

CITY OF SANTA ROSA  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR PLANNING COMMISSION  
**May 13, 2021**

**PROJECT TITLE**

Sunstone Advisors, Inc.

**ADDRESS/LOCATION**

330, and 350/358 Yolanda Avenue

**ASSESSOR'S PARCEL NUMBER**

044-072-008 & 044-072-007

**APPLICATION DATE**

April 4, 2018

**REQUESTED ENTITLEMENTS**

Conditional Use Permit (CUP)

**PROJECT SITE ZONING**

IL (Light Industrial)

**PROJECT PLANNER**

Monet Sheikhal

**APPLICANT**

Alicia Kelley

**PROPERTY OWNER**

Allen Henderson

**FILE NUMBER**

CUP18-070

**APPLICATION COMPLETION DATE**

March 2, 2021

**FURTHER ACTIONS REQUIRED**

Minor Design Review (DR) and Lot Merger

**GENERAL PLAN DESIGNATION**

Light Industry

**RECOMMENDATION**

Approval

CITY OF SANTA ROSA  
PLANNING COMMISSION

TO: CHAIR WEEKS AND MEMBERS OF THE PLANNING  
COMMISSION

FROM: MONET SHEIKHALI, CITY PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT

SUBJECT: SUNSTONE ADVISORS, INC. CONDITIONAL USE PERMIT FOR  
CANNABIS RETAIL (DISPENSARY) WITH DELIVERY AND ON-  
SITE CONSUMPTION, MANUFACTURING (NON-VOLATILE),  
DISTRIBUTION, AND CULTIVATION

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

The Planning and Economic Development Department recommends that the Planning Commission, by resolution, approve a Conditional Use Permit to allow a Cannabis Retail (Dispensary) and Delivery with on-site consumption, Cannabis Manufacturing – Level 1 (non-volatile), Cannabis Cultivation, and Cannabis Distribution within 5,893 square feet of a proposed new 8,441 square foot commercial building located at 330 and 350/358 Yolanda Avenue.

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EXECUTIVE SUMMARY

The Sunstone Advisors, Inc. cannabis facility project requests Major Conditional Use Permit and Minor Design Review approvals to allow the construction and operation of a proposed 5,893 square foot cannabis facility with on-site land uses consisting of Cannabis Retail (Dispensary) with on-site consumption (4,279 sf), Cannabis Cultivation (496 sf), Cannabis Manufacturing – Level 1 (non-volatile) (889 sf), and Cannabis Distribution (256 sf). Zoning Administrator will act on Minor Design Review following Planning Commission review. The existing structure would be demolished, and a new 8,441 square foot building would be constructed. Any future usage of the remaining space (2,548 sf) would be required to receive applicable land use approval. Cannabis Retail (Dispensary) and Delivery with on-site consumption hours of operation will be from 9:00 a.m. to 9:00 p.m. seven days a week consistent with Zoning Code Section 20-46.080(F)(4). The proposed project consists of up to approximately eight employees.

## BACKGROUND

On December 19, 2017, the City Council enacted comprehensive regulations for commercial cannabis (ORD-2017-025) after the State of California approved the sale of cannabis for adult use. The City initially accepted Cannabis Retail (Dispensary) and Delivery use Conditional Use Permit applications from April 1-20, 2018. On April 20, 2018, the Sunstone Advisors, Inc. application for a cannabis dispensary with delivery and consumption was submitted. Cannabis Manufacturing, Delivery, and Cultivation were later added to the project description. The operator name at the time of the initial application submittal was Friends and Farmers, which was subsequently changed to HerbaBuena, and then to Sunstone Advisors, Inc. During a competitive merit-based review process, this application was selected by the Cannabis Policy Subcommittee to move forward through Planning entitlement process. A cannabis retail competitor appealed the decision to City Council, which denied the appeal on March 12, 2019, allowing the project to move forward through the entitlement review process. Planning staff began the entitlement review process of the proposed project following City Council's decision.

