

City of Santa Rosa
September 20/2021
**Planning & Economic
Development Department**



**COMMERCIAL CANNABIS
BUSINESS APPLICATION**
Resubmitted March 25, 2021

City of Santa Rosa

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DEAR CITY OF SANTA ROSA:

CR Santa Rosa, LLC (Cookies), is pleased to submit its Conditional Use Permit application to the City of Santa Rosa for a Type 10 cannabis retail storefront dispensary (adult and medical) with delivery services at 1937 Santa Rosa Avenue.

Known for its innovative and trendsetting approach to cannabis for over 20 years, Cookies is rooted in both culture and curation. Cookies products and retail locations reflect the company's grassroots history, as well as its pioneering approach to creating a safe, yet memorable retail experience. Founded on the pillars of community, service, innovation, and quality, Cookies believes that life is to be enjoyed together.

Cookies stores feature a one-to-one supervised shopping experience. The community is a key component to the design of Cookies retail storefronts. Each store features community tables where customers and employees can discuss cannabis goods on display. Featuring artwork from local artists, the focus is on experience and creating a destination store that people want to visit and talk about when they leave.

PROJECT DESCRIPTION

The proposed storefront dispensary at 1937 Santa Rosa Avenue (APN 043-063-034) is an approximately 4,475 square foot retail space located in an existing two-story commercial building (the "Property"). The lot size is approximately 0.33 acre.

The Project would include renovations to the existing interior of the space, new signage, and a new exterior camera for security. The site accommodates 95 parking spaces that are shared with the adjacent businesses. The project will include activities permitted by a Cannabis Retail and Delivery State License - Type 10 for Medicinal and Adult use, which allows retail sales of cannabis and cannabis products to consumers, either at a brick-and-mortar dispensary or via delivery. The secure storefront entrance will be located on the north side of the building.

NEIGHBORHOOD

The site is located along Santa Rosa Avenue, a commercial corridor containing a mix of businesses and services within southern Santa Rosa. Businesses adjacent to the proposed dispensary are Pet Club Santa Rosa, Casual Male XL, Play-It-Again Sports, Costco, Wendy's, Work World and Redwood Veterinary Clinic. The Rosa Vista Trailer Park and Villa Trailer Park represent the closest residential neighbors to the site. The proposed dispensary will occupy an existing retail space in a shopping center, fitting within the scale of existing neighborhood commercial uses and providing a service to both the immediate neighborhood and southern Santa Rosa.

EXISTING USE

Currently, the location is a retail beauty supply store and salon (Beauty Connection Plus), which operates from 9am to 7pm.

ZONING AND GENERAL PLAN COMPLIANCE

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 proposed use—cannabis retail dispensary and delivery—is allowed in the General Commercial (CG) zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. Zoning Code Table 2-6 lists the allowable uses in the General Commercial (CG) zoning district, which implements the Retail and Business Services General Plan land use designation, and allows Cannabis Retail (Dispensary) and Delivery Use, subject to Planning Commission approval of a Conditional Use Permit.

The proposed use is consistent with the General Plan and any applicable specific plan;

The proposed use is consistent with the General Plan and any applicable specific plan in that the proposed use realizes applicable underlying General Plan goals and policies related to the Retail and Business Services land use designation. This land use designation is implemented through the General Commercial (CG) zoning district, which allows for the proposed Cannabis Retail (Dispensary) and Delivery Use with a Conditional Use Permit. The project additionally supports the following General Plan Economic Vitality objectives:

EV-C: Promote new retail and higher density uses along the city's regional/arterial corridors;

EV-C-1: Develop a retail and business services strategy to locate regional and local serving industries, and ensure appropriate location of such uses along major regional/arterial corridors. Incorporate initiatives to retain and expand existing retail and business service uses;

The proposed new retail activity is well-suited at its location along Santa Rosa Avenue, an important arterial corridor with extensive commercial uses.

EV-D: Maintain the economic vitality of the downtown, business parks, offices and industrial areas;

EV-D-2: Maintain space in business parks for distribution and research uses. Attract a wide range of industries which serve local and regional needs and contribute to the community's economic vitality, and at the same time protect the local environment and quality of life;

The proposed activity will provide local and regional access to the new and thriving cannabis industry. This activity is diverse from the surrounding uses and contributes to the wide range of industries, as well as the economic vitality of the area immediately surrounding the project site and the City's tax base. Locating the project in an already-developed commercial building will minimally impact traffic patterns or the quality of life in the area, while taking advantage of the site's accessible location along an arterial commercial corridor.

