA ROSA, CA 95401  
 Applicant's Name (type or print) Address  
707-890-3800 x 80101  
 Daytime Phone Number Home Phone Number



*Diann Kitamura, Superintendent*  
211 Ridgway Ave  
Santa Rosa, CA 95401  
Ph: (707) 890-3900 ext. 80101  
E-mail: [dkitamura@srcs.k12.ca.us](mailto:dkitamura@srcs.k12.ca.us)

December 7, 2018

Santa Rosa City Council  
Attn: Daisy Gomez, City Clerk  
100 Santa Rosa Avenue, Room 10  
Santa Rosa, California 95404

**RE: Santa Rosa City School District's Appeal of the Santa Rosa City Planning Commission's Approval of a Conditional Use Permit to BKind (CUP18-079)**

To the Honorable Mayor and Members of the Santa Rosa City Council:

Pursuant to, and in further support of, the attached Appeal Form, the Santa Rosa City School District ("District") hereby appeals the Santa Rosa City Planning Commission's ("SRCPC") decision to award Conditional Use Permit ("CUP"), CUP18-079 to BKind, a cannabis retail dispensary and delivery business, at the SRCPC's November 29, 2018 meeting.<sup>1</sup>

The District submits the analysis below in support of its appeal of the SRCPC's award of CUP18-079 to BKind.

**I. Introduction and Background**

On November 29, 2018, the Santa Rosa City Planning Commission approved an application for Conditional Use Permit, CUP18-079 to BKind, a cannabis retail dispensary and delivery business proposed in an existing 2,280 square foot medical office building in the Office Commercial (CO) zoning district, located at 1128 Sonoma Avenue, Santa Rosa, California 95405. (**Exhibit "A," p. 4.**) Attached hereto as **Exhibit "A"** is a true and correct copy of the SRCPC's Regular Meeting Agenda and Summary Report, dated November 29, 2018.

The District's Santa Rosa French-American Charter School ("School"), is located at 1350 Sonoma Avenue, Santa Rosa, California just 685 feet to the east of the BKind location. (**Exhibit "B," p. 7.**) There are also adjacent residences and a city park in close proximity to proposed BKind location. (See **Exhibit "B."**) Attached hereto as **Exhibit "B"** is a true and correct copy of the City of Santa Rosa's Planning and Economic Development Department Staff Report for Planning Commission, dated November 29, 2018 ("Staff Report").

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<sup>1</sup> Pursuant to Government Code section 6103, the District is exempt from the filing fee for this appeal. (See City of Santa Rosa Ordinance, 20-62.030.)

December 7, 2017

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As early as May 2018, neighbors and parents of students at the School began voicing concerns and opposition to various City departments regarding the location of this cannabis dispensary and delivery service, as well as issues of public safety. (**Exhibit "B," p. 11.**) Specifically, parents and community members have repeatedly raised the following concerns with City agencies regarding the likely effects of having a cannabis facility at BKind's proposed location, including but not limited to:

- Exposure of minors to cannabis;
- Public safety concerns, including but not limited to crime and noise;
- Motorists under the influence of marijuana will frequent the dispensary and be on roads near the School where children congregate creating a potentially unsafe situation; and
- Overall negative impacts of a cannabis facility in such close proximity to the School and surrounding residential and public city park areas. (*Id.*)

Both the District and local parents are troubled by the SRCPC's approval of the CUP to BKind, allowing a cannabis dispensary and delivery service to be located within 1,000 feet of the school.

## **II. District's Appeal to City Council**

The City's Office Commercial (CO) zoning district allows for a cannabis retail dispensary and delivery service subject to discretionary approval of a conditional use permit. (See **Exhibit "B," p. 6;** see also, Health and Safety Code, § 11362.768, subd. (b); City of Santa Rosa Ordinance, ORD-2017-025, 20-46.080, D.2.)

- a. This Project Is Only Eighty-Five (85) Feet Away From Violating The City's Own Standard

The School is located 685 feet (approximately two football fields) from the proposed marijuana dispensary. The City itself has prohibited dispensaries from operating within 600 feet of schools, and the 85-foot difference is not meaningful. It would take no more than minutes to walk from the School to the BKind location. (See **Exhibit "C".**) Attached hereto as **Exhibit "C"** is a true and correct copy of Attachment 2 – Location Map 1128 Sonoma Avenue to the CPC's November 29, 2018 Agenda wherein the District identifies the School's proximate location to BKind's cannabis facility, providing a visual of the close proximity between BKind and the School.)

We believe the State legislature and the City had good reasons for not wanting a dispensary too close to a school site. Those reasons hold just as true in this case, despite the additional 85 feet of distance between the school and the project site. If there ever could be a time

when a project could be *more than* 600 feet from a school, but *still too close* to grant a CUP, this would be that time.

b. It Does Not Make Good Sense To Permit A Cannabis Business to be Operated Within A Shorter Distance To Schools Than The Business Can Be Advertised (Within 1,000 Feet).

The City's own cannabis regulations provide "[a] **Cannabis Retail facility shall not advertise or market 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." (City of Santa Rosa Ordinance, ORD-2017-025, 20.46.080, F.10; emphasis added.)

The District does not believe it makes good logical sense to permit the *operation* of a business, within a closer distance than the *advertisement* of such business. This is particularly true where the "gap" is just 85 feet.

This is particularly true where, as here, the business in question will have its own large signage *advertising* the business on its own site. The proposed building will be an attractive advertisement *on its own*, and in addition to advertising will actually *carry out* the business being promoted.

c. Requiring A 1,000 Foot Setback Would Yield Better Results

Some local agencies require a 1,000 foot setback from schools. For example, the County of Sonoma requires that dispensaries be located at least 1,000-feet from schools. (See Sonoma County Code section 26-88-256.) Similarly, Sonoma County requires that "[s]mall alcoholic beverage retail establishments shall be separated by a **minimum of 1,000 feet from all schools...**" (Sonoma County Ordinance, § 26-88-195, subd. (b).)