### 1. Project Description

Sunstone Advisors, Inc. proposes to demolish existing development at the project site and redevelop two industrially zoned parcels with an approximately 8,441 sf commercial/light industrial building with associated parking and landscaped areas. Proposed land uses for the new building would occupy 5,893 sf of the building and would include Cannabis Retail (Dispensary) and Delivery with on-site consumption, Cannabis Cultivation, Cannabis Manufacturing – Level 1 (non-volatile), and Cannabis Distribution. The remaining 2,548 sf of the proposed building would remain vacant, and any future use of this space would be required to receive applicable land use approval. The new proposed commercial/light industrial building will require Minor Design Review and a Lot Merger to create a new parcel with a new parcel number.

The Project site is located on the south side of Yolanda Avenue along other industrial and commercial uses. The parcel at 330 Yolanda Avenue is undeveloped land, paved and fenced, and currently used as a parking lot. The parcel at 350/358 Yolanda Avenue is developed with an approximately 1,700 square-foot commercial building, which will be demolished.

The proposed building for Cannabis Retail (Dispensary) would have a storefront visible from Yolanda Avenue and include retail, courtyard, and mezzanine areas. On-site consumption is proposed in the courtyard and mezzanine areas and will be limited to consumption of CBD, topicals, tinctures, sublingual, and edibles. In compliance with the City's Smoking Ordinance, City Code Chapter 9-20, no smoking or vaping is allowed.

The cultivation area would be located within a glass greenhouse and visible to the customers within the retail area. The primary purpose of the glass greenhouse design is for demonstration and educational purposes.

Similarly, the area designated for manufacturing will also be separated from the retail space by a window room to provide views for education and discussion about the production methods for the products being made on site.

The distribution area with storage space will be in a separate room with direct access to the outside for product transfer. This area will not be visible for public view.

The proposed hours of operation for each cannabis use will be:

- Cannabis Retail, on-site consumption, and delivery from 9:00 a.m. to 9:00 p.m.
- Cannabis Manufacturing from 9:00 a.m. to 6:00 p.m.
- Cannabis Distribution from 8:00 a.m. to 6:00 p.m.
- Cannabis Cultivation from 8:00 a.m. to 9:00 p.m.

## 2. Existing and Surrounding Land Uses

Existing: IL (Light Industrial)  
North: CG (General Commercial)  
South: IL (Light Industrial)  
East: IL (Light Industrial)  
West: CG (General Commercial)

The project site is zoned IL (Light Industrial), which is consistent with the Light Industry General Plan Land Use designation. On January 22, 2019, an application for General Plan Amendment and Rezoning changing General Plan land use designations from Retail & Business Services to Light Industry was submitted for six parcels, including 358 Yolanda Avenue. On December 8, 2020, City Council approved the General Plan Diagram Amendment and Rezoning.

The surrounding area land uses are a mix of commercial and industrial uses with some residential. The vacant lot on the north side of the project is approved for multifamily residential development. Immediately adjacent to the west is a legal non-conforming single-family home. A dilapidated industrial building is proposed to be removed and replaced with a new industrial building on the east side. Other cannabis commercial uses proximate to the project site include Cannabis Distribution, Cannabis Manufacturing, and Cannabis Cultivation.

## 3. Project History

April 20, 2018	A Conditional Use permit application submitted
May 31, 2018	A Notice of Incomplete Application was sent
June 12, 2018	A Neighborhood Meeting was held
June 21, 2018	The applicant's response to Notice of Incomplete Application was received, and the application was deemed complete.

Nov 14, 2018	The Cannabis Policy Subcommittee (Subcommittee) selected the project to move forward with the Conditional Use permit process.
Nov 26, 2018	An appeal of the Cannabis Policy Subcommittee was received.
Mar 12, 2019	The City Council upheld the Subcommittee's decision allowing the Dispensary to continue through the review process.
Mar 10, 2021	The applicant submitted revised plans for the proposed four Commercial Cannabis uses.

