

Bkind, LLC  
Cannabis Dispensary & Delivery

1128 Sonoma Ave

November 29, 2018

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Planning and Economic Development

- **Cannabis Ordinance**
  - State & Local Regulations
  - Conditional Use Permit Criteria
- **Project Description**
  - Context
  - Site and Floor Plans
  - Operations
- **Public Comment**
  - Proximity to Santa Rosa French-American Charter School
  - Neighborhood Compatibility
- **Environmental Review**
- **Staff Recommendation**

# Cannabis Ordinance Overview

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



# Cannabis Ordinance

## Retail and Delivery Land Use Definition

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- **Cannabis Retail** means a facility where medical or adult use Cannabis or medical or adult Use Cannabis Products are offered, either individually or in any combination, for retail sale, including an establishment that delivers Cannabis or Cannabis Products as part of a retail sale. Also known as a cannabis “dispensary.”
- **State License Type - 10**

# Cannabis Ordinance

## Retail Specific Requirements

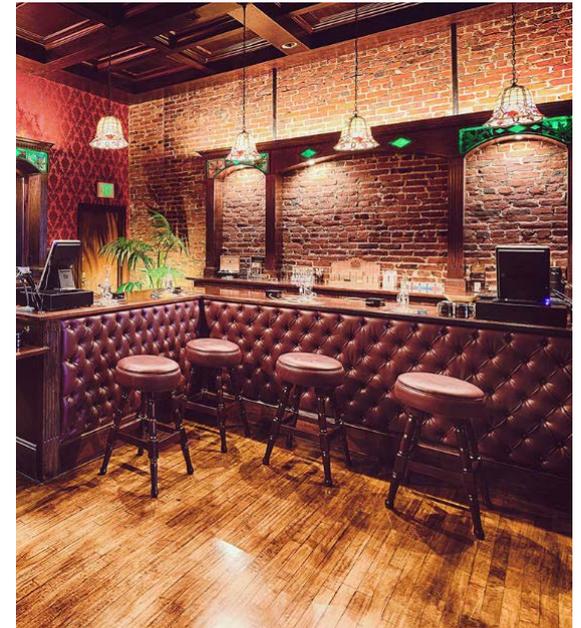
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- **Eligible Zoning Districts**
  - Commercial – CO, CN, CG, & CSC
  - Industrial – BP, IL & IG
- **Setbacks to Sensitive Receptors**
  - 600 feet to a K-12 school [CA Health & Safety Code § 11362.768(h)]
- **Overconcentration**
  - 600 feet to another Cannabis Retail facility
- **Conditional Use Permit**
  - Neighborhood Meeting
  - Public Hearing – Planning Commission
  - Appeal – City Council

# Cannabis Ordinance

## Retail Specific Requirements

- **Deliveries** - Allowed only from a Cannabis Retail facility with a storefront
- **Drive-through** – Not permitted
- **Hours of Operation** – 9:00 am to 9:00 pm
- **Security** – entry must be visible from street, secured entry, products, cash
- **On-Site Consumption (not proposed)** – subject to state and local law; and use permit



# 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 **consistent with the General Plan** and any applicable specific 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