The School District believes that using a 1,000 foot setback requirement would yield better results for students and the community. However, we respect the City's right to enact its own ordinances, and we do not purport to change the City's ordinances through this appeal procedure. Nevertheless, we feel that an 85-foot difference in this case is too small to protect the children attending the school. There are surely other places in the City where this business could operate successfully.

c. Similar to Sonoma County (And Other Local Agencies), Federal Law Enhances Criminal Penalties For Marijuana Use Within 1,000 Feet of Schools

21 U.S.C.A. § 860(a) *doubles* federal sentencing penalties for the distribution of marijuana within 1,000 feet of any school. Thus, by approving this CUP (and, more generally, by using less than a 1,000 foot setback requirement) the City will subject the business and its principals to more severe federal penalties than would otherwise be necessary. Again,

December 7, 2017

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using a 1,000 foot setback would make the City's standards consistent with the County and Federal Law.

**III. Conclusion and Recommended Action**

For the foregoing reasons, the District respectfully requests that the Honorable Members of the Santa Rosa City Council **reverse** the City Planning Commission's decision awarding a Conditional Use Permit to BKind at 1128 Sonoma Avenue, Santa Rosa, CA – a location only minutes away by foot from the Santa Rosa City School District's French-American Charter School.

Thank you in advance for your time and consideration of this appeal.

Sincerely,



Diann Kitamura  
Santa Rosa City School District

Enclosures

**ZONING CODE PROVISIONS RELATING TO APPEALS:**

NOTE: "DRB" refers to the Design Review Board, "CHB" refers to the Cultural Heritage Board, and "Commission" refers to the Planning Commission.

**ARTICLE 20-62 - APPEALS****20-62.030 - Filing and Processing of Appeals**

- A. Eligibility.** Any action by the.....DRB, CHB, or the Commission in the administration or enforcement of the provisions of this Zoning Code may be appealed by any aggrieved person in compliance with this Article....
- B. Timing and form of appeal.**
- 1. General appeals.** Appeals shall be submitted in writing, and filed .....on a City application form within 10 calendar days after the date of the decision. The time limit will extend to the following business day where the last of the specified number of days falls on a day that the City is not open for business.

**20-62.030 - Filing and Processing of Appeals**

- 3. Place for filing**
- c. Appeals from the decisions of the DRB, CHB, or Commission shall be addressed to the Council and filed with the City Clerk.
- 4. Pertinent facts.** The written appeal shall state the pertinent facts of the case and shall specify the following:
- a. The decision appealed from (e.g., City assigned case number).
- b. The basis for the appeal.
- c. The specific action which the appellant wants taken in the appeal.
- d. Each and every ground upon which the appellant relies in making the appeal.
- 5. Filing fee.** Appeals shall be accompanied by the required filing fee, in compliance with the Council's Fee Schedule.

**Sonoma County**  
Office of Education5340 Skylane Boulevard  
Santa Rosa, CA 95403-8246  
(707) 524-2600 | scoe.org

December 4, 2018

Scott Davison, Contract Project Planner  
County of Sonoma  
VIA EMAIL: [scottd@migcom.com](mailto:scottd@migcom.com)Matter: File No. UPC17-0100  
Property Address: 3418 Standish Avenue, Santa Rosa  
APN: 134-102-094

Dear Mr. Davidson,

Thank you for providing notice of the cannabis business requesting a permit to operate at 3418 Standish Avenue in Santa Rosa. Fortunately, this property is not within 1,000 feet of Amarosa Academy, the alternative education school operated by the Sonoma County Office of Education (SCOE), so we have no objection to the granting the permit. You also informed us of additional properties located on Standish Avenue that are planned for cannabis manufacturing and distribution, however none of those properties are within 1,000 feet of a SCOE school.

With that said, please be advised that SCOE will continue to object to any cannabis-related operation within 1,000 feet of a public school in Sonoma County per the federal Safe Schools and Drug Free Act. Our office will work with the U.S. Attorney's office to exercise our rights in accordance with the federal statute. Please see the attached letters that were sent from the U.S. Attorney to cannabis operations in Colorado who were in violation of the 1,000-foot standard established by the federal law. Our hope is that this level of enforcement will not be necessary in Santa Rosa or throughout Sonoma County.

Thank you again for the continued communication and partnership. We appreciate the opportunity to provide input in the interest of student health and safety.

Sincerely,

A handwritten signature in cursive script that reads "Herrington".

Steven D. Herrington, Ph.D.  
Sonoma County Superintendent of Schools

cc: Sonoma County Board of Supervisors:

James Gore  
Susan Gorin  
Lynda Hopkins  
David Rabbitt  
Shirlee ZaneSteven D. Herrington | Sonoma County Superintendent of Schools  
Board of Education | Gina Cuclis, Herman G. Hernandez, Peter Kostas, Andrew Leonard, Lisa Wittke Schaffner



U.S. DEPARTMENT OF JUSTICE

John F. Walsh  
United States Attorney  
District of Colorado

1225 Seventeenth Street, Suite 700 (303) 454-0100  
Seventeenth Street Plaza (FAX) (303) 454-0102  
Denver, Colorado 80202

January 12, 2012

Via Certified Mail and First Class Mail

[Redacted]

Cert Mail No. 7007 1490 0001 4784 0215

[Redacted]

Cert Mail No. 7007 1490 0001 4784 0222

Re: [Redacted]

Dear [Redacted]

I am writing regarding the marijuana dispensary operating under the business name [Redacted], located at [Redacted], which property you own or have under your control and management. This property and the dispensary operating on it is located within 1,000 feet of a school, specifically, [Redacted].