#### PRIOR CITY COUNCIL REVIEW

Not applicable.

#### ANALYSIS

The Project proposes establishment of a Cannabis Retail (Dispensary) and Delivery use with on-site consumption, and Cannabis Manufacturing – Level 1 (non-volatile), Cannabis Cultivation, and Cannabis Distribution uses in a Light Industrial (IL) Zoning District. Cannabis Retail (Dispensary) and Delivery with on-site consumption is allowed with an approved Major Conditional Use Permit. The other three proposed cannabis uses require a Minor Conditional Use Permit because the parcel abuts a parcel with residential uses. Zoning Code Section 20-50.020(A) allows the Zoning Administrator to defer action on a Minor Conditional Use Permit to the Planning Commission.

#### 1. Santa Rosa General Plan 2035

The site is designated as Light Industry on the General Plan Land Use Diagram. This classification is intended to accommodate light industrial, warehousing and heavy commercial uses. The following General Plan goals and policies are applicable to the Project:

#### **LAND USE AND LIVABILITY**

- LUL-A Foster a compact rather than a scattered development pattern in order to reduce travel, energy, land, and materials consumption while promoting greenhouse gas emission reductions citywide.
- LUL-I-1 Provide a range of commercial services that are easily accessible and attractive, that satisfies the needs of people who live and work in Santa Rosa and that also attracts a regional clientele.
- LUL-K Protect industrial land supply and ensure compatibility between industrial

development and surrounding neighborhoods.

## **ECONOMIC VITALITY**

- EV-A-1 Continue to promote Santa Rosa as the North Bay's premier location for technology, clean/green technologies, and entrepreneurial businesses, which create new products and business models that will attract national and international markets.
- EV-A-5 Maintain diversity in the types of jobs available in Santa Rosa to lessen the impact of economic cycles.
- EV-D-2 Continue to promote Santa Rosa's role as a regional center.

Although Cannabis land uses are not considered under the current General Plan, the Light Industrial zoning district is an implementing zoning district of General Plan Light Industry land use designation. The Zoning Code specifically identifies IL (Light Industrial) zoning districts as locations appropriate for cannabis retail dispensary and delivery uses.

Staff has determined that the Cannabis Retail (Dispensary) and Delivery with on-site consumption, Cannabis Manufacturing – Level 1 (non-volatile), Cannabis Cultivation, and Cannabis Distribution are consistent with the applicable identified General Plan goals and policies, and the associated Light Industry General Plan land use designation. The proposed uses would assist in maintaining the economic viability of the area and maintaining the diverse types of employment opportunities available in the City, while continuing to promote Santa Rosa as a regional center.

## **2. Zoning**

The project site is located within the Light Industrial (IL) zoning district and is surrounded by industrial, commercial, and residential land uses. Zoning Code Section 20-46.050 provides General Operating Requirements applicable to all Cannabis Businesses, Section 20-46.080 specifies additional operating requirements for Cannabis Retail (Dispensary) and Delivery, including on-site consumption; Section 20-46.060 provides additional requirements for Cannabis Commercial Cultivation; and Section 20-46.070 provides operational requirements for Cannabis Manufacturing. Below is an analysis of the all applicable subsections related to all four proposed uses.

Sunstone Advisors, Inc. is required to comply with all applicable local regulations and to adhere to all State Bureau of Cannabis Control licensing and operating procedures. The applicant will hold Type 1A, Type 6, Type 10, and Type 11 State licenses, which allows operation of Cannabis Cultivation, Cannabis Manufacturing – Level 1 (non-volatile), Cannabis Retail (Dispensary) and Delivery with on-site consumption, and Cannabis Distribution. The applicant will display copies of all State Licenses as well as all County and City permits.

