

From: [Hartman, Clare](#)
To: [Gallagher, Sue](#); [Guhin, David](#); [De La Rosa, Raissa](#); [Crocker, Ashle](#); [Trippel, Andrew](#); [Rose, William](#); [Roberts, Keith](#); [Jusa-Burkhalter, Angel](#)
Subject: FW: Documents for tomorrow's Cannabis Subcommittee meeting
Date: Thursday, February 22, 2018 7:50:56 AM
Attachments: [City of Santa Rosa Dispensaries - Radiuses of 600-foot.pdf](#)
[Report for Santa Rosa Council Cannabis Subcommittee, 20180221.pdf](#)
Importance: High

Please provide copies to subcommittee for today.

Clare Hartman, AICP | Deputy Director - Planning

Planning & Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404

Tel. (707) 543-3185 | Fax (707) 543-3269 Chartman@srcity.org



From: Craig Litwin [mailto:craig.litwin@421.group]
Sent: Wednesday, February 21, 2018 6:35 PM
To: Craig Litwin <craig.litwin@421.group>
Subject: Documents for tomorrow's Cannabis Subcommittee meeting

Please accept these two documents for tomorrow's cannabis subcommittee meeting as part of the record. They are addressing the last item on the agenda, allowing an existing dispensary operator to relocate within 600' of their permitted establishment. It makes sense to allow an Administrative Interpretation for such a relocation to occur as your ordinance appears to justify such an application to be made, as outlined in the attached.

Thanks for your work! See you in the morning!

 **Craig Litwin**
PRINCIPAL
421 Group
c [\(707\) 849-1622](tel:(707)849-1622)
o [\(707\) 861-8421](tel:(707)861-8421)
craig@421.group

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Dispensary Application Report



Allow existing dispensaries to apply within 600' of their existing location without first closing their doors.

Existing Dispensary Relocation Within a Buffer Zone

Problem

The three existing dispensaries may have a desire or need to move their existing location right now. If any of them found a location more than 600 feet from their existing location, they would be allowed to apply for a second permit. However, if they find a location within 600 feet from their existing location they *may* be precluded from applying for permission to move their location unless they first close their existing dispensary. This is financially implausible and puts model operators at a competitive disadvantage during the anticipated rush of dispensary applications.

Proposed Solutions

Utilizing an Administrative Interpretation of your existing ordinance, justified below, allows existing dispensaries to apply for a new location within 600 feet of their current location without closing their doors during the upcoming application process. The city is charged with managing a competitive application process in order that no dispensary be within 600 feet of each other. Such an Administrative Interpretation and process development would accomplish this goal.

To guarantee a level playing field, an existing dispensary operator should be permitted to apply at the same time as all of the other dispensary applicants. Any new dispensary applicant must engage in healthy competition with all others within 600 feet of their proposed location. Plus, any existing dispensary that receives approval to move to a new location will first be required to close the doors of their existing dispensary so as not to have multiple dispensaries within 600 feet of each other.

Alternatively, a staff Zoning Interpretation could be made that allows existing dispensaries to apply for a new location within 600 feet of their existing location at the same time as other applicants. The purpose of the zoning rules created are to maintain a 600 foot setback regardless. This follows the intention of the setback requirement between dispensaries codified in the comprehensive cannabis ordinance. If this is not the letter of the law, it most certainly is in the spirit of the law.

