

RESOLUTION NO. CUP20-025

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A CONDITIONAL USE PERMIT FOR BRUEGGEN HOLDINGS INC. TO OPERATE CANNABIS CULTIVATION (TYPE 1A AND TYPE 4), CANNABIS DISTRIBUTION (TYPE 11) AND CANNABIS MANUFACTURING NON-VOLATILE (TYPE 6) WITH ADULT AND MEDICAL USE WITHIN AND EXISTING 9,990 SQUARE FOOT BUILDING LOCATED AT 374 YOLANDA AVENUE, SANTA ROSA, APN: 044-072-025

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Conditional Use Permit to occupy a 9,990 sq. ft. warehouse building with 4,725 sq. ft. (Suite A) cannabis cultivation w/nursery (Type 1A and Type 4), 3,925 sq. ft. (Suite B) cannabis distribution (Type 11), and 1,340 sq. ft. (Suite C) non-volatile manufacturing level 1 (Type 6) businesses. has been granted based on your project description and plans submitted on May 20, 2021. The Santa Rosa Zoning Administrator has based this action on the following findings:

- 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. 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;
- The proposed uses are consistent with the General Plan land use designation of Light Industrial, which is applied to areas that are intended for cultivation, distribution and manufacturing uses. Additionally, the uses proposed at this location implement 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 and are located in appropriate areas;
- The design, location, size and operating characteristics of the proposed cannabis facility would be compatible with the existing and future land uses in the vicinity in that the proposed uses will locate within an existing industrial building and will comply with Building and Fire Code Requirements for Cannabis Related Occupancies. Also, the project site is supported by the well-designed and required number of parking spaces; security measures including lighting, restricted access for employees, on-site security personnel, and surveillance cameras;
- The site is physically suited for the type, density, and intensity of the proposed cannabis facility, including access, utilities, and the absence of physical constraints in that: the proposed uses would be located entirely within an existing 9,990-square-foot industrial building, access to the site is provided via Yolanda Avenue; 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; and, all necessary utilities are available at the project site. In addition, the Project plans demonstrate compliance with all

operational standards as specified in Zoning Code Chapter 20-46, and the subject site is within a fully developed area zoned for light industrial uses;

- A. 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 in that: the use is consistent with the surrounding land uses along Yolanda Avenue; 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 project 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 through a camera surveillance system, a professionally monitored alarm system, access controls, secure storage and waste areas inventory controls, and product inventory controls, and implementation of employee safety and security operational procedures; the project is subject to Building and Fire permits, and an annual Fire Department Operational Permit is required for cannabis manufacturing facilities; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and it qualifies for:
 1. Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301 in that it involves minor modifications to an existing facility.
 2. Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303, in that it permits the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures where only minor modifications are made in the exterior of the structure.

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. All work shall be done according to the final project description and plans dated received by the city on May 20, 2021.
7. Compliance with Engineering Development Services Exhibit A, dated January 4, 2021, attached hereto and incorporated herein.
8. The operator(s) and/or owner(s) shall submit a Wastewater Discharge Permit Application including plumbing plans to City of Santa Rosa Environmental Services section. The Application requires no permit fee and it can be accessed online at: www.srcity.org/generalapp
9. Any cannabis production and/or cultivation trench drain(s) excluding restroom waste lines shall connect to one common process waste line prior to any connection to the City sanitary sewer.
10. Install a sample box as per City Standard #522 or equivalent at the common process waste line in an area that is free of forklift traffic, and accessible to City personnel.
11. May be required to install a City approved effluent meter or equivalent to measure all process waste discharges to the City sanitary sewer. The effluent meter will be used to determine discharge flow data for City commercial sewer discharge fees.
12. Any on-site manufacturing that involves producing baked or food grade products shall require the installation of a grease removal device(s) for any 3-compartment sink used for clean-up. Note: See City's Interceptor Policy for more details on connections and sizing criteria.
13. Any fume hood drain that has a direct connection to City sanitary sewer shall be either protected with a berm and/or standpipe to prevent any chemical spill or leak to sanitary sewer.
14. All extraction condenser non-contact cooling water shall be recycled with either a chiller and/or water tower. The City of Santa Rosa Title 15-08.070 (18) prohibits the discharge of unpolluted wastewater including non-contact cooling water.
15. 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.
16. 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.

This Minor Conditional Use Permit is hereby approved on this 2nd day of September 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