### Cannabis Retail and Delivery with On-Site Consumption

In compliance with Zoning Code Section 20-46.080(F)(4), the applicant proposes to operate the Cannabis Retail (Dispensary) with the storefront entrance visible from Yolanda Avenue, and with operating hours from 9:00 a.m. to 9:00 p.m. seven days per week. The applicant proposes retail delivery service to customers and an area designated for on-site consumption, in accordance with the Zoning Code and Bureau of Cannabis Control Regulations.

Section 20-46.080(F) provides that on-site consumption of Cannabis and Cannabis Products shall be subject to the following requirements:

1. Patients or Customers. Neither patients nor customers shall be permitted to consume cannabis on the site of a Cannabis Retail facility except as permitted in accordance with Chapter 9-20 (Smoking Regulations), in compliance with state law and as follows:
  - i. Conditional Use Permit applications for Cannabis Retail shall include a statement as to whether the use will include on-site consumption by patients or customers of Cannabis and Cannabis Products.
  - ii. If on-site consumption will be included, the application shall describe the operational plan and specific extent of such provision, security protocols, and how the consumption will comply with the requirements set forth in this Chapter and state law.
2. Employees. Employees of a Cannabis Retail facility who are qualified patients may consume medical Cannabis or Cannabis Products on-site within designated spaces not visible by members of the public, provided that such consumption is in compliance with Chapter 9- 20 (Smoking Regulations) and state law.
3. Signs regarding public consumption. The entrance to a Cannabis Retail facility shall be clearly and legibly posted with a notice indicating that smoking and vaping of Cannabis is prohibited on site or in the vicinity of the site except as permitted in accordance with Chapter 9- 20 (Smoking Regulations) and state law.

### Cannabis Manufacturing Level 1 (non-volatile)

Non-volatile Cannabis Manufacturing is proposed within 889-square-feet of the proposed new building. The proposed non-volatile manufacturing processing will not use hazardous materials. The primary production will include trimming, separating and packaging flowers, rolling joints, ice water hash production, and infusing plant material into carrier oils such as coconut or olive oils, and then blending and packaging for topical products, edibles and tincture production.

### Cannabis Cultivation

Cultivation will take place within the 469-square-feet of glass greenhouse within the new building. Some plants will be harvested and dried for packaging and sale on site (after being transferred through distribution and third-party lab testing), with demonstrations on regenerative, living soil cultivation techniques,

harvesting, curing and trimming. The cultivation of Cannabis must be conducted in accordance with all applicable Federal, State, and local laws and regulations governing the use of pesticides.

#### Cannabis Distribution

Distribution activities will be conducted within 256-square-feet of the proposed new building. The distribution area includes a secure storage area and an office space. Activities include interacting with lab facilities to ensure quality control and lab testing, collection of taxes, and logistics.

#### **Section 20-46.050 General operating requirements**

In the project description, the applicant demonstrates that it will comply with all General Operating requirements.

- A. **Dual licensing.** Applicant is required to demonstrate local authorization prior to obtaining required State Cannabis Operator licenses. Approval of this application for a Conditional Use Permit is a necessary step in order to comply with the dual licensing requirement. Sunstone Advisors, Inc. has demonstrated that will obtain both City of Santa Rosa required permits and required licenses from the State of California.
- B. **Minors.** As an adult use cannabis business, Sunstone Advisors, Inc. will only allow on the premises persons who are 21 years of age and older and who possess a valid government-issued photo identification card.
- C. **Inventory and tracking.** The project applicant will operate at all times in a manner to prevent diversion of cannabis and shall comply with the state of California tack and trace program.
- D. **Building and fire permits.** The project application will obtain a building permit to conform with the appropriate occupancy calcification and will obtain all annual operating fire permits with inspections prior to operation. The applicant demonstrates a clear understanding of what is required to comply with Building and Fire Code requirements.
- E. **Security.** Zoning Code Section 20-46.050(G) requires cannabis businesses to provide adequate security to ensure the public safety, and safety of persons in the facility to protect the business premises from theft. Cannabis business applications are required to provide a security plan that includes lighting and alarms, secure storage and waste, procedures for the safe transportation of products and currency, controlled building access and emergency access. The applicant has provided a detailed security plan that includes the following security enhancements and has made the request to not be released to the public for safety considerations:
  - 1. **Security Cameras.** The applicant will install security cameras to monitor the interior and exterior of the building; the cameras will run 24 hours a day, be maintained in good working condition, comply with standard industry format to support criminal investigations and video recordings will



be maintained for 60 days;