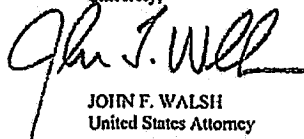
Federal law prohibits the manufacture, distribution, and possession of marijuana, except as provided under the strict control provisions of the Controlled Substances Act. The dispensary is operating in violation of federal law, and the Department of Justice has the authority to enforce the federal law even when such activities may be permitted under state law. Persons and entities who operate or facilitate the operation of such dispensaries are subject to criminal prosecution and civil enforcement actions under federal law. Moreover, because the dispensary is operating within 1,000 feet of a school, enhanced federal penalties apply. See 21 U.S.C. § 860(a).



The provisions of federal law relating to controlled substances have direct and unambiguous implications for property owners and managers. Specifically, Title 21, United States Code, Section 856(a) provides that it is unlawful to "knowingly and intentionally rent, lease, profit from, or make available for use, with or without compensation, [a] place for the purpose of unlawfully manufacturing, storing, distributing, or using a controlled substance." A violation of this provision may result in criminal prosecution and civil penalties. In addition, any person or entity with an ownership interest in real property, with knowledge or reason to know that the real property is being used for illegal drug sales, may have his interest in the property forfeited to the government without compensation. See 21 U.S.C. § 881(a)(7).

This letter constitutes formal notification that a marijuana dispensary is operating on the above described property in violation of federal law. You are further advised that the real property is subject to forfeiture, and any money you receive, or have received, from the dispensary owner may also be subject to seizure and forfeiture. This letter also constitutes formal notice that action will be taken to seize and forfeit such property if you do not cause the sale and/or distribution of marijuana and marijuana-infused substances at the above referenced location to be discontinued within 45 days from the date of this letter, specifically, by Monday, February 27, 2012. Your prompt attention to this matter is strongly advised.

Sincerely,



JOHN F. WALSH  
United States Attorney

JFW/jc



U.S. DEPARTMENT OF JUSTICE

John F. Walsh  
United States Attorney  
District of Colorado

1225 Seventeenth Street, Suite 700 (303) 454-0169  
Seventeenth Street Plaza (FAX) (303) 454-0402  
Denver, Colorado 80202

January 12, 2012

Via Certified Mail and First Class Mail

[REDACTED]

Cert Mail No. 7007 1490 0001 4784 0185

[REDACTED]

Cert Mail No. 7007 1490 0001 4784 0192

[REDACTED]

Cert Mail No. 7007 1490 0001 4784 0208

Re: *Medical Marijuana Dispensary located at* [REDACTED]

Dear [REDACTED]

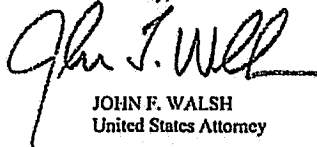
I am writing regarding the marijuana dispensary operating under the business name [REDACTED], located at [REDACTED], which business you operate or have under your control and management. This dispensary is located within 1,000 feet of a school, specifically, [REDACTED].

Federal law prohibits the manufacture, distribution, and possession of marijuana, except as provided under the strict control provisions of the Controlled Substances Act. The dispensary is operating in violation of federal law, and the Department of Justice has the authority to enforce the

federal law where appropriate even when such activities may be permitted under state law. Persons and entities who operate or facilitate the operation of such dispensaries are subject to criminal prosecution and civil enforcement actions under federal law. Moreover, because the dispensary is operating within 1,000 feet of a school, enhanced federal penalties apply. See 21 U.S.C. § 860(a).

In addition to potential criminal prosecution and civil enforcement actions, you are further advised that real and personal property involved in the sale and distribution of marijuana is subject to seizure by and forfeiture to the United States, even if in compliance with state law. See 21 U.S.C. § 881. This letter constitutes formal notification that action will be taken to seize and forfeit such property if you do not discontinue the sale and/or distribution of marijuana and marijuana infused products within 45 days from the date of this letter, specifically, by Monday, February 27, 2012. Your prompt attention to this matter is strongly advised.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Walsh". The signature is written in a cursive style with a long horizontal stroke at the end.

JOHN F. WALSH  
United States Attorney

JFW/jc

# Exhibit "A"



## City of Santa Rosa

City Hall, Council  
Chamber  
100 Santa Rosa Ave  
Santa Rosa, CA

### PLANNING COMMISSION REGULAR MEETING AGENDA AND SUMMARY REPORT NOVEMBER 29, 2018

**3:00 P.M.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF MINUTES**

3.1 October 25, 2018 Draft Minutes

**Attachments:** October 25, 2018 DRAFT minutes

**4. PUBLIC COMMENTS**

Except for public hearing agenda items, the public may comment on all other agenda items and on items not on the agenda within the jurisdiction of the Planning Commission during this period. The public may comment on public hearing agenda items when the hearing is opened. Each speaker is allowed three minutes.

**5. PLANNING COMMISSIONERS' REPORT**

**6. DEPARTMENT REPORTS**

**7. STATEMENTS OF ABSTENTION BY COMMISSIONERS**

**8. STUDY SESSION**

**9. CONSENT ITEMS**

**10. PUBLIC HEARINGS**

**ITEMS HEARD AT OR AFTER 3:00 P.M.**

10.1 ONE-TIME, AUTOMATIC, 12 MONTH TENTATIVE MAP EXTENSION, -  
REZONING (ZONING CODE TEXT AMENDMENT) - CITYWIDE -  
REZ18-012

BACKGROUND: Zoning Code Text Amendment for a one-time, automatic, 12-month extension for tentative maps, and associated entitlements valid on October 9, 2017.

Amy Nicholson, City Planner.

**Attachments:** Staff Report  
Attachment 1 - Tentative Maps Eligible for Automatic Exter  
Staff Presentation  
Resolution

**10.2\*** PANERA BREAD & CAFE - CONDITIONAL USE PERMIT - 885  
 HOPPER AVE - CUP18-120

BACKGROUND: New Panera Bread a fast casual dining restaurant with drive-thru in the Resilient City Overlay District. The original site was an Applebee's prior to the October Fire.

Adam Ross, City Planner.