The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;

The design, location, size, and operating characteristics of the proposed activity is compatible with the existing and future land uses in the vicinity. The proposed use is the type of use contemplated by the Retail and Business Services land use designation and is allowed in the General Commercial (CG) zoning district with approval of a Conditional Use Permit. The proposed project is located in an area designated for Retail and Business Services and is primarily occupied by commercial uses, with sites adjacent to the project sites similarly zoned as General Commercial (CG). The project is consistent with the retail and commercial character of the Santa Rosa Avenue commercial corridor, and the project site is supported by a large parking lot onsite.

The proposed activity will comply with all operational standards as specified in Zoning Code Chapter 20.46, including hours of operation requirements, provision of a detailed security plan, and implementation of odor mitigation efforts.

The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints. The proposed use will be located entirely within an already-existing 4,475 square foot commercial suite within a developed and accessible commercial corridor. Adequate vehicular access to the site is provided from Santa Rosa Avenue and the nearby US-101 freeway connector. Substantial vehicle parking is provided at the site by way of an 95-space shared parking lot adjacent to the building. Further, all necessary utilities are available at the project site, including water, wastewater, storm drainage, gas, and electric services.

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;

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. The proposed use is consistent with the existing character of the commercial corridor along Santa Rosa Avenue. The proposed project and adjacent parcels are zoned for General Commercial (CG) use, and the proposed activity will be well-suited to the similar surrounding land uses.

Further, the proposed activity will comply with several operational standards to prevent any potential adverse effect on people or buildings in the vicinity. Applicant is preparing and will adhere to an odor mitigation plan. Hours of operation are limited to 9am to 9pm. Applicant will follow a detailed security plan, and the applicant indicates that security personnel will be provided in accordance with Bureau of Cannabis Control Regulations Section 5045. The property will have adequate lighting so as to not invite criminal behavior or loitering. At the same time, lighting is designed to not impact the quiet enjoyment of neighbors.

Additionally, the proposed project is not within close proximity to any schools. The closest school, Kawana Elementary, is located approximately 3,000 feet from the property. The walking or driving distance between the two locations is over a mile. This distance greatly exceeds the minimum 600-foot separation required under City Code sec. 20.46.080(D)(2) and state law. Further, there are no other cannabis uses within 600 feet of the project site as required by sec. 20.46.080(D)(1).

Compliance with the preceding measures will ensure that the proposed project does not constitute a nuisance nor cause injury or detriment to the public, or to persons, property, or other improvements in the vicinity of the project.

Local and State Compliance

General Operating Requirements

Section 20-46.050 Compliance Findings

A. Dual licensing. The City recognizes that State law requires dual licensing at the State and local level for all Cannabis Businesses (Medical and Adult Use). All Cannabis Operators shall therefore be required to diligently pursue and obtain a State cannabis license at such time as the State begins issuing such licenses, and shall comply at all times with all applicable State licensing requirements and conditions, including, but not limited to, operational standards such as, by way of illustration but not limitation, background checks, prior felony convictions, restrictions on multiple licenses and license types, and locational criteria.

1. Operators in good standing. Cannabis Businesses which have received land use permit approval pursuant to this Chapter prior to or within 10 months of date the State begins issuing State licenses shall be considered “operators in good standing”. Operators in good standing shall be allowed to obtain building occupancy permits and commence operations in compliance with City permit approvals while diligently pursuing all necessary State licenses and subject to any deadlines established by the State. Operators in good standing shall demonstrate to the City that complete applications for all necessary State licenses and agency permits have been filed and are being pursued by the applicant in compliance with deadlines established by the State.

Not applicable.

2. New operators. Cannabis Businesses which have received land use permit approval pursuant to this Chapter after the State begins issuing State licenses and after the 10-month transition period noted in Subsection A.1 above, shall not be allowed to commence operations until the Cannabis Business can demonstrate that all necessary State licenses and agency permits have been obtained in compliance with any deadlines established by the State.

The project will comply with local and State regulations. Applicant will obtain a cannabis Type 10 license and comply with all applicable State operational standards and location requirements. Applicant will demonstrate to Santa Rosa that complete applications for all necessary State licenses and agency permits will be obtained.