2. **Alarm System.** The applicant will install a professionally monitored alarm. All security systems at the dispensary facility will have the ability to remain operational during a power outage. A backup battery will be installed.
  3. **Secure Storage Waste.** All finished cannabis and cannabis products will be stored in a secured area to prevent diversion, theft, loss, hazards and nuisance.
  4. **Transportation.** During product transfer from the distribution office, there will be a member of the security team present. These activities will only take place during standard business hours.
  5. **Locks.** The applicant will provide commercial security doors at all entrances, exits, and access points to restricted areas. All doors will be constructed of burglary-resistant material, with commercial-grade, non-residential locks. Additionally, exterior doors, as well as limited access area entries, will be automatic locking and equipped with electric strike.
  6. **Emergency Access.** The applicant has acknowledged the project will comply with California Fire Code and Santa Rosa Fire Department standards.
- F. **Odor Control.** Zoning Code Section 20-46.050(H) requires cannabis businesses to “incorporate and maintain adequate odor control measures such that the odors of cannabis cannot be detected from outside the structure in which the business operates.” The applicant has provided a certified Odor Mitigation Plan approved by Matthew Torre, from 15000 Inc., dated February 11, 2021. The Odor Mitigation Plan has been reviewed by a licensed professional engineer and includes installation of activated carbon filter on exhaust systems for all the areas cannabis uses are proposed.
- G. **Lighting.** The applicant has indicated that exterior lighting systems will be provided for security purposes and shall comply with City regulations regarding location, intensity, and impacts to the neighborhood. Interior lighting systems will be fully shielded and include adequate coverings on windows, to confine light and glare to the interior of the structure.
- H. **Noise.** The applicant has indicated that the use of any air conditioning and ventilation equipment will comply with Chapter 17-16 (noise) of Santa Rosa City Code.

#### **Section 20-46.080 Cannabis Retail (Dispensary) and Delivery Requirements**

- A. **Conditional Use Permit.** An application has been made for a Conditional Use Permit to operate a Cannabis Retail (Dispensary) and Delivery with on-site consumption.
- B. **Delivery Services.** Delivery Services are proposed in conjunction with this application for a retail dispensary operation and with a retail storefront that is open to the public. The application provides an operational plan for delivery

services that demonstrates compliance with local regulations and Bureau of Cannabis Controls Regulations.