**Attachments:** Staff Report  
Attachment 1 - Disclosure Form  
Attachment 2 - Vicinity Map  
Attachment 3 - Site Analysis Map  
Attachment 4 - Project Plans  
Attachment 5 - Floor Plan  
Attachment 6 - Landscape Plan  
Attachment 7 - Prunus Caroliniana Bright 'n' Tight  
Attachment 8 - Proposed Elevations  
Attachment 9 - Traffic Study  
Attachment 10 - Exhibit A  
Resolution  
Staff Presentation

**10.3\*** RESIDENCE INN BY MARRIOTT - CONDITIONAL USE PERMIT AND  
 HILLSIDE DEVELOPMENT PERMIT - 3558 ROUND BARN CIR -  
 PRJ17-045

BACKGROUND: The proposal includes the construction and operation of a four-story, 114-room hotel. A new 92,100 square foot building would occupy the undeveloped 4.6-acre project parcel. In addition to hotel rooms, the project includes a fitness facility and outdoor amenities, including a pool. One hundred sixteen on-site parking spaces are proposed within a surface parking lot. Construction of the project is contingent upon approval of a Conditional Use Permit, Hillside Development Permit and Design Review.

Gary Broad, Planning Consultant.

**Attachments:** Staff Report  
Attachment 1 - Disclosure Form  
Attachment 2 - Location and Neighborhood Context Map  
Attachment 3 - Site Plan  
Attachment 4 - Elevations, Floor Plans, and Sections  
Attachment 5 - Renderings  
Attachment 6 - Landscape Plan  
Attachment 7 - Grading Plan  
Attachment 8 - Project Narrative and Visual Analysis  
Attachment 9 - Slope Analysis  
Attachment 10 - Traffic Study, prepared by W-Trans, dated  
Attachment 11 - Biological Assessment, prepared by Lucy  
Attachment 12 - Climate Action Plan Appendix E New Dev  
Attachment 13 - Improvement Plan for Lot 6 of Fountaingrc  
Attachment 14 - February 2017 Concept DR Plans and Mir  
Attachment 15 - October 2016 Concept DR Plans and Mini  
Attachment 16 - Policy Statement for PD 72-001  
Attachment 17 - Public Correspondence  
Resolution 1  
Resolution 1 Exhibit A  
Resolution 2  
Staff Presentation.pdf  
Late Correspondence Residence Inn as of 11.29.pdf

**ITEMS HEARD AT OR AFTER 4:00 P.M.**

**(THE PLANNING COMMISSION MAY RECESS DURING THE EVENING FOR A BRIEF BREAK)**

- 10.4\*** BKIND - EXEMPT PROJECT - CONDITIONAL USE PERMIT - 1128 SONOMA AVE - CUP18-079

BACKGROUND: BKind is a cannabis retail (dispensary) and delivery business proposed in an existing 2,280 square foot medical office building in the Office Commercial zoning district at 1128 Sonoma Ave.

Emmanuel Ursu, Planning Consultant.

**Attachments:** Staff Report

Attachment 1 - Disclosure Form

Attachment 2 - Location Map 1128 Sonoma Ave

Attachment 3 - Neighborhood Context Map

Attachment 4 - Proximity to schools

Attachment 5 - Project Narrative

Attachment 6 - Plans

Attachment 7 - Trip Generation Study

Attachment 8 - Odor Mitigation Plan

Attachment 9 - CC ORD-2017-025

Attachment 10 - Chapter 20-46 CANNABIS

Attachment 11 - Chapter 17-16 NOISE

Attachment 12 - Public Correspondence

Resolution

Staff Presentation

Late Correspondence Bkind as of 11.29

- 10.5\*** SONOMA PATIENT GROUP, INC. - CONDITIONAL USE PERMIT - 2265 CLEVELAND AVE - CUP18-046

BACKGROUND: Application for Major Conditional Use Permit for Sonoma Patient Group, Inc., proposing a medicinal and adult use retail cannabis dispensary with delivery services, on-site consumption, and



special events that do not require a special cannabis event permit in an existing 3557 sq.ft. building with addition of 660 sq.ft. screened-in porch on a 16,552 sq.ft. parcel.

Adam Ross, City Planner.

**Attachments:** Staff Report  
Attachment 1 - Disclosure Form  
Attachment 2 - Vicinity Map  
Attachment 3 - Neighborhood Context Map  
Attachment 4 - Project Narrative  
Attachment 5 - Updated Project Plans dated Received Oct  
Attachment 6 - Certified Odor Mitigation Plan  
Attachment 7 - Focused Traffic Study  
Resolution  
Exhibit A  
Staff Presentation  
Late Correspondence

**10.6\*** RADIANT FARMS, EXEMPT PROJECT - CONDITIONAL USE PERMIT  
- 1821 EMPIRE INDUSTRIAL COURT, SUITE G - CUP18-095

BACKGROUND: Radiant Farms is a cannabis manufacturing facility for medicinal and adult use products, involving both volatile and non-volatile manufacturing processes. The use will occupy a 1,371-square foot space of an existing industrial building, of which approximately 160 square feet will be designated for volatile manufacturing, 375 square feet for non-volatile manufacturing, and the remainder to machine room, walk-in freezer, and other support service areas.

Susie Murray, Senior Planner.

**Attachments:** Staff Report  
Attachment 1 - Disclosure Form  
Attachment 2 - Location Map  
Attachment 3 - Neighborhood Context Map  
Attachment 4 - Project Narrative  
Attachment 5 - Project Plans  
Attachment 6 - Odor Mitigation Plan  
Attachment 7 - CC ORD-2017-025  
Attachment 8 - Cannabis Applications Citywide  
Attachment 9 - Zoning Code Chapter 20-46 (Cannabis)  
Attachment 10 - Policy Statement  
Attachment 11 - Noise Ordinance, City Code Chapter 17-11  
Attachment 12 - Equipment Specifications  
Attachment 13 - Public Correspondence  
Resolution  
Staff Presentation  
Late Correspondence

**10.7\*** MONTECITO TOWNHOMES, EXEMPT PROJECT - TENTATIVE MAP  
AND CONDITIONAL USE PERMIT - 0 MONTECITO BOULEVARD -  
PRJ17-077; CUP17-136; MAJ17-004

BACKGROUND: The project is a request for a tentative map with a residential small lot subdivision conditional use permit to create eight fee simple lots on a vacant 0.5-acre property on which eight attached single-family dwellings (townhouses) are proposed. A shared 25-foot wide driveway easement would provide access to the new dwellings from Montecito Boulevard.