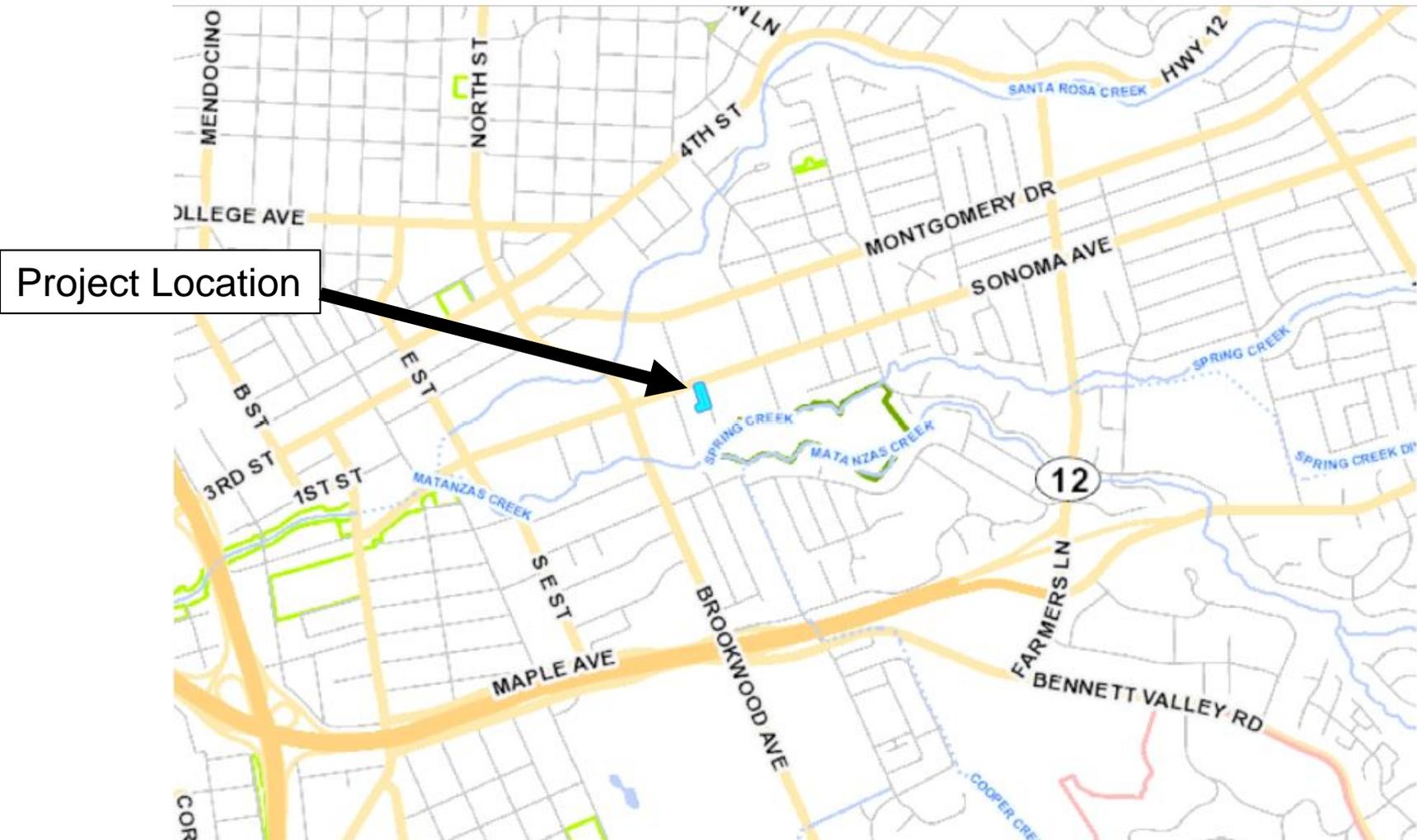
- d) The site is **physically suitable for the type, density, and intensity of use** being proposed, including access, utilities, and the absence of physical constraints;
- e) Granting the permit **would not constitute a nuisance** or be injurious or detrimental to the public interest, health, safety, 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)**.

## Conditional Use Permit

- Retail (dispensary) and Delivery
- Type 10 State License
  - Existing 2,314 square foot building
    - Retail - 634 square feet
    - Delivery – 178 square feet
    - Support Functions
      - Office - 228 square feet
      - Storage - 421 square feet
      - Processing - 255 square feet
      - Utility, hallways, etc.

- April 18, 2018 - Application submitted
- May 9, 2018 - Neighborhood Meeting
- May 31, 2018 - Application deemed incomplete
- June 18, 2018 – Supplemental application information submitted.
- June 26, 2018 – Application deemed complete
- November 19, 2018 - Public hearing notice

