



Commercial Cannabis Volatile Manufacturing – Level 2 (Type 7) Study Session

Planning Commission

May 10, 2018

Clare Hartman, Deputy Director - Planning
Planning and Economic Development

Comprehensive Cannabis Ordinance

- **Personal Use**
 - 6 plants per residence
- **Commercial Cannabis Businesses**
 - Medical & Adult Use
 - Cultivation
 - Manufacturing (Level 1 & Level 2)
 - Testing Laboratory
 - Distribution
 - Retail (Dispensaries & Delivery)
 - Special Events
- **Effective January 19, 2018**



City Approach to Cannabis

- Cannabis uses **are already taking place** in the City
- Cannabis is **a land use issue**; a Code enforcement issue
- Allow both **medical and adult use** in alignment with state law
- Provide a compliance path from land use to occupancy
 - **Direct the use to appropriate areas** (commercial and industrial districts)
 - Provide standards to minimize impacts – **security, odor, lighting, noise**
 - Defer to State law, County Ag and County Health for specific issues
- **Test** the approach through interim measures
- Address the entire industry chain – **no gaps**



Stay informed and involved through srcity.org/cannabis



COMPREHENSIVE CANNABIS LAND USE POLICY CHART

CANNABIS LAND USE CLASSIFICATIONS (covers both medical and adult use)		CITY OF SANTA ROSA (City Code)											
		ALLOWED LAND USES AND PERMIT REQUIREMENTS BY ZONING DISTRICT:											
		RESIDENTIAL	CD	CN	CG	CV	CD	CSC	TV-68	BP	IL	IS	
RETAIL (DISPENSARY) AND DELIVERY													
Cannabis Retail (Dispensary) and Delivery	10			CUP (1)	CUP (1)	CUP (1)			CUP (1)		CUP (1)	CUP (1)	CUP (1)
CULTIVATION													
PERSONAL OUTDOOR, INDOOR, & MIXED LIGHT													
Personal Cannabis Cultivation	exempt												
6 plants maximum per residence; only 2 allowed outdoors (4)													
COMMERCIAL - OUTDOOR													
Commercial Cannabis Cultivation	1, 1C, 2, 3, 4												
COMMERCIAL - INDOOR & MIXED LIGHT (GREENHOUSE)													
Commercial Cannabis Cultivation - up to 5,000 square feet	1A, 1B, 1C, 4												
Commercial Cannabis Cultivation - 5,001 square feet or greater	2A, 2B, 3A, 3B, 4												
Commercial Cannabis Microbusiness - <10,000 sq ft (cultivation, manufacturing, distribution, and retail)	12												
SUPPORT USES													
Commercial Cannabis Manufacturing - Level 1 (non-volatile)	6, N, P												
Commercial Cannabis Manufacturing - Level 2 (volatile)	7												
Commercial Cannabis Testing Laboratory	8												
Commercial Cannabis Distribution	13												

Step 1: PRE-APPLICATION

Jan/Feb/Mar 2018 (90 days)

Pre-applications accepted;
Neighborhood meetings;
Application support materials

Step 2: SUBMIT CONDITIONAL USE PERMIT APPLICATIONS

April 9-20, 2018 (14 days)

Applications and fees required;
Merit criteria

Step 4:
Check for potential
overconcentration
(7 days)

Multiple applications
within the same
area?

Single?

Complete?

Step 5: MERIT POINT BASED RANKING & SELECTION PROCESS

July/August 2018 (45 to 60 days)

Staff scores applications against
merit criteria; Council's Cannabis
Subcommittee reviews and
establishes Ranking List; Highest
scores in area are selected to
move forward

Selected? No

Step 6: CONDITIONAL USE PERMIT PROCESS

Single applicants - July/Aug/Sept 2018 (60 to 90 days)*

Step 5 applicants - Sept/Oct/Nov 2018 (60 to 90 days)*

Staff conducts analysis, environmental review,
public notice, and prepares item for public
hearing with the Planning Commission