Aaron Hollister, Planning Consultant.

**Attachments:** Staff Report  
Attachment 1 - Disclosure Form  
Attachment 2 - Location Map  
Attachment 3 - General Plan and Zoning Map  
Attachment 4 - Tentative Map  
Attachment 5 - Development-Architectural Plans  
Attachment 6 - Landscape Plans  
Attachment 7 - Public Comment  
Resolution 1 - Residential Small Lot CUP  
Resolution 2 - Tentative Map  
Resolution 2 Exhibit A  
Staff Presentation

## 11. ADJOURNMENT

\*Ex parte communication disclosure required.

The City of Santa Rosa does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings are available by contacting the Board Secretary at 543-3190 one week prior to the meeting. TDD 543-3063

Meeting information can also be accessed via the internet at <http://srcity.org>

Any supplemental writings or documents regarding an agenda item that are distributed to a majority of the Planning Commission after the posting of this agenda will be available for public inspection in the Office of the Planning and Economic Development Department, City Hall Room 3, during normal business hours and available after the meeting on the internet at [santa-rosa.legistar.com](http://santa-rosa.legistar.com)

# Exhibit "B"

CITY OF SANTA ROSA  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR PLANNING COMMISSION  
November 29, 2018

**PROJECT TITLE**

BKind Dispensary

**APPLICANT**Douglas Cortina,  
BKind, LLC**ADDRESS/LOCATION**

1128 Sonoma Ave.

**PROPERTY OWNER**David Marcus Trust and  
Jacqueline Zajac Marcus Trust**ASSESSOR'S PARCEL NUMBER**

014-121-002

**FILE NUMBER**

CUP18-079

**APPLICATION DATE**

April 18, 2018

**APPLICATION COMPLETION DATE**

June 27, 2018

**REQUESTED ENTITLEMENTS**

Conditional Use Permit (CUP)

**FURTHER ACTIONS REQUIRED**

None

**PROJECT SITE ZONING**

Office Commercial (CO)

**GENERAL PLAN DESIGNATION**

Office

**PROJECT PLANNER**

Emmanuel Ursu

**RECOMMENDATION**

Approval

BKind  
PAGE 2 OF 14

Agenda Item # 10.4  
For Planning Commission Meeting of: November 29, 2018

CITY OF SANTA ROSA  
PLANNING COMMISSION

TO: CHAIR EDMONDSON AND MEMBERS OF THE COMMISSION

FROM: EMMANUEL URSU, CONSULTING PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT

SUBJECT: BKind DISPENSARY AND DELIVERY

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, approve a Conditional Use Permit to allow cannabis retail (dispensary) and delivery for medical and adult use.

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EXECUTIVE SUMMARY

BKind Dispensary (Project) proposes to operate a cannabis retail and delivery business for medical and adult use (State license Type 10) in an approximately 2,314 square foot building. Retail and delivery operations of the dispensary are proposed seven days a week between 9 a.m. and 9 p.m. To ensure compatibility with the abutting residential uses, staff recommends limiting the hours of retail operation Sunday through Thursday between 9 a.m. and 7 p.m. with delivery service allowed 9 a.m. to 9 p.m. seven days a week. In addition, to mitigate light and noise impacts on the adjacent multi-family property to the west, staff recommends a fence or wall be installed along segments of the property line in front of the parking spaces facing the adjacent residences. The applicant supports the recommended reduction in hours of retail operation and screening along the west property line.

Proximity to Santa Rosa French-American Charter School located approximately 685 feet east of the Project site along Sonoma Ave and to adjacent residences is the basis for public objection to the proposed application. The Planning Commission is being asked to act on the Conditional Use Permit.

BKind  
PAGE 3 OF 14

## BACKGROUND

On December 19, 2017, the City Council enacted comprehensive regulations for cannabis (ORD-2017-025), which occurred after the State of California approved the sale of cannabis for adult use.

### 1. Project Description

The Project is in the northeast quadrant of Santa Rosa on a 0.27-acre site in the Office Commercial (CO) zoning district. Operations are proposed in an existing one-story, 2,314 square foot, rectangular building constructed in 1962 that will be modified to accommodate the proposed dispensary and delivery operations. Floor area will be allocated as follows: retail 634 square feet; storage 421 square feet; offices 228 square feet; processing 255 square feet; delivery operations 178 square feet; and utility room, restroom, and hallways make up the balance of the space. Nine on-site parking spaces will be provided including one handicap accessible space in the existing parking lot located at the rear of the building. Access to the parking lot is provided via a private lane that also provides access to the adjacent multi-family property to the east and to approximately six single-family properties south of the project site.

#### Dispensary

In compliance with Zoning Code Section 20-46.080(f)(4), the applicant proposes the dispensary to be open to the public from 9:00 a.m. to 9:00 p.m. seven days per week. Deliveries of cannabis products within Santa Rosa are also proposed during the same hours that the dispensary operates. A recommended condition of approval is to limit the retail hours from 9 a.m. to 7 p.m. Sunday through Thursday.

A detailed description of the retail and delivery operation is included in the Project narrative provided by the applicant.

#### Cultivation and Distribution

Cannabis cultivation and distribution are not a part of the proposed application.