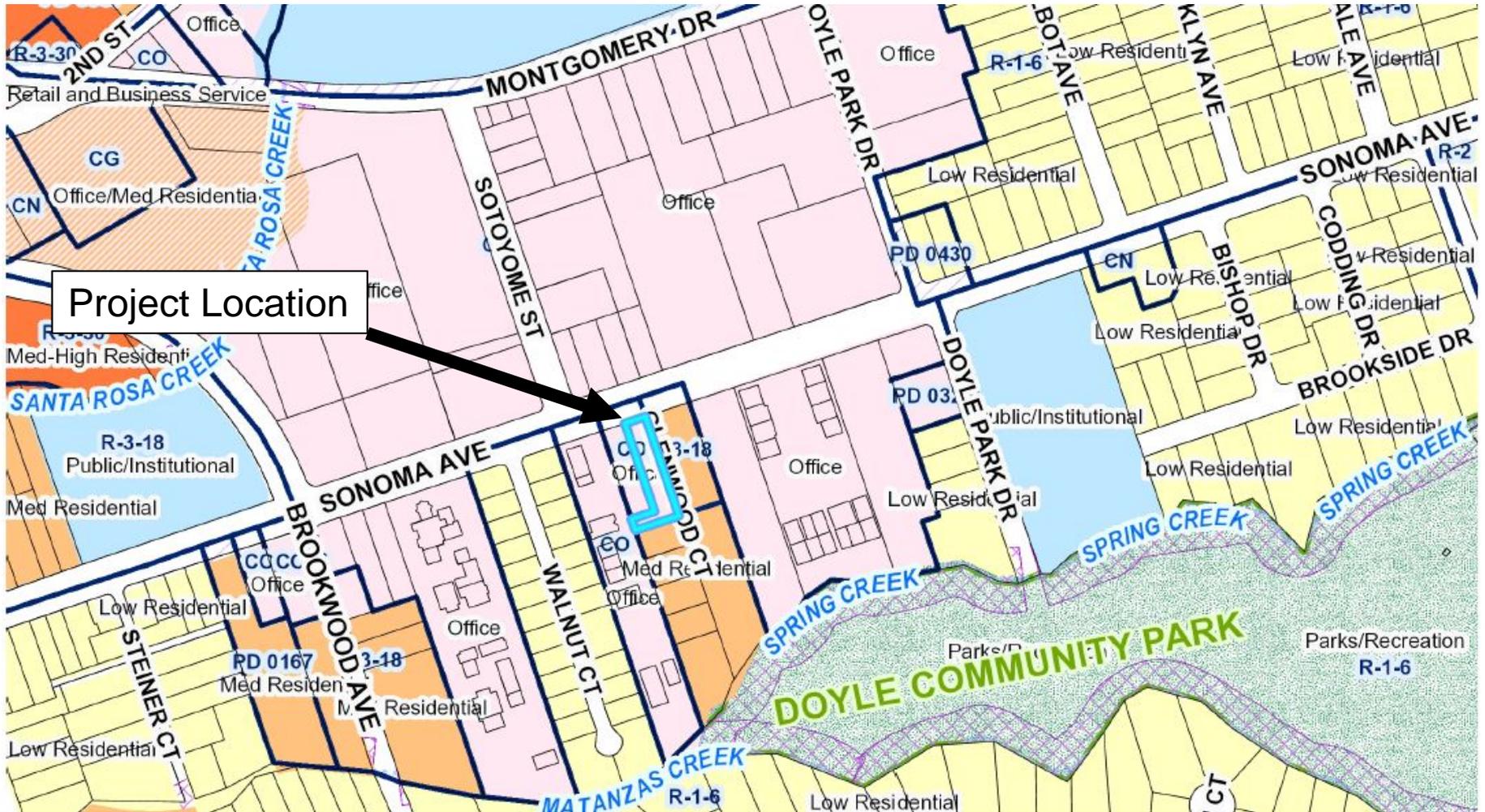
# 1128 Sonoma Ave



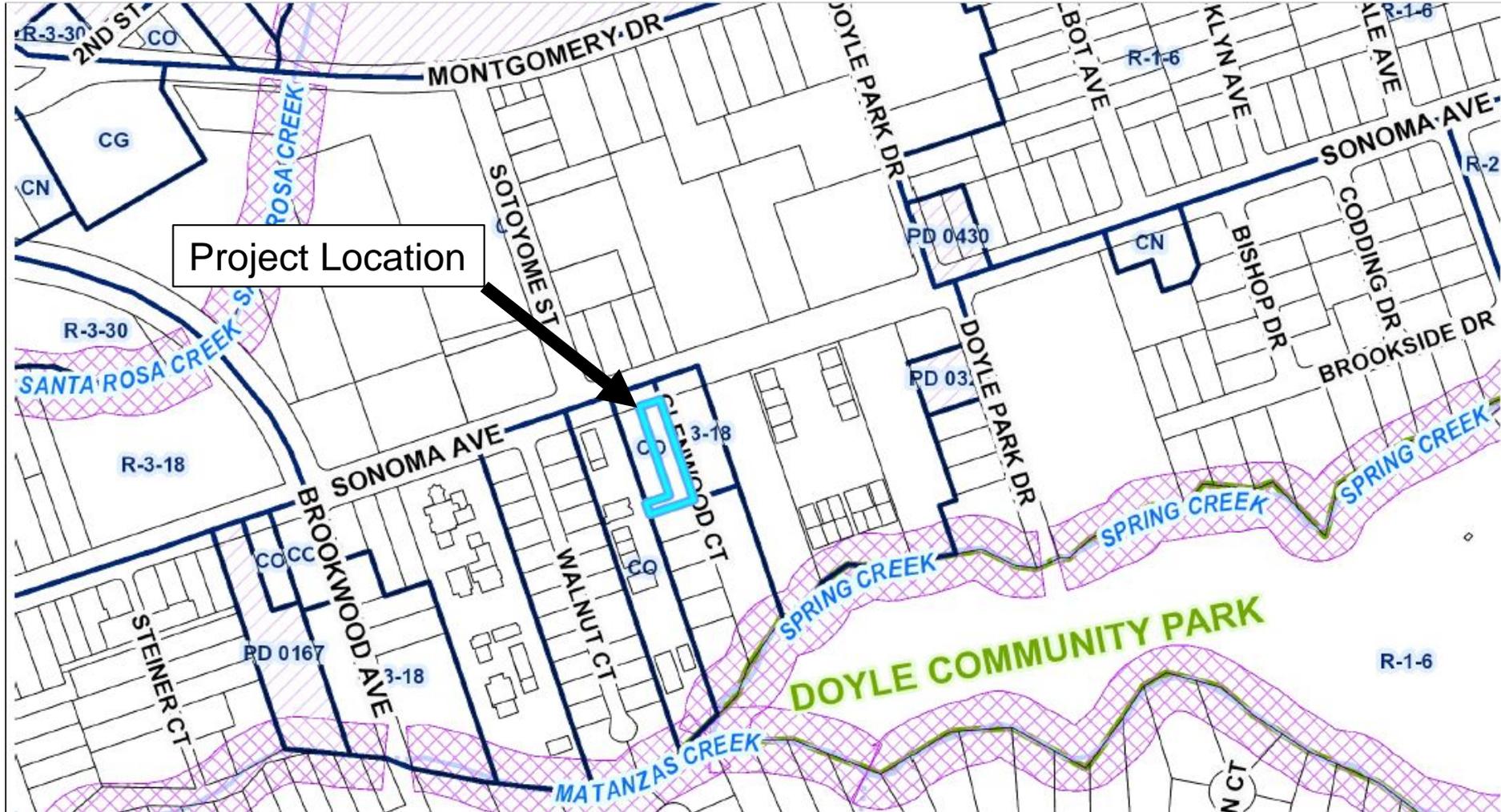
# 1128 Sonoma Ave



# General Plan Land Use Designation: Office

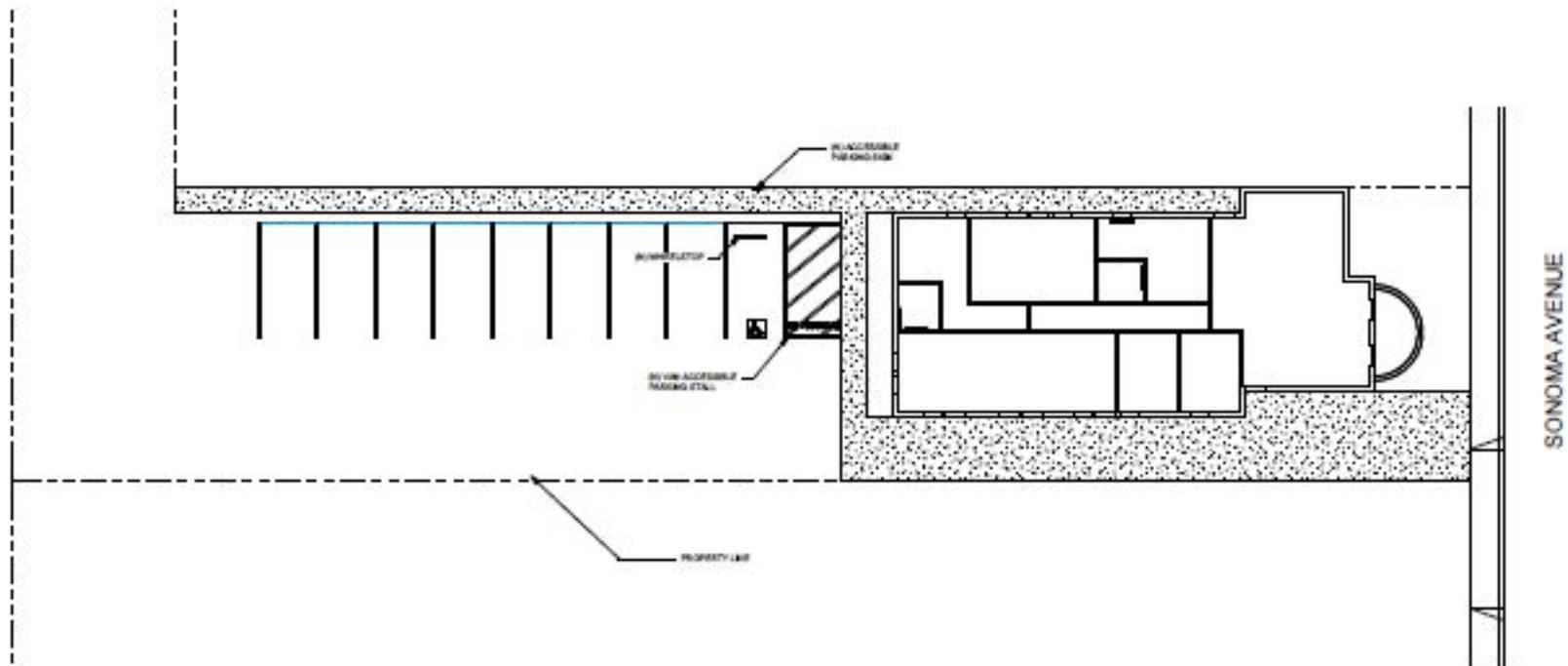


# Zoning Office Commercial (CO)

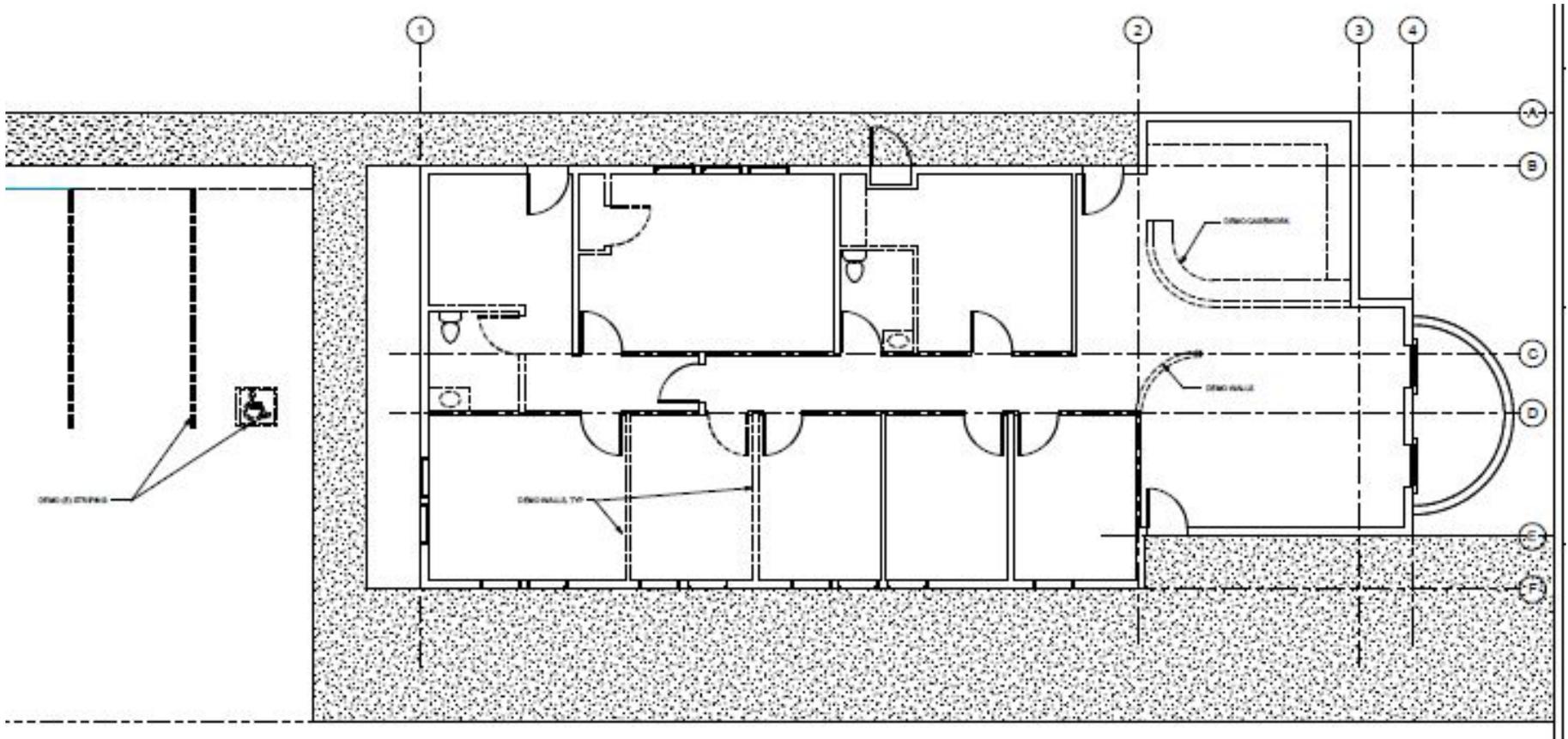


## Development Standards

- Parking
- Noise
- Odor
- Security
- Lighting



# Floor Plan



## Hours of Operation

### Proposed

#### Retail:

9 a.m. to 9 p.m. every day