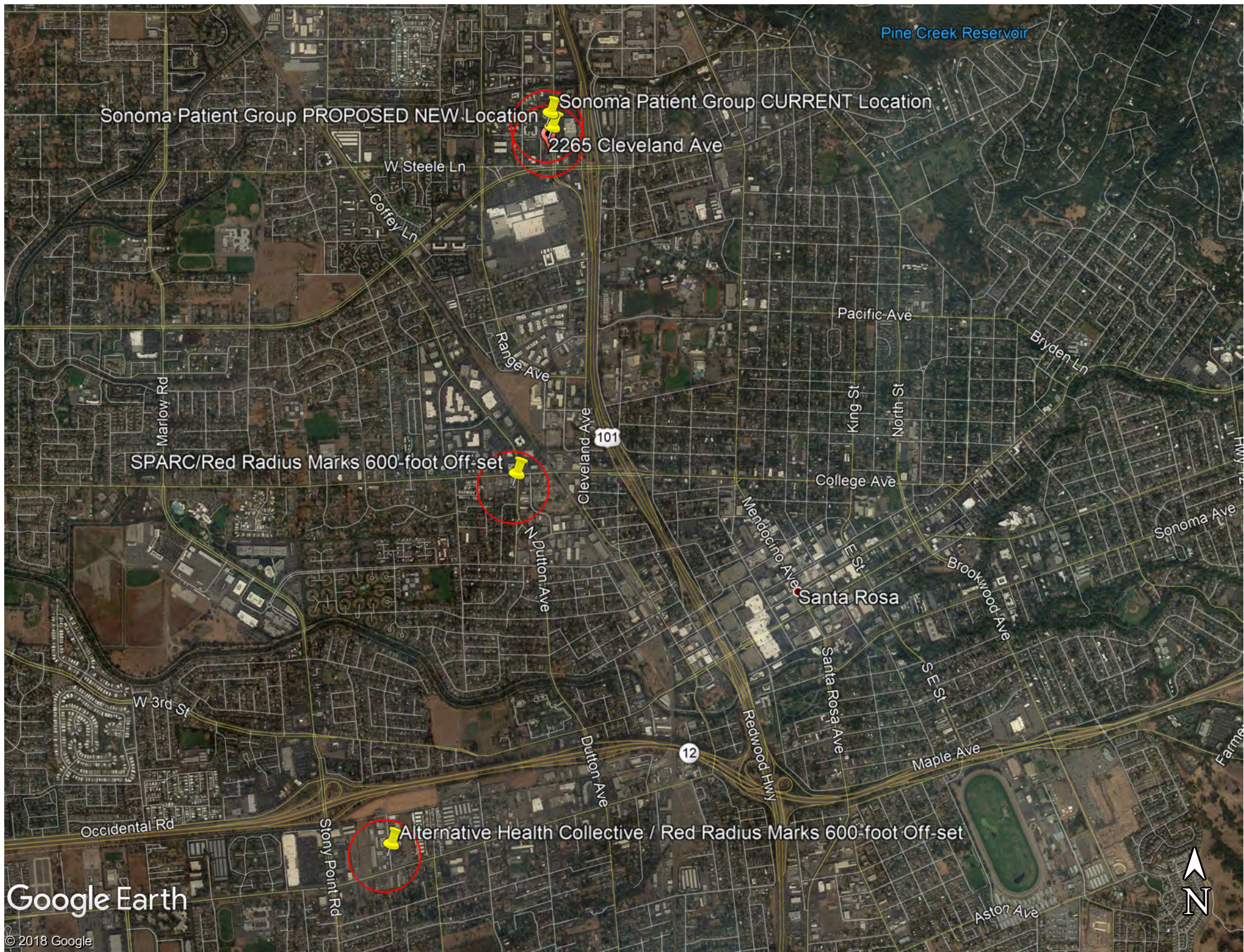
Current Ordinance

- 1) Santa Rosa City Ordinance No. ORD-2017-025 Section 20-46.080 (D)(1) states that “To avoid overconcentration, a Cannabis Retail use shall not be established within 600 feet of any other Cannabis Retail use established within and permitted by the City of Santa Rosa.”

Justification for Administrative of Zoning Interpretation

Dispensaries trying to relocate are not near any “others.” They are only near their current location. They are simply requesting permission to move locations. No two facilities shall be established within 600 feet.

Attachments: Map with existing dispensaries and the required 600-foot setback.



Sonoma Patient Group PROPOSED NEW Location

Sonoma Patient Group CURRENT Location
2265 Cleveland Ave

SPARC/Red Radius Marks 600-foot Off-set

Alternative Health Collective / Red Radius Marks 600-foot Off-set

Google Earth

© 2018 Google

From: [Gustavson, Andy](#)
To: [Hartman, Clare](#)
Subject: Fwd: Sonoma Patient Group
Date: Wednesday, February 21, 2018 3:04:11 PM
Attachments: [image001.png](#)

Public Comment

Andy Gustavson
agustavson@srcity.org

Begin forwarded message:

From: <rtaggart@sonomapatientgroup.com>
Subject: Sonoma Patient Group
Date: February 21, 2018 at 3:03:15 PM PST
To: <agustavson@srcity.org>

Dear Mr. Gustavson,

I work for Sonoma Patient Group (SPG) and I am writing to urge you to allow SPG to apply to relocate to an alternative location within 600 feet of our current licensed dispensary.