Manager if needed to comply with CEQA



CANNABIS PROGRAM FAQs

Updated March 15, 2018

- Did the City of Santa Rosa adopt regulations for personal and/or commercial cannabis? Do the regulations address both medical and adult use cannabis?
Yes. And yes. On December 19, 2017, the City adopted Ordinance No. ORD-2017-025 which provides for comprehensive regulations of both medical and adult use cannabis activities.
<https://srcity.org/2512/Comprehensive-Cannabis-Policy>
- Does the City of Santa Rosa allow for personal cannabis cultivation?
Yes. Each residence is allowed to cultivate, regardless of the number of units (medical and/or adult use). Or either indoors or in a greenhouse on parcels located adjacent to Cannabis Cultivation for medical use.
- Where can I operate a cannabis business?
The City allows several types of zoning districts. You can use this land use policy and the zoning for the site. You can find the zoning map on the City's website, accessible at <http://srcity.org>



CANNABIS USE APPLICATION PROCESS and GENERAL REQUIREMENTS

CULTIVATION (TYPES 1A, 1B, 1C, 2A, 2B, 2C, 4)
MANUFACTURING LEVEL 1 (TYPE 6, N, P, when required)



CANNABIS PERMITTING UPDATE

JANUARY 12, 2018

The goal of this report is to track both the number and concentration of new medical and adult use cannabis businesses in Santa Rosa, and the impacts to other industries that occupy similar zoning. As the City of Santa Rosa implements new cannabis regulations, and permits new businesses within the city limits, understanding these impacts will inform policy development in the support of a diverse economy, and the retention of local businesses.



Building and Fire Code Requirements for Cannabis Related Occupancies

The following regulations pertain to City of Santa Rosa Building Division and Fire Department requirements for the permit application, plan review, approval, and inspection of cannabis related occupancies. The requirements listed below are intended to assist the applicant with some of the requirements applicable to a Building Division permit submittal, and are not to be considered an all-inclusive listing of Building and/or Fire Code requirements for plan approval or permit issuance. Only items pertinent to each specific submittal are to be included. Every listed item will not necessarily be applicable to all projects.

General Requirements

- A building permit is required to verify occupancy for a cannabis facility, even if no improvements or modifications to the property are proposed. The building permit application must meet the City's general building permit submittal requirements.
- Construction plans, calculations and related documentation supporting the building permit application are required per the California Building Code Section 105 when the owner or occupant intends to construct, enlarge, alter, remove, repair, demolish, or change the occupancy of a building or structure; or to erect, add to, alter, repair, strengthen, or change the structural framework of an existing building or structure.

Where Allowed & Permit Process

ADULT USE & MEDICAL CANNABIS LAND USE CLASSIFICATIONS		CITY OF SANTA ROSA (City Code)										
		ALLOWED LAND USES AND PERMIT REQUIREMENTS BY ZONING DISTRICT:										
		RESIDENTIAL	COMMERCIAL						INDUSTRIAL			
		<i>all</i>	CO	CN	CG	CV	CD	CSC	TV-M	BP	IL	IG
RETAIL (DISPENSARY) AND DELIVERY	RELATED STATE LICENSES											
Cannabis Retail (Dispensary) and Delivery	10	--	CUP (1)	CUP (1)	CUP (1)	--	--	CUP (1)	--	CUP (1)	CUP (1)	CUP (1)
CULTIVATION												
PERSONAL - OUTDOOR, INDOOR, & MIXED LIGHT												
Personal Cannabis Cultivation	<i>exempt</i>	<i>Up to 6 plants maximum per residence (4)</i>										
COMMERCIAL - OUTDOOR												
Commercial Cannabis Cultivation	1, 1C, 2, 3, 4	--	--	--	--	--	--	--	--	--	--	--
COMMERCIAL - INDOOR & MIXED LIGHT (GREENHOUSE)												
Commercial Cannabis Cultivation – <i>up to 5,000 square feet</i>	1A, 1B, 1C, 4	--	--	--	--	--	--	--	--	--	MUP	MUP
Commercial Cannabis Cultivation – <i>5,001 square feet or greater</i>	2A, 2B, 3A, 3B, 4	--	--	--	--	--	--	--	--	--	CUP	CUP
Commercial Cannabis Microbusiness - <i><10,000 sq ft (cultivation, manufacturing, distribution, and retail)</i>	12										CUP (1)	CUP (1)
SUPPORT USES												
Commercial Cannabis Manufacturing – Level 1	6	--	--	--	--	--	--	--	--	P (3)	P (3)	P (3)
Commercial Cannabis Manufacturing – Level 2	7	--	--	--	--	--	--	--	--	--	CUP	CUP
Commercial Cannabis Testing Laboratory	8	--	MUP	--	--	--	--	--	--	P	P	P
Commercial Cannabis Distribution	11	--	--	--	--	--	--	--	--	MUP (2)	P (3)	P (3)