#### Delivery:

9 a.m. to 9 p.m. every day

### Staff Recommendation

#### Retail:

**Sunday through Thursday: 9 a.m.  
to 7 p.m.**

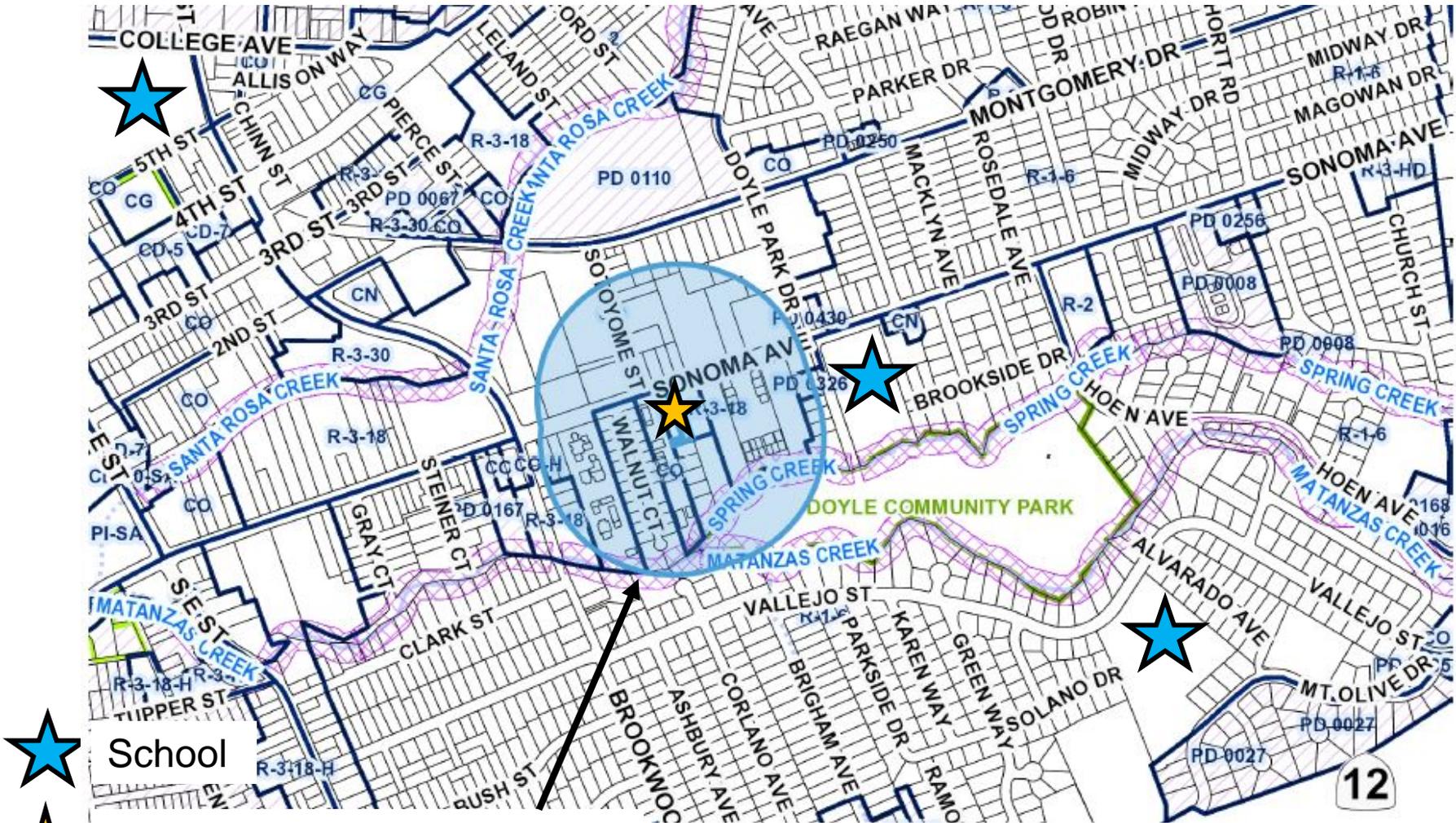
Friday & Saturday: 9 a.m. to 9  
p.m.

#### Delivery:

9 a.m. to 9 p.m. every day

- Neighborhood Meeting & Subsequent Public Input
  - Proximity to Santa Rosa French-American Charter School
    - Student safety
    - Minors exposed to cannabis
  - Proximity to surrounding residences