As you may already know, SPG is in great standing with the city and has been one of the longest permitted dispensaries in the city. For the past year, SPG has wanted to move the location of their dispensary 150 feet away from our current location. SPG was delayed in moving while the city of Santa Rosa finalized the Cannabis Ordinance.

SPG plans to close the doors at their current location the moment the doors were able to open at the new proposed location.

Please consider an administrative fix to allow us to submit a CUP application for our new proposed location.

Thank you for your assistance with this matter

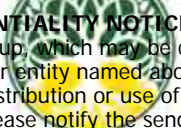


Ronit Taggart

Legal & Operations Analyst

rtaggart@sonomapatientgroup.com

C: 831-566-1589 O: 707-623-9704



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Sonoma Patient
GROUP

Hartman, Clare

From: Leanne Nakashima <leanne@sonomapatientgroup.com>
Sent: Wednesday, February 21, 2018 2:12 PM
To: Hartman, Clare
Subject: Sonoma patient group needs your help

I am writing you today because I've been a patient, and employee and now part owner in Sonoma patient group, the oldest permitted dispensary in Santa Rosa. I am a resident of Santa Rosa and a voter. I understand that the current rules on this issue will force us to close our door and then apply for a new permit for our new location. We have been waiting patiently with our new location for over a year, while the city worked on on new ordinance. We need the city to adopt an administrative fix to our problem.

Sincerely

Leanne Nakashima
1708 solano dr.
Santa Rosa Ca 95404

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Hartman, Clare

From: Ann Garland <vissidart@yahoo.com>
Sent: Wednesday, February 21, 2018 2:32 PM
To: Hartman, Clare
Subject: Sonoma Patient Group move application

Dear Ms. Hartman,

I have been a patient of Sonoma Patient Group for several years now. I use CBD oil to ease my arthritis pain. The staff is helpful and their location is convenient. They mentioned they were going to move to the New China building nearby, but are in a catch 22 because the way the ordinance is now, they can't operate two dispensaries within 600 feet of each other. That makes sense if they were keeping the other location open, but as soon as the new dispensary opens the old dispensary would close. They said they would have to close for several months the way the ordinance is written now. I would think that would put them out of business. It just seems logical to amend the ordinance to allow a dispensary to apply and move to a new location while remaining open at the existing location.

Sincerely,
Ann Garland
729 Pine Street
Santa Rosa, CA 95404

Hartman, Clare

From: Gustavson, Andy
Sent: Wednesday, February 21, 2018 10:17 AM
To: Hartman, Clare
Subject: FW: Sonoma Patient Group

FYI

Andy Gustavson | Senior Planner

Planning and Economic Development
100 Santa Rosa Avenue | Santa Rosa, CA 95404
Tel. (707) 543-3236 | Fax (707) 543-3269
AGustavson@srcity.org



From: rose silva [mailto:rpsilva12398@gmail.com]
Sent: Wednesday, February 21, 2018 10:16 AM
To: Gustavson, Andy <AGustavson@srcity.org>
Subject: Sonoma Patient Group

Good morning Mr. Gustavson,

I am writing to you this morning because I have been a patient at Sonoma Patient Group for the past six years. I have heard of the issues they are facing with wanting to move to a new location. I understand the current rules on this issue will force them to close their doors and then apply for a new permit for the new location.

This makes absolutely no sense to me. They have been in Santa Rosa for many years and are always on top of their game in every way. They should not be penalized just for wanting to improve their service to the community and believe me they are a great service to the people of Sonoma County. Please consider this email as a complete show of support to Sonoma Patient Group.

Thank you for your time and consideration.

