

Vicinity Maps Denoting Distances to Nearest Schools

California Business and Professions Code Section 26054 (b) provides that cannabis businesses cannot be located within a 600-foot radius of a school, youth center or day care center. However, this section further provides that “a licensing authority or a local jurisdiction may specify a different radius.” The City Ordinance states that the 600-foot setback applies only to retail operations, and the City properly asserts its right to establish its own setbacks pursuant to California Business and Professions Code Section 26054(b) (City Ordinance Section 26-46-040(B)).

The City’s Ordinance (as amended and adopted December 19, 2017), states that Cannabis Retail businesses must be 600 feet from a “school,” as defined by the Health and Safety Code Section 11362.768 (City Ordinance Section 20-46.080(D)(2)). Health and Safety Code Section 11362.768 (h) defines a school as “any public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes.” According to the City Ordinance, microbusinesses with a retail component must also comply with this 600-foot setback. Additionally, the City Ordinance states that “a Cannabis Retail use will not be established within 600 feet of any other Cannabis Retail use established within and permitted by the City of Santa Rosa” (City Ordinance Section 20-46.080(D)(2)).

Currently no schools, nor any other cannabis retail establishments are within 600 feet of the Subject Property (see *attached Vicinity Map Denoting Closest Schools*). The Subject Property is in the Mark West Union Elementary School District and the Santa Rosa Union High School District. Based on the City of Santa Rosa’s Public GIS map, the nearest school appears to be Lattice Educational Services (at 3273 Airway Drive), a private school, at a distance of approximately 1,097 feet from the parcel line of the Subject Property (see *attached Vicinity Map Denoting Closest Schools*). The Subject Property therefore meets both State of California and City of Santa Rosa requirements for setback from schools.