    - Noise/lighting
    - Loitering
    - Traffic
  - Public Safety
    - Security
    - Public nuisance

# Proximity To Schools



- ★ School
- ★ Project site & 600-foot radius

# Site Photograph

## Aerial View



# Site Photograph

## Street View



# Site Photograph

## Private Side Street View



# Site Photograph

## View to west from parking lot



## Hours of Operation

### Retail:

**Sunday through Thursday: 9 a.m. to 7 p.m.**

Friday & Saturday: 9 a.m. to 9 p.m.

### Delivery:

9 a.m. to 9 p.m. every day

## Parking Lot Screening

Screen adjacent residences from parking lot with fence along segment of west property line

# Environmental Review

## California Environmental Quality Act (CEQA)

### Found in compliance with CEQA:

- Pursuant to CEQA Guidelines Section 15183 – Consistent with General Plan and Zoning
- Pursuant to CEQA Guidelines Section 15303 – Involves a change of use
- Pursuant to CEQA Guidelines Section 15301 – Involves minor modifications to an existing facility
- Pursuant to CEQA Guidelines Section 15332 – Infill development

The Planning and Economic Development Department recommends that the Planning Commission approve a resolution to allow BKind, LLC to operate a cannabis retail (dispensary) and delivery business for medical and adult use at 1128 Sonoma Ave.

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