#### Building Modifications

Exterior modifications are limited to lighting, security-monitoring equipment (cameras) and restriping the parking lot to accommodate handicap parking. Minor tenant improvements are proposed inside the building including enlarging bathrooms to meet current code standards and reconfiguration of interior walls. No off-site improvements are required. Staff recommends a fence or wall be installed along portions of the west property line to screen the adjacent residences from the dispensary parking lot. Approval of the fence and exterior

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lighting will be subject to administrative design review.

### State Requirements

The applicant will hold a Type 10 State license which allows retail sales and delivery of cannabis products. The Project will be required to adhere to State Bureau of Cannabis Control licensing and operating procedures in addition to operational provisions of Zoning Code Chapter 20-46.

## 2. Surrounding Land Uses

North: Commercial (Medical, insurance and mental health services)

South: Single-family residential

East: Multi-family residential

West: Multi-family residential

Multi-family residential uses are located on the adjacent properties to the west and east of the Project site and single-family residences are located behind the site to the south. Medical, insurance and mental health services are located on the north side of Sonoma Ave, across the street from the Project site.

There are no other cannabis related uses near the Project.

## 3. Existing Land Use – Project Site

A low-lying, single-story office building with a history of medical uses occupies the site. The building is currently used for cosmetic surgery and doctors' offices. According to the applicant, the medical office typically closes at 5 p.m. and occasionally has clients on-site until 6 p.m.

## 4. Project History

- On April 18, 2018, the Conditional Use Permit application was submitted to Planning and Economic Development.
- On May 9, 2018, a Neighborhood Meeting was held. Comments are summarized in the Public Comments section of this report.
- On May 31, 2018 the application was deemed incomplete.
- The applicant submitted supplemental information dated June 18, 2018
- On July 26, 2018 the application was deemed complete.

PRIOR CITY COUNCIL REVIEW



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Not applicable.

## ANALYSIS

### 1. Santa Rosa General Plan 2035

The site is designated Office on the General Plan Land Use Diagram. This classification is intended to accommodate administrative, financial, business, professional, medical, and public offices. (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, business parks, offices and industrial areas.

The Zoning Code specifically identifies the Office Commercial zoning district as a district appropriate for cannabis retail (dispensary) and delivery. Although Cannabis uses are not explicitly addressed in the General Plan, the Office Commercial zoning district allows other uses with operational patterns similar to the operational patterns (i.e. traffic, parking, hours of operation) of cannabis retail and delivery, include pharmacies, restaurants (including those serving alcohol), and neighborhood centers.

Medical and adult use cannabis retail and delivery are consistent with the General Plan goals and policies of the Office land use designation. Specifically, the proposed dispensary 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 conditions of approval and operational and security measures.

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2. Other Applicable Plans

Not applicable.

3. Zoning

The Project site is within the Office Commercial (CO) zoning district, which is consistent with the Office General Plan land use designation. Surrounding zoning districts include:

North: Office Commercial

South: Single Family Residential (R-1-6)

East: Multi-Family Residential (R-318)

West: Office Commercial

Zoning Code Section 20-23.020(A) describes the purposes of the Office Commercial zoning district and the manner in which the district is applied as follows:

*“CO (Office Commercial) district. The CO zoning district is applied to areas appropriate for administrative, business, financial, medical, professional, and public office uses, together with similar and related compatible uses. Residential uses may also be accommodated as part of mixed use projects. The CO zoning district is consistent with and implements the Office land use classification of the General Plan.”*

Cannabis retail (dispensary) and delivery is an allowed use in the CO zoning district subject to discretionary approval of a conditional use permit when setback no less than 600 feet from a school and from any other cannabis retail use within and permitted by the City of Santa Rosa. “School” as defined by Health and Safety Code Section 11362.768 applies to this section of the Zoning Code.

Zoning Code Chapter 20-46 provides operational requirements for commercial cannabis facilities. The project narrative demonstrates the applicant’s building improvement plan and operational plan for compliance with standards relating to requirements of the Zoning Code including security, lighting, odor control and noise.

**Proximity to Schools**

Both City and State regulations prohibit establishment and operation of a retail

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cannabis dispensary within 600 feet of a K-12 school as defined by Health and Safety Code Section 11362.768. Santa Rosa French-American Charter School, located at 1350 Sonoma Ave, is the closest school to the Project site and is located approximately 685 feet to the east. To determine compliance with the 600-foot separation, measurements are taken from the closest property lines, not from the closest structures. The dispensary building is approximately 700 feet from the closest school building on the Santa Rosa French-American Charter School campus. The project is consistent with the state and local regulations.

### **Concentration**

The Zoning Code limits geographic concentration of cannabis retail facilities (dispensaries) by prohibiting dispensaries within 600 feet of each other. There are no other cannabis retail facilities within 600 feet of the subject site; therefore, the Project site is not located in an "over-concentration" area.

### **Employment**

BKind will complete background checks on all employees pursuant to State and City regulations. The project narrative, attached to this report, details hiring procedures, including background checks for all new employees. The proposed employment procedures comply with Zoning Code Section 20-46.

### **Odor Control**

Zoning Code Section 20-46.050(H) require 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." To achieve compliance with Zoning Code and consistent with standard industry practices, carbon filtration through a dedicated exhaust fan and negatively pressuring odor sources is the proposed method to control odors emitted from the facility. Administrative controls will be put in place to maintain the effectiveness of the carbon filtration system. Details of the filtration system and administrative controls are provided in the Warner Mechanical Engineering, Inc. letter dated April 17, 2018 (attached).

### **Lighting**

As a part of the project, the applicant proposes to comply with the requirements of Zoning Code Sections 20-30.080: *Outdoor Lighting* and Section 20-46.80. According to the Project narrative, all outdoor areas of the premises will be illuminated, including all points of ingress and egress with stationary, fully shielded lights directed away from adjacent properties and from the public right-of-way. The Zoning Code requires (at Section 20-30.080) that exterior lights be shielded and cast downward to avoid light or glare spilling onto neighboring properties. A

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recommended condition of approval is that the applicant provide with the building permit submittal, a detailed lighting plan in compliance with the Zoning Code.