Cannabis - Manufacturing Land Use Definitions

- **Cannabis Manufacturing - Level 1** means the processing or manufacturing of medical or adult use cannabis products **using nonvolatile solvents, or no solvents**. The use of post-extraction ethanol “winterization” is allowed within Cannabis Manufacturing Level 1 only to the extent such use is permitted by the state in a Type 6 license.



Cannabis - Manufacturing

Land Use Definitions

- **Cannabis Manufacturing - Level 2** means the processing or manufacturing of medical or adult use cannabis products **using volatile solvents**. For purposes of this section, “volatile solvents” shall include solvents described in paragraph (3) of subdivision (d) of **Section 11362.3 of the Health and Safety Code**, or as such section may be amended.



Cannabis - Manufacturing

Land Use Permit Requirements

- **Level 1 (non-volatile)**
 - Allowed in BP, IL, and IG Districts
 - Corresponds with State Types 6, N, and P
 - Zoning Clearance or Minor Use Permit
- **Level 2 (volatile)**
 - **Allowed only in IL and IG Districts**
 - Corresponds with State License **Type 7**
 - Pre-Application **Neighborhood Meeting**
 - Requires a **Conditional Use Permit**
 - Public Hearing with **Planning Commission**

Conditional Use Permit

Required Findings a - c

- a) The proposed use is allowed within the applicable zoning district and **complies with all other applicable provisions of the Zoning Code** and the City Code;
- b) The proposed use is and any applicable specific plan; **consistent with the General Plan**;
- 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;

Conditional Use Permit

Required Findings d - f

- 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;
- 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; and
- f) The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Commercial Cannabis

Chapter 20-46 - General Requirements

- **Dual Licensing**
 - Obtain a Local Land Use Permit – MUP, CUP or Zoning Clearance
 - Obtain a State License
- **Other Permits & Inspections**
 - Building and Fire Permits
 - Business Tax Certificate
 - Sonoma County Health Permit
 - Sonoma County Agricultural Commission
- **General Operating Requirements**
 - Security
 - Odor Control
 - Lighting
 - Noise



Commercial Cannabis

Chapter 20-46 – Building & Fire Code

- **Requirements for all Commercial Cannabis Uses:**
 - Confirm occupancy classification
 - Obtain annual operating fire permits
 - Comply with Health & Safety Code and California Fire Code
 - Obtain Certified Unified Program Agency (CUPA) Permits
 - Complete a California Environmental Reporting System (CERS) submission for hazardous materials inventory
 - Provide for Fire Department access



Commercial Cannabis

Chapter 20-46 – Building and Fire Code

- **Requirements for all Manufacturing Uses:**

- Extraction Processes
- Closed loop systems
- Standard of equipment
- Annual re-certification required
- Food handler certification
- Edible product manufacturing
requires Sonoma County
Health Permit



Building Permits & Fire Permits

Required Prior to Occupancy

- **General – Required of all uses**
 - Building Code
 - Fire Code
 - Electrical Code
 - Mechanical Code
 - Energy Code
 - Plumbing Code
 - CalGreen Code
- **Specific – Required for Cannabis Manufacturing**
 - Annual Fire Operational Permit
 - Department of Health Permits & Inspections
 - Building Code Occupancies – B, F1, S, and H
 - Volatile manufacturing not allowed in the same building as A, E, I or R occupancies
 - Extraction equipment plan and process narrative required
 - Extraction equipment certification required by a licensed CA engineer
 - Building and Fire Inspections

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Clare Hartman

Deputy Director-Planning

Planning and Economic
Development Department

Chartman@srcity.org

(707) 543-3185

Scott Moon

Fire Marshal

Fire Department

Smoon@srcity.org

(707) 543-3543

Mark Setterland

Building Official

Planning and Economic
Development Department

Msetterland@srcity.org

(707) 543-3234