Best regards,

Rose P. Silva
707-480-9346

From: [Hartman, Clare](#)
To: [Jusa-Burkhalter, Angel](#)
Cc: [De La Rosa, Raissa](#)
Subject: Fwd: Cannabis Dispensary Regulations
Date: Wednesday, February 21, 2018 4:05:11 PM

Another to forward. C

Sent from my iPhone

Begin forwarded message:

From: Paula Ash <treedogs@me.com>
Date: February 21, 2018 at 3:35:11 PM PST
To: chartman@srcity.org
Subject: Fwd: Cannabis Dispensary Regulations

Dear Ms. Hartman,

I understand you will consider issues before the Santa Rosa City Council Cannabis Subcommittee tomorrow morning. I would like to express my opinion on an aspect of regulation that restricts the concentration of cannabis purveyors within a specific geographic business area. I'm advised that cannabis dispensary sales are not permitted to establish locations closer than 600-feet from one another in Santa Rosa. This seems a reasonable restriction; however, I recently learned that Sonoma Patient Group, a long-standing, permitted Santa Rosa medical/adult use dispensary, would like to apply to relocate to an existing, more suitable building within 600-foot of its current location but have been advised they are unable to do so because their **own business** is already within the setback area. I understand from speaking to the business owners that in order to apply for nearby relocation, this small business will be required to **close their business completely** during the course of the application process and **abandon their current operating permits**, which were obtained with considerable effort

and expense. This appears to be a short-sighted restriction when the goal is relocation rather than increasing the number of sales points within the geographic area.

The **Sonoma Patient Group** has long been established at 2425 Cleveland Avenue in Santa Rosa and would like to relocate to a vacant, neighboring building at 2265 Cleveland Avenue, which is physically situated on the same street very close to their current permitted business location. This nearby relocation will not create negative impact in the business area or neighborhood:

- The Sonoma Patient Group has been in its current location for many years
- The proposed relocation would cause an empty commercial building to again become vital and active
- Access and parking at the proposed relocation is safer and more sufficient, and active use of the parking area will deter litter and loitering issues that have developed
- The Sonoma Patient Group business itself would be improved by a more suitable facility
- The space vacated by Sonoma Patient Group is in an active professional office building that is attractive to other small businesses and is thereby unlikely to create the negativity of another “vacant business” space
- The Sonoma Patient Group would continue to provide consistent services to established clientele in an improved location

In your meeting tomorrow morning, please consider a variance, administrative remedy or limited accommodation to the setback rule in cases where the focus is relocation of an established business and not an increase in actual cannabis sales outlets. The Sonoma Patient Group is a long-standing, law-abiding and productive business contributing to the Santa Rosa city economy. The business states its intention is to follow all City and State

regulations regarding operations and relocation. However, none of us are strangers to the effect that even a short closure will have on a small, local business. Let's not see any more Santa Rosa business forced into closure. Again, since this specific instance does not create an additional concentration nor demand anything other than the right to apply to move from a previously approved location, I urge your favorable consideration of the Sonoma Patient Group application for an accommodation. There are no other cannabis dispensaries within 600 feet of either the current or proposed location, and the Sonoma Payroll Group is not seeking a second outlet, only asking that they not be forced to abandon their current business while they undertake the risk of applying for a relocation permit. I am not asking for a guarantee that they be allowed to move, just don't force them to close during the application process. I have no doubt this reputable business will give the City all assurances requested.

Respectfully submitted,
Paula Ash
707-696-8313

From: [Hartman, Clare](#)
To: [Jusa-Burkhalter, Angel](#)
Cc: [De La Rosa, Raissa](#)
Subject: Fwd: Let SPG move
Date: Wednesday, February 21, 2018 4:05:40 PM

Please forward. C

Sent from my iPhone

Begin forwarded message:

From: Kevin McEachern <scoobymceachern@aol.com>
Date: February 21, 2018 at 3:45:32 PM PST
To: dguhin@srcity.org, chartman@srcity.org, agustavson@srcity.org,
crogers@srcity.org, jsawyer@srcity.org, eolivares@srcity.org
Subject: Let SPG move

I am writing to you today because I am a patient at Sonoma Patient Group. I have heard of the issues they are facing with wanting to move to a new location. I understand the current rules on this issue will force them to close their doors and then apply for a new permit for the new location. This makes absolutely no sense to me. They have been in Santa Rosa for many years and are always on top of their game in every way. They should not be penalized just for wanting to improve their service to the community and believe me they are a great service to the people of Sonoma County. Please consider this email a complete show of support to SonomaPatient Group.

Thank you for your time and consideration,

Sent from my Verizon 4G LTE Droid