3. Existing permitted operators. Cannabis Businesses which have received land use permit approval prior to the adoption of this Chapter shall be required to comply with all operational requirements set forth in this Chapter. In addition, a Cannabis Business that has obtained a valid land use permit for medical use issued prior to the adoption of this Chapter may incorporate adult use into their land use permit upon issuance of a Zoning Clearance by the Department. The Zoning Clearance shall, as a condition of issuance, require compliance with all operational provisions of this Chapter. The Zoning Clearance to incorporate adult use in addition to or in place of medical use shall not authorize any physical or operational expansion of the facility unless determined in compliance with this Chapter.

Not applicable.

4. Grounds for revocation. Once State licenses and agency permits become available, failure to demonstrate dual licensing in accordance with this Chapter and within any deadlines established by State law shall be grounds for revocation of City approval. Revocation of a local permit and/or a State license shall terminate the ability of the Cannabis Business to operate until a new permit and/or State license is obtained.

Applicant will comply with this requirement.

B. Minors. Medical Cannabis Businesses shall only allow on the premises a person who is 18 years of age or older and who possesses a valid government-issued photo identification card. Adult Use Cannabis Businesses shall only allow on the premises a person who is 21 years of age or older and who possesses a valid government-issued photo identification card.

Applicant will comply with this requirement.

C. Inventory and tracking. Cannabis Operators shall at all times operate in a manner to prevent diversion of Cannabis and shall promptly comply with any track and trace program established by the State.

Applicant will work diligently to prevent diversion of Cannabis and will comply with the State's Track and Trace program to ensure that no diversion or loss occurs. In the event of any significant inventory discrepancies, the applicant will immediately notify regulators and law enforcement within the required time periods. In addition, the applicant will perform a reconciliation of its inventory at least once every 14 days and will be made available to the California Cannabis Bureau upon request.

D. Multiple permits per site. Multiple Cannabis Businesses proposed on any one site or parcel shall be granted permit approval only if all of the proposed Cannabis Businesses and their co-location are authorized by both local and State law. Cannabis Operators issued permits for multiple license types at the same physical address shall maintain clear separation between license types unless otherwise authorized by local and State law.

Not applicable.

E. Building and fire permits. Cannabis Operators shall meet the following requirements prior to commencing operations:

1. The Cannabis Operator shall obtain a building permit to conform with the appropriate occupancy classification and be in compliance with Chapter 18 of the City Code.

Applicant will obtain a building permit to conform with the appropriate occupancy classification and comply with Chapter 18 of the Code. The applicant will implement fire and safety controls that include but are not limited to engineering controls, safe work practices, administrative controls, lock box, and doors, and OSHA hazardous

prevention and controls. All employees will receive training on fire and safety systems and procedures. For communication purposes with emergency service providers, the applicant will assign a store manager as the responsible party and keep the contact information readily available.

2. The Cannabis Operator shall obtain all annual operating fire permits with inspections prior to operation.

Applicant shall obtain all relevant fire permits with inspections before operation begins.

3. The Cannabis Operator shall comply with all applicable [Health and Safety Code](#) and [California Fire Code](#) requirements related to the storage, use and handling of hazardous materials and the generation of hazardous waste. Cannabis Operators shall also obtain all required Certified Unified Program Agency (CUPA) permits including completing a California Environmental Reporting System (CERS) submission for hazardous materials inventory that meet or exceed State thresholds and any waste generation for accountability.

Applicant shall comply with all relevant storage, use, and handling requirements.

4. Access with a Fire Department lock box for keys to gates and doors shall be provided.

Applicant will comply with this requirement if applicable.

F. Transfer of ownership or operator. A permittee shall not transfer ownership or operational control of a Cannabis Business or transfer a permit for a Cannabis Business to another person unless and until the transferee obtains a zoning clearance from the Department stating that the transferee is now the permittee. The zoning clearance shall commit the transferee to compliance with each of the conditions of the original permit.

Applicant will comply with this requirement if applicable.

G. Security. Cannabis Businesses shall provide adequate security on the premises, including lighting and alarms, to ensure the public safety and the safety of persons within the facility and to protect the premises from theft. Applications for a Cannabis Business shall include a security plan that includes the following minimum security plan requirements:

1. Security cameras. Security surveillance video cameras shall be installed and maintained in good working order to provide coverage on a 24-hour basis of all internal and exterior areas where Cannabis is cultivated, weighed, manufactured, packaged, stored, transferred, and dispensed. The security surveillance cameras shall be oriented in a manner that provides clear and certain identification of all individuals within those areas. Cameras shall remain active at all times and shall be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and shall be maintained for 60 days.