### **Noise**

Other than delivery vehicles, all operations are proposed in the fully enclosed office building located on the site in the Office Commercial zoning district. Interior operations are not anticipated to generate excessive noise. However, the frequency and duration of vehicular, pedestrian and bicycle traffic and associated noise will be greater with a retail business on the site (cannabis or otherwise) that operates seven days a week between 9 a.m. and 9 p.m. than with an office use which typically operates Monday through Friday between 8 a.m. and 5 p.m. To ensure compatibility with the residential uses immediately adjacent to three sides of the Project site, staff recommends the retail hours of operation Sunday through Thursday be limited to the hours between 9 a.m. and 7 p.m. Delivery service would be allowed between 9 a.m. and 9 p.m. seven days a week. The applicant supports this staff recommendation.

Mechanical equipment will be required to comply with the Noise Ordinance, City Code Chapter 17-16 (attached).

### **Security Plan**

Zoning Code Section 20-46.050(G) requires cannabis businesses to provide adequate security to insure the public safety and safety of persons in the facility and 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. To that end, a detailed Security Plan designed to prevent theft or diversion of any cannabis or currency, and to discourage loitering, crime, and illegal or nuisance activities is included with the Project application. Details of the plan are provided in the Project narrative which includes the following key features:

- Surveillance – Video cameras will provide 24-hour surveillance and recordings will be retained for 90 days. Cameras will be oriented to allow “clear and certain identification” of all areas of the site where cannabis is stored, sold and transferred.
- Alarm – A professionally monitored alarm system will be installed and maintained.
- Access – Commercial grade security doors will be installed at all building entrances and internally at restricted areas. In compliance with the Zoning Code, the front entrance is visible from the street. Persons under the age of 21 will not be allowed in the facility, unless they are a qualified medical patient over the age of 18.
- Security Personnel – Security personnel will be on-site to ensure

compliance with the age restrictions and to prevent nuisance activity on the site and adjacent alley.

### **Delivery Services**

BKind will provide delivery service within Santa Rosa and to locations within Sonoma County to the extent each local jurisdiction allows. The following procedures will apply:

- Deliveries will be made using company-owned vehicles equipped with GPS service.
- Delivery vehicles will also be equipped with LoJack for theft recovery, dash-mounted video cameras, and vehicle alarm system.
- Drivers will be at least 21-years of age.
- Drivers will not carry goods or cash in excess of \$3,000 at any time.
- Customers will be required to provide valid identification and sign for all deliveries.

### **Special Events**

A request for special events is not included with the subject Project. However, if in the future, the applicant wishes to host a special event, approval of a Temporary Use Permit, per Section 20-52.040 (Temporary Use Permit) will be required.

### **Parking**

After the parking lot is restriped to comply with ADA requirements, there will be nine parking spaces for the 2,314 square foot facility. One space is required for every 250 square feet of cannabis retail use resulting in a parking requirement of nine spaces (per Zoning Code Table 3-4). The project complies with the parking requirements of the Zoning Code.

### **Required Findings (as shown on the draft resolution)**

Decisions on conditional use permits are based on the six discretionary standards found in Zoning Code Section 20-.52.050(F). Applicable conditional use permit standards followed by a staff analysis of the project's compliance with the standards is as follows:

- A. The proposed cannabis retail dispensary and delivery business is allowed in

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the Office Commercial (CO) zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. Zoning Code Table 2-6 lists allowable uses within the Office Commercial Zoning District, which implements the Office General Plan land use designation, and allows cannabis retail and delivery with the approval of a major Conditional Use Permit; and

- B. The proposed cannabis dispensary and delivery facility is consistent with the General Plan land use designation of Office, which is applied to areas that are intended office uses. On December 19, 2017, the City Council adopted Ordinance No. ORD-2017-025 finding cannabis retail (dispensaries) and delivery uses appropriate in areas designated as Office on the land use diagram; and
- 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. The site is surrounded by residential uses on three sides; however, with the conditions of approval limiting hours of the retail operation Sunday through Thursday between the hours of 9 a.m. and 7 p.m. and with compliance with all operational standards of Zoning Code Chapter 20-46, the design, location, size and operating characteristics of the Project will be compatible with existing and future land uses in the vicinity.

The plans have been reviewed by City staff and the Project has been conditioned appropriately; and

- 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 Project plans demonstrate compliance with all operational standards as specified in Zoning Code Chapter 20-46, and the subject site is within a fully developed area zoned for office uses; and
- 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. With the conditions of approval restricting the hours of retail operations and requiring a fence along portions of the west property line; the proposed odor control measures; the proposed operational procedures including site and building security, storage and waste handling, inventory tracking, and age/medical restrictions; and compliance with all applicable state and local regulations, the proposed Project is consistent with surrounding land uses, including the abutting residential uses to the west, south and east. On-site security personnel will monitor the parking lot located behind the building to prevent loitering, consumption of cannabis or other nuisance activities.
- F. The proposed project has been reviewed in compliance with the California

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Environmental Quality Act (CEQA). Refer to the Environmental Review section of this report for further discussion.

4. Design Guidelines

Other than lighting, the applicant proposes no exterior modifications to the existing structure and design review is not required.

5. Historic Preservation Review Standards

Not applicable.

6. Public Comments

Neighbors and parents of students at the Santa Rosa French-American Charter School provided input on the proposed Project at a Neighborhood Meeting held on May 9, 2018 and in written and verbal communication. Neighbors and parents raised the following concerns:

- Proximity to the Santa Rosa French-American Charter School,
- Public safety, and
- Incompatibility with surrounding residential uses.