- D. **Location Requirements.** In addition to those location requirements established in Allowable Land Use Table 2-6, Cannabis Retail is subject to these additional location requirements:
1. **Overconcentration.** The Zoning Code limits geographic concentration of cannabis retail facilities (dispensaries) by prohibiting dispensaries within 600 feet of each other. There are no other cannabis retail facilities within 600 feet of the subject site; therefore, the Project site is not located in an “over-concentration” area.
  2. **Setback to Schools.** City and State regulations prohibit establishment and operation of retail cannabis dispensaries within 600 feet of a K-12 school as defined by Health and Safety Code Section 11362.768. The site is located on the south side of the Yolanda Avenue and approximately 3,500 feet, parcel line to parcel line, from Kawana Elementary School, and about 6,000 feet, parcel line to parcel line, from Sonoma Academy High School.
  3. **Visibility of entrance.** The proposed dispensary building will have a storefront entrance visible from Yolanda Avenue. The proposed building elevations shows the entrance to the dispensary is located in a clear and prominent area.
- E. **Edible products.** The applicant has acknowledged that will comply with all applicable Sonoma County requirements including securing a permit from the Department of Health Services for the sale and handling of edible products.
- F. **Operational Requirements.** The project description, attachment no.3, provides number of employees and hiring procedures. All employees will submit to pass background checks as required by state law. Public hours for Cannabis Retail (Dispensary) and Delivery will be from 9:00 a.m. to 9:00 p.m. daily as allowed by Section 20-46.080(F)(4). Hours of operation for Cannabis Manufacturing, Distribution, and Cultivation will be between 8 a.m. to 9 p.m.
- G. **On-site consumption.** The products provided for on-site consumption would include flowers to see and smell, CBD, topicals, tinctures, sublingual and edible forms of products. The consumption area will be within the courtyard and mezzanine areas and separate from all other areas of the dispensary. Only persons 21 years of age and older will be allowed into the on-site consumption area. The on-site consumption area will not be visible from any public place or non-age-restricted area of the premises. The applicant indicates the design of the building includes a wall that restricts the site line from the public and prevents anyone outside the dispensary, or within the check-in area to see the consumption area until their ID and age is confirmed. The sale and consumption of alcohol and tobacco is strictly prohibited of all persons on the premises of the facility.

Parking

A Traffic Impact Study (TIS) was provided for the General Plan Amendment and Rezoning of the six parcels along Yolanda Avenue (PRJ19-002), which included the subject two parcels for the proposed cannabis uses. The Study includes parking analysis for the proposed dispensary building along with other uses for all six parcels, including existing and proposed uses. The six parcels will share parking spaces via shared parking agreement.

As discussed in the Traffic Study, adequate parking has been previously established for the existing industrial uses. The proposed project includes 24 parking spaces where 22 are required by Zoning Code Section 20-36. Therefore, the project includes a sufficient number of parking spaces.

**Parking Requirements**

<b>Use</b>	<b>Square Feet</b>	<b>Code Requirement</b>	<b>Required Spaces</b>
<i>Cannabis Retail &amp; Delivery</i>	4,279	1 space/250 SF	17
<i>Cannabis Distribution</i>	256	1 space/1,000 SF	1
<i>Cannabis Cultivation</i>	469	1 space/350 SF	1
<i>Cannabis Manufacturing</i>	889	1 space/350 SF	3
Vacant Industrial & Office	2800	1 space/250 SF	11
Existing and Proposal Industrial Uses	50,000	1 space/700 SF	71
		Grand Total Required Parking Spaces:	<b>104</b>
		Number of Existing Parking Spaces:	<b>127</b>

4. Design Guidelines

An application for a Design Review (DR19-068) has been submitted and is completing Planning review. Redevelopment of the project site is regulated by the Zoning Code and must be consistent with Design Guidelines.

5. Neighborhood Comments

No public comments have been received at the time that this Staff Report was prepared.

6. Public Improvements/Onsite Improvements

The applicant has submitted a separate design review package for the proposed building and new industrial building located to the east of this retail building project. This project incorporates the City requirements for the road enlargement and new frontage improvements along Yolanda Avenue.

FINDINGS REQUIRED FOR CONDITIONAL USE PERMIT

The Planning Commission must make the following findings as required in Zoning Code Section 20-52.050 to grant the Conditional Use Permit.

**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.**

Staff Response: The proposed commercial cannabis uses are allowed within the Light Industrial (IL) zoning district subject to Planning Commission approval of a Conditional Use Permit. The application complies with district requirements and all other applicable provisions of the Zoning Code and City Code.

**B. The proposed use is consistent with the General Plan and any applicable specific plan.**

Staff Response: The proposed Commercial Cannabis Retail (Dispensary) and Delivery with on-site consumption, Cannabis Manufacturing, Cannabis Cultivation, and Cannabis Distribution uses are consistent with the applicable underlying General Plan goals and policies related to economic vitality and the associated Light Industry General Plan land use designation that is implemented by the Light Industrial (IL) zoning district in which the proposed uses are located.