2. Alarm system. A professionally monitored robbery alarm system shall be installed and maintained in good working condition. Section [6-68.130](#) of the City Code requires that an alarm permit be obtained by the Santa Rosa Police Department prior to installing an alarm system. The alarm system shall include sensors to detect entry and exit from all secure areas and all windows. Cannabis Operators shall keep the name and contact information of the alarm system installation and monitoring company as part of the Cannabis Business's on-site books and records. Cannabis Operators shall identify a local site contact person who will be responsible for the use and shall provide and keep current full contact information to the Santa Rosa Police Department dispatch database as part of the alarm permitting process.
3. Secure storage and waste. Cannabis Products and associated product waste shall be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.
4. Transportation. Cannabis Businesses shall implement procedures for safe and secure transportation and delivery of Cannabis, Cannabis Products and currency in accordance with State law.
5. Locks. All points of ingress and egress to a Cannabis Business shall be secured with Building Code compliant commercial-grade, non-residential door locks or window locks.
6. Emergency access. Security measures shall be designed to ensure emergency access in compliance with the [California Fire Code](#) and Santa Rosa Fire Department standards.

Applicant's security plan and exhibit illustrates compliance with each of these requirements. Please see enclosed security exhibit.

H. Odor control. Cannabis Businesses shall incorporate and maintain adequate odor control measures such that the odors of Cannabis cannot be detected from outside of the structure in which the Business operates. Applications for Cannabis Businesses shall include an odor mitigation plan certified by a licensed professional engineer that includes the following:

1. Operational processes and maintenance plan, including activities undertaken to ensure the odor mitigation system remains functional;
2. Staff training procedures; and
3. Engineering controls, which may include carbon filtration or other methods of air cleansing, and evidence that such controls are sufficient to effectively mitigate odors from all odor sources. All odor mitigation systems and plans submitted pursuant to this subsection shall be consistent with accepted and best available industry-specific technologies designed to effectively mitigate cannabis odors.

Applicant's odor control plan explains compliance with each of these requirements. Please see enclosed odor control plan.

I. Lighting. Interior and exterior lighting shall utilize best management practices and technologies for reducing glare, light pollution, and light trespass onto adjacent properties and the following standards:

1. Exterior lighting systems shall be provided for security purposes in a manner sufficient to provide illumination and clear visibility to all outdoor areas of the premises, including all points of ingress and egress. Exterior lighting shall be stationary, fully shielded, directed away from adjacent properties and public rights-

of-way, and of an intensity compatible with the neighborhood. All exterior lighting shall be Building Code compliant and comply with Section [20-30.080](#) (Outdoor Lighting).

Applicant notes the existing exterior lighting in the plan set on the north elevation. To comply with the City's light ordinances (Section 20-46.050) and (Section 20-30.080), applicant will not illuminate its premises at night except to the extent necessary for security operations. Applicant's proactive management of light ensures that light will not adversely impact neighboring properties. If any changes are proposed to the exterior lighting, applicant will address lighting in the building permit process to ensure light pollution does not adversely impact neighbors or businesses.

2. Interior light systems shall be fully shielded, including adequate coverings on windows, to confine light and glare to the interior of the structure.

The Project will comply with each of these lighting requirements. Please see enclosed reflected ceiling plan.

- J. Noise. Use of air conditioning and ventilation equipment shall comply with the Chapter [17-16](#) (Noise). The use of generators is prohibited, except as short-term temporary emergency back-up systems.

Applicant will take precautions to ensure operations go unnoticed by those outside of the facility. All noise generated by business operations will comply with the City of Santa Rosa's Noise Ordinance (City Code, Chapter 17-16) and be kept to levels that are undetectable to observers beyond the premise to help maintain positive relationships in the community. The Project's air conditioning and ventilation equipment will comply with relevant aspects of the Santa Rosa Code and will not include a non-emergency generator.

Cannabis Retail (Dispensary) and Delivery

Section 20-46.080 Compliance Findings

- A. Conditional use. A Conditional Use Permit shall be required to operate Cannabis Retail (Dispensary) and Delivery in accordance with Tables 2-6 and 2-10. The use permit application shall clearly specify if the use is for medical and/or for adult use retail.

Applicant has requested a Conditional Use permit for medical and adult use retail.

- B. Delivery services. In addition to the requirements established in this Chapter for Cannabis Retail, the delivery of Cannabis and Cannabis Products shall be subject to the following requirements:
 1. Commercial delivery to patients at locations outside a permitted Cannabis Retail facility shall only be permitted in conjunction with a permitted Cannabis Retail facility that has a physical location and a retail storefront open to the public.
 2. A Cannabis Retail facility shall not conduct sales exclusively by delivery.

