

## **RESOLUTION NO. CUP21-028**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW DISTRIBUTION OF CANNABIS PRODUCTS (TYPE 11) FOR MOTHERSHIP DISTRIBUTION INC. LOCATED AT 386 YOLANDA AVENUE, SUITE D, SANTA ROSA, APN: 044-072-022**

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Conditional Use Permit to allow distribution of cannabis products has been granted based on your project site plan dated March 9, 2021 and project description dated May 17, 2021. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The proposed use is allowed within the Light Industrial (IL) Zoning District with a Minor Conditional Use Permit per Section 20-24.030, Table 2-10, because it is adjacent to residential uses, and complies with all other applicable provisions of this Zoning Code and the City Code. The matter has been properly noticed as required by Zoning Code Section 20-52.050.E.2.a, and no request for a public hearing has been received; and
- The proposed use is consistent with the General Plan in that the use proposed at this location implements the General Plan vision by accomplishing a variety of Land Use and Economic Development goals by ensuring that industrial uses contributing to economic vitality goals are located in appropriate areas and residential neighborhoods are protected; and
- The design, location, size and operating characteristics of the proposed cannabis distribution operation are compatible with the existing and future land uses in the vicinity in that the proposed use will operate within an industrial building and the loading and unloading of products will occur inside of the building. As proposed, the project has incorporated measures to minimize odors, noise, and to increase security; and
- The site is physically suited for the type, density, and intensity of the proposed cannabis distribution use, including access, utilities, and the absence of physical constraints in that the proposed use would be located on a parcel with similar industrial uses; and
- Granting this 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 in that the project's 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 project provides secure procedures to effectively prevent theft or diversion of any cannabis or currency, as well as to discourage loitering, crime, and illegal or nuisance activities through a camera surveillance system, a professionally monitored alarm system, secure storage, and product inventory controls, and implementation of employee safety and security operational

procedures; the transport/delivery area will be inside of the building to facilitate secure transport of material to and from the business; and the project is subject to Building and Fire permits, as described in Building and Fire Code Requirements for Cannabis Related Occupancies; and

- The proposed project qualifies for a Class 1 exemption under CEQA Guidelines Section 15301 in that the proposed project involves minor alterations of an existing private structure with no expansion. The project also qualifies for a Class 32 exemption, per Section 15332, as it involves an infill development on a site of less than five acres, within City limits, substantially surrounded by urban uses, with no value as habitat for endangered, rare or threatened species, adequately served by necessary utilities and public services, and the project has no foreseeable significant adverse impacts.

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.)

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

#### Conditions of Approval

1. Obtain a building permit for the proposed project.
2. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
5. No exterior signs are approved with this permit. A separate sign permit is required.
6. Comply with Santa Rosa Engineering and Development Services conditions attached hereto and incorporated here as Exhibit "A", dated May 26, 2021.
7. All business shall be conducted according to the final project description dated received by the City on May 17, 2021.
8. Odor control shall be maintained in a manner that the odors of cannabis are not detected outside of the building.
9. The exterior of the building will be covered by strategically placed security cameras. Surveillance footage will be maintained for 90 days.

This Minor Conditional Use Permit is hereby approved on this 17<sup>th</sup> day of June 2021, for the duration of use provided conditions are complied with and use has commenced within two years from approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: \_\_\_\_\_  
ANDY GUSTAVSON, ZONING ADMINISTRATOR

Attachment

Exhibit A – Engineering Development Services Conditions of Approval, May 26, 2021