**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.**

Staff Response: The proposed commercial cannabis uses are allowed under Zoning Code Section 20-24.030 - Table 2-10, with approval of a Conditional Use Permit. The Project is located on a site zoned Light Industrial (IL). As such, the site is suitable for the use as proposed and the hours of operation are within those permitted in Section 20-46.080(F)(4). Also, the project complies with the general operating requirements for cannabis businesses and the operating requirements specific to cannabis uses. The project site is located on the south side of Yolanda Avenue, which is predominantly developed with industrial uses, and parking meets Zoning Code requirements.

Additionally, W-Trans of Santa Rosa conducted a Traffic Impact Study (TIS) for the approved General Plan Amendment and Rezoning (PRJ19-002) of the six parcels and the proposed Conditional Use Permit, which indicates that any potential traffic impacts resulting from the proposed uses would be considered acceptable and are less than significant. The project includes public improvements along the site's Yolanda Avenue frontage, and these improvements would be constructed to meet applicable design standards. Furthermore, the Study indicates that proposed parking is adequate for the proposed uses.

**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.**

Staff Response: The proposed use will be located within a proposed new 8,441 square-foot commercial/industrial building. Site design provides vehicular access and on-site parking. The project plans demonstrate compliance with all operational standards as specified in Chapter 20-46 - Cannabis. The building and site would be fully accessible pursuant to Americans with Disabilities Act (ADA) standards. All necessary utilities are available at the project site, including water, wastewater, gas and electric services.

**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.**

Staff Response: The proposed project will be consistent with existing developments along Yolanda Avenue, which supports a variety of industrial and commercial uses. The Odor Mitigation Plan has been certified by a licensed engineer ensuring that all mitigation controls are sufficient to effectively mitigate odors to a level undetectable outside the building.

As required in Section 20-46.050(G), the applicant has provided a Security Plan, and per the Security plan, security staff will be properly trained and present on site during hours of operation. The applicant will engage with a professional licensed security company to design and maintain surveillance and access control system. The professional security company will monitor surveillance and maintain alarm operations.

The site is approximately 3,500 feet from Kawana Elementary School, and about 6,000 feet from Sonoma Academy High School. This exceeds the minimum 600-foot separation required under both State of California and the City of Santa Rosa regulations.

Per Section 20-46.050(E), the project is subject to Building and Fire permits. Additionally, an annual Fire Department Operational Permit is required, and the project must meet Health and Safety Code requirements.

**FISCAL IMPACT**

Approval of this action will not have a fiscal impact on the General Fund.

**ENVIRONMENTAL IMPACT**

The proposed Project has been reviewed in compliance with the California Environmental Quality Act (CEQA). The proposed project is within the scope of the previously adopted Mitigated Negative Declaration (MND) for the Yolanda Industrial Project certified by the City Council on December 8, 2020.

Section 15162 of the CEQA Guidelines states that no subsequent environmental review is required unless proposed project changes result in: new significant environmental

effects or a substantial increase in previously identified effects, or a substantial change to project circumstances resulting in new environmental effects or a substantial increase in previously identified effect, or new information of substantial importance shows that the project would result in substantial impacts not previously analyzed, or a substantial increase in previously identified effect, or that necessitates reevaluation of mitigation measures. There are no changes to the project or to the circumstances surrounding the project site or new information demonstrating new or un-analyzed impacts. For these reasons no additional CEQA review is required.

#### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable

#### NOTIFICATION

The Project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website. Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

#### ISSUES

There are no unresolved issues.

#### ATTACHMENTS

- Attachment 1: Disclosure Form
- Attachment 2: Location Map
- Attachment 3: Project Description, dated received March 10, 2021
- Attachment 4: Plan Set, dated received March 2, 2021
- Attachment 5: Odor Control Plan prepared by 15000 Inc, dated received March 2, 2021

Resolution

CONTACT

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