The Project proposes a physical location and a retail storefront open to the public, in addition to commercial delivery.

3. Conditional Use Permit applications for Cannabis Retail shall include a statement as to whether the use will include delivery of Cannabis and Cannabis Products to patients located outside the Cannabis Retail facility.

The Project application provides that cannabis delivery services are proposed.

4. If delivery services will be provided, the application shall describe the operational plan and specific extent of such service, security protocols, and how the delivery services will comply with the requirements set forth in this Chapter and State law.

The applicant plans to deliver Cannabis and Cannabis Products in line with Cal. Code Regs.t.16 § 5415 and City of Santa Rosa Ord. No. ORD -2017-025 Chapter 20 § 46.080 (B). All deliveries of cannabis goods will be performed by a delivery employee of the retailer. Employees delivering cannabis will carry a copy of the retailer's current license, the employee's government-issued identification, and an identification badge. Delivery will only be offered to a physical address, not to an address located on publicly owned land or any address on land or in a building leased by a public agency. Delivery employees will ensure the cannabis goods are not visible to the public.

The vehicle (s) used for the delivery of cannabis goods will be outfitted with a Global Positioning System (GPS) device for identifying the geographic location of the delivery vehicle. The device will remain active and inside of the delivery vehicle during delivery. While making deliveries, the applicant's delivery employee will not carry an amount of cannabis goods exceeding State limitations.

The delivery service will have a menu available on the website, so customers can place orders over the phone or online. The customer will supply all necessary information and will have a profile created within the point of sale (POS) system. The order will go into the system and be pulled by an employee at the retail facility. Once the order is filled it will be placed in an exit bag with a receipt affixed to the bag. The receipt will include, the name of the customer, their assigned ID number, delivery address, description of the cannabis items, total amount paid by the customer including all taxes, name and address of the facility making the delivery, the name and id number of the employee making the delivery, and the name and id number of the employee who prepared the delivery. The driver will retain an additional copy of the receipt to be signed by the customer upon receipt of the delivery. There will be space provided to have the date and specific time entered of the delivery.

While making deliveries of cannabis goods, the applicant's employee will only travel from the licensed premises to the delivery address; from one delivery address to another delivery address; or from a delivery address back to the applicant's licensed premises. The applicant's delivery employee(s) will not deviate from the delivery paths described in this section, except for necessary rest, fuel, or vehicle repair stops, or because road conditions make continued use of the route unsafe, impossible, or impracticable.

- C. Drive-through services. Drive-through or walk-up window services in conjunction with Cannabis Retail are prohibited.

The Project does not propose drive-through or walk-up window services.

D. Location requirements. In addition to the requirements established in Tables 2-6 and 2-10, Cannabis Retail shall be subject to the following location requirements:

1. Overconcentration. To avoid overconcentration, a Cannabis Retail use shall not be established within 600 feet of any other Cannabis Retail use established within and permitted by the City of Santa Rosa. The Department shall establish evaluation criteria and selection procedures as necessary to avoid overconcentration of Cannabis Retail uses where competing applications are submitted within a 600-foot radius of each other.

Applicant has conducted a detailed sensitive-use analysis and confirmed that the proposed site is located more than 600 feet away from any other Cannabis retail operation and not subject to any “over-concentration” area.

2. Setback to schools. Cannabis Retail shall be subject to a 600-foot minimum setback from any K-12 “school,” as defined by the [Health and Safety Code](#) Section 11362.768.

Applicant has conducted a detailed sensitive-use analysis and confirmed that the proposed site is located more than 600 feet away from any K-12 school.

3. Measurement of distance. The distance between Cannabis Retail and a school shall be made in a straight line from the boundary line of the property on which the Cannabis Retail is located to the closest boundary line of the property on which a school is located.
4. Location of a new school after permit issued. Establishment of a school within the required setback of a Cannabis Retail facility after such facility has obtained a Conditional Use Permit for the site shall render the Cannabis Retail facility legal non-conforming and subject to the protections and provisions of Chapter [20-61](#) (Non-Conforming Uses, Structures and Parcels).
5. Visibility of entrance. The storefront entrance of a Cannabis Retail facility shall be in a visible location that provides an unobstructed view from the public right-of-way.

The store entrance will be visible with an unobstructed view from the public right-of-way.

E. Edible products. Cannabis Businesses that sell or manufacture edible medical cannabis products shall obtain a Sonoma County Health Permit. Permit holders shall comply with [Health and Safety Code](#) Section 13700 et