Parents, school officials and school district members have voiced opposition to the project and its proximity to the Santa Rosa French-American Charter School. Parents noted that while the Santa Rosa French-American Charter School is located slightly more than 600 feet from the proposed dispensary, the City should require a 1,000-foot setback from schools, consistent with the setback requirements for alcohol and tobacco advertisements. Parents voiced concern that motorists under the influence of marijuana will frequent the dispensary and be on the roads near the school where children congregate creating a potentially unsafe situation. Parents also expressed concern that minors will be exposed to cannabis.

Parents have stated that the additional separation will reduce the likelihood of negative impacts on schoolchildren and the City should exercise its land use discretion and place the welfare of children ahead of the recreational needs of cannabis users by requiring a larger separation between schools and cannabis dispensaries.

The project is approximately 685 feet from the Santa Rosa French-American Charter School located at 1350 Sonoma Ave. As with all land use applications, the City may only apply the regulations in effect at the time the application is considered. Both state and local law require the 600-foot setback from K-12 schools.

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Public safety and neighborhood compatibility are central to decisions on conditional use permit applications. After considering the proposal, all public input, and the evidence presented in the Staff Report, including the staff analysis, the Planning Commission may use its discretion to determine whether or not the Project meets the CUP criteria including criteria pertaining to public safety and neighborhood compatibility. In making this determination, the Commission must determine whether or not 600 feet provides an adequate separation between the proposed dispensary and the existing school.

Operational standards of Zoning Code Chapter 20-46, the reduced hours of operation and the fence screening recommended by staff are designed to address public safety and neighborhood compatibility and the Zoning Code includes provisions for site security, lighting, and odor control, as described above in this Staff Report and in detail in the applicant's operation plan. The Project's operation plan includes on-site security personnel that will only grant access to persons over the age of 21 years and qualified patients with a state-issued medical card over the age of 18. Prospective patrons will be screened by a security guard or lobby receptionist that scans patrons' ID or cards upon entry. In addition, there will be video surveillance of the entry and parking lot.

Zoning Code Section 20-46.080(F) prohibits cannabis retail facilities from advertising or marketing cannabis products within 1,000 feet of a day care, a school providing instruction in kindergarten or any grades 1 through 12, playground or youth center, and therefore, visual exposure to minors will be limited.

7. Public Improvements/On-Site Improvements

None required.

FISCAL IMPACT

Not applicable.

ENVIRONMENTAL IMPACT

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA):

- The proposed project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 in that it involves a change of use, which will require minor exterior modifications to the structure/site.
- The proposed project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301 in that it involves minor modifications to an existing facility, with no expansion of use.
- Pursuant to CEQA Guidelines Section 15332, the project qualifies for a



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categorical exemption as infill development as it is located on a site of less than five acres, within City limits, substantially surrounded by urban uses, with no value as habitat for endangered, rare or threatened species, adequately served by necessary utilities and public services, and the project has no foreseeable significant adverse impacts to traffic, noise, air quality or water quality:

- **Biology.** The Project site is covered by an existing building and parking lot and has no habitat value. No trees or other vegetation will be removed from the site as a part of the Project.
  - **Traffic** - According to the April 23, 2018 Trip Generation Study prepared by W-Trans, the project will have a less-than-significant impact on traffic in that it will generate two more trips during the a.m. peak and seven more trips during the p.m. peak than the existing medical office use;
  - **Noise** - The proposed Project will operate within an existing building, which will not result in excessive noise on the exterior of the building and will operate within more restrictive hours than those established for Retail Cannabis in Zoning Code Section 20-46.080(4). As a condition of approval, the retail hours of the Project are restricted Sunday through Thursday from 9 a.m. to 7 p.m. and on Friday and Saturday, the retail hours are 9 a.m. to 9 p.m. Delivery hours would be consistent with the hours of operation allowed by the Zoning Code which are 9 a.m. to 9 p.m. seven days a week;
  - **Air Quality/Odor** - In a letter addressed to the City of Santa Rosa, dated April 17, 2018, Jeff Warner of Warner Mechanical Engineering, Inc. discusses in detail the design of the carbon filtration system that will be installed, pursuant to Zoning Code Section 20-46, at the Project site; and
  - **Water** – There are no changes in impervious surfaces or storm water drainage proposed. In addition, the site has municipal water and wastewater service.
- 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.).

#### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

#### 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

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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 staff issues. Neighbors and parents of school-age children remain concerned with potential noise and crime associated with a dispensary in the proposed location given its location adjacent to residences and near the Santa Rosa French-American Charter School. This is discussed in the Public Comments Section of this Report.

### ATTACHMENTS

- Attachment 1: Disclosure Form
  - Attachment 2: Location Map
  - Attachment 3: Neighborhood Context Map
  - Attachment 4: Distance to Schools Exhibit
  - Attachment 5: Project Narrative and attachments, October 1, 2018
  - Attachment 6: Project Plans, prepared by Brokaw Design, April 20, 2018
  - Attachment 7: Trip Generation Study prepared by W-Trans, April 23, 2018
  - Attachment 8: Odor Control Plan, prepared by Warner Mechanical Engineering, Inc., April 17, 2018
  - Attachment 9: City Council Ordinance ORD-2017-025
  - Attachment 10: Zoning Code Chapter 20-46
  - Attachment 11: Noise Ordinance (City Code Chapter 17-16)
  - Attachment 12: Public Correspondence
- Resolution 1: Conditional Use Permit

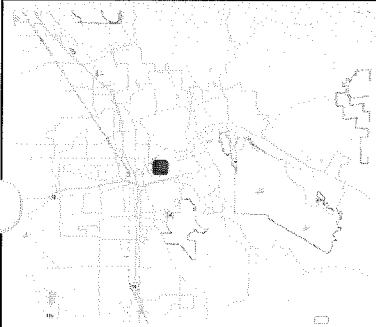
### CONTACT

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# Exhibit "C"



# Location Map: 1128 Sonoma Ave



**BKind Cannabis Dispensary and Delivery  
 Conditional Use Permit  
 CUP 18-079**



10/19/2018

Scale 1: 2,400

0 Miles 0.04