

## RESOLUTION NO.

### RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT FOR MAR SR, LLC - LOCATED AT 3075 COFFEY LANE – ASSESSOR’S PARCEL NUMBER 015-370-035 - FILE NUMBER CUP18-089

WHEREAS, an application was submitted requesting the approval of a Conditional Use Permit for Commercial Cannabis Manufacturing – Level 2 (volatile) and Cannabis Distribution, to be located at 3075 Coffey Lane, also identified as Sonoma County Assessor's Parcel Number(s) 015-370-035;

WHEREAS, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. 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 in that the proposed Medicinal and Adult Use Commercial Cannabis Manufacturing – Level 2 (volatile) and Cannabis Distribution operation will be located within an existing 3,036 square foot tenant space in the Light Industrial zoning district, which is allowed subject to Planning Commission approval of a Conditional Use Permit.
- B. The proposed use is consistent with the General Plan in that the proposed Commercial Cannabis Manufacturing – Level 2 (volatile) and Cannabis Distribution uses are consistent with the applicable underlying General Plan goals and policies related to industry, economic vitality, and the associated Light Industry General Plan land use designation.
- 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 in that the proposed use will be located within a light industrial zoning district that includes a mix of manufacturing, retail, and auto repair uses, with residential uses located east of the site; separated by Coffey Lane. The project site is developed for Light Industrial uses, and parking is adequate for the staffing and operations of the proposed use, as well as for a facility that is not open to the public. The project complies with the General Operating

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Requirements for Cannabis Businesses and those operating requirements specific to Cannabis Manufacturing indicated in Zoning Code Sections 20-46.050 and 20-46.070.

- 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 proposed use would be located entirely within an existing 3,036 square-foot tenant space. Access to the site is provided by Coffey Lane, and the building will be fully accessible pursuant to American's with Disabilities Act (ADA) standards, though no public access will be permitted due to the nature of the proposed use and for security purposes. All necessary utilities are available at the project site, including water, wastewater, gas and electric services.
- E. The proposed project will be consistent with the surrounding land uses which include of a variety of light manufacturing, auto repair, commercial, distribution and residential uses, in that volatile manufacturing is a common use within industrial areas, requiring approval of a Minor Conditional Use Permit when the proposal does not include Cannabis extraction. The project Odor Mitigation Plan has been certified by a licensed engineer ensuring that all mitigation controls are sufficient to effectively mitigate odors from all sources. The proposed Security Plan seeks to effectively prevent theft or diversion of any cannabis or currency, as well as to discourage loitering, crime, and illegal or nuisance activities, by installing an interior and exterior camera surveillance system, a professionally monitored alarm system, access controls, the parking area specifically allocated to this proposed business will be secured with a fence and rolling gate, which will facilitate secure transport of material to and from the business; and secure storage and waste areas inventory controls. Per Zoning Code Section 20-46.050 (E), the project is subject to building and fire permits as described in Building and Fire Code Requirements for Cannabis Related Occupancies including general requirements and those specific to volatile manufacturing including an annual Fire Department Operational Permit is required for cannabis manufacturing facilities.
- F. The proposed project has been reviewed in compliance with California Environmental Quality Act (CEQA) and qualifies for a Class 1 exemption under CEQA Guidelines Section 15301 in that it is the permitting and minor alteration of an existing private structure involving a negligible expansion of use. The proposed volatile manufacturing and distribution uses are common within light industrial areas, and the building has historically been used for industrial purposes.

The City has further determined that 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.)

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

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BE IT FURTHER RESOLVED that a Conditional Use Permit for Commercial Cannabis Manufacturing – Level 2 (volatile) and Cannabis Distribution, is approved subject to each of the following conditions:

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

**GENERAL:**

1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
2. All work shall be done according to the final approved plans dated received October 17, 2018, and May 29, 2018.
3. Operations shall remain consistent with those details outlined in the Project Description dated received October 17, 2018.
4. The address shall be displayed in a prominent location on the street side of the property. The numbers shall be no less than 6-inches in height and shall be of a contrasting color to the background to which they are attached. The address shall be illuminated during hours of darkness per City "Premises Identification" requirements.

**EXPIRATION AND EXTENSION:**

5. This Conditional Use Permit shall be valid for a two-year period. If construction has not begun or if an approved use has not commenced within two (2) years from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
6. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.

**BUILDING DIVISION:**

7. Obtain a building permit for the proposed project.

**ENGINEERING DIVISION:**

8. Compliance with Engineering Development Services Exhibit "A," dated October 12, 2018, attached hereto and incorporated herein.

**PLANNING DIVISION:**

9. The building materials, elevations, and appearance of this project, as presented for issuance of a building permit, shall be the same as that approved by the Planning Commission. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
10. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080),
11. PROJECT DETAILS:
  - A. All project details shall be in accordance with the restrictions and limitations of the City Zoning and California Building Codes, as well as the City's Design Review Guidelines.
  - B. The design of all fencing, sound walls, carports, trash enclosures, and similar accessory site elements shall be compatible with the architecture of main buildings and shall use similar materials. The design must be approved by the Planning Division prior to issuance of a building permit.
  - C. All roof appurtenances, accessory equipment, and meters must be totally screened from public view by an architecturally design element approved by the Design Review Board or Planning Division.
  - D. All outdoor storage of materials or refuse bins/cans shall be maintained within a completely screened structure or area. The design of the screened structure or area shall be approved by the Planning Division prior to issuance of a building permit.
12. LANDSCAPING:
  - A. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.
13. SIGNING:
  - A. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.
  - B. A planning sign permit application is required for all signs.
  - C. Sign permit approval shall be obtained prior to application for a building permit.

- D. Building permits for sign installations shall be separate permits from other building permits issued for construction.
- E. Building permits for sign installations shall be separate permits from other building permits issued for construction.

## **FIRE DEPARTMENT**

- 14. Facility shall comply with the requirements of “Building and Fire Code Requirements for Cannabis Related Occupancies” including General Requirements and those specific to Volatile Manufacturing. See <https://srcity.org/2515/Commercial-Cannabis-Application-Support>. All Plant Processing and Extraction facilities shall comply with CA Fire Code Chapter 38. Building Permit submittal (required for verification of occupancy) shall include a copy of all required documents and reports for Fire Department review and approval.
- 15. An annual Fire Department Operational Permit is required for cannabis manufacturing, testing and laboratory, and distribution facilities. Annual permit submittal shall include re-certification of all extraction equipment by a CA licensed professional engineer and updating of Hazardous Materials storage, use, handling, and waste records.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 25<sup>th</sup> day of October, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: \_\_\_\_\_  
CHAIR

ATTEST: \_\_\_\_\_  
EXECUTIVE SECRETARY

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Exhibit A – Engineering Development Services Exhibit “A,” dated October 12, 2018