

RESOLUTION NO. ZA-2023-048

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT FOR AN APPROXIMATELY 3,000 SQUARE FEET OF CANNABIS CULTIVATION (NURSERY TYPE 4) FOR JM & IC LLC. FOR THE PROPERTY LOCATED AT 3075 COFFEY LANE, SUITE B, SANTA ROSA, APN: 015-370-035, FILE NO. CUP23-013

WHEREAS, the Santa Rosa Zoning Administrator has completed review of your Minor Conditional Use Permit application to allow the Cannabis Cultivation use for the project described above; and

WHEREAS, the Minor Conditional Use Permit approval to allow an approximately 3,000 square feet Cannabis Commercial Cultivation use (Type 4) within the existing industrial building is based on the project description and official approved exhibit date stamp received by the City on May 26, 2023; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.050.E.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.050.F, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code; and
2. The proposed use is consistent with the Light Industry General Plan land use designation, which is implemented by the Light Industrial (IL) zoning district and requires approval of a Use Permit; and
3. The design, location, size, and operating characteristics of the proposed Cannabis Cultivation use would be compatible with the existing and future land uses in the vicinity in that the use will be located within an existing building in an area designated for industrial uses, which is suitable for this type of activity. The parking spaces on the site are sufficient for the proposed use, and no additional spaces will be needed. Additionally, the adjacent unit has already received approval for similar cannabis uses; and
4. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints in that the industrial buildings have been constructed to accommodate such uses. There won't be any exterior changes as all the work will take place inside the industrial building; and
5. 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. The applicant has submitted an Odor Mitigation Plan, which has been certified

by a licensed engineer. This plan ensures that all mitigation controls are effective in reducing odors from all sources. Additionally, the project has a Security Plan in place to prevent theft or diversion of cannabis, as well as discourage loitering and crime. The project is required to obtain Building and Fire permits, as per the Building and Fire Code Requirements for Cannabis Related Occupancies; and

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 and Class 3 categorical exemption under CEQA Guidelines Sections 15301 and 15303 in that the use is proposed within an existing facility with the installation of small new equipment and the conversion of a small structure from one use to another involving negligible expansion of the existing use. Additionally, the site is zoned for such use and does not involve significant amounts of hazardous substances. All necessary public services and facilities are available, and the surrounding area is not environmentally sensitive.

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

Conditions of Approval

1. Obtain building permits for the proposed project.
2. Construction hours shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. Saturday. No construction is permitted on Sunday and holidays.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
5. Comply with the Engineering Development Services Exhibit "A" attached and incorporated herein.
6. No exterior signs are approved with this permit. A separate sign permit is required.

This Minor Conditional Use Permit is hereby approved on October 5, 2023, for the duration of the use provided that conditions are complied with and that the use has commenced within 24 months from the approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____
SHARI MEADS, ZONING ADMINISTRATOR

Attachment A – EDS Exhibit A date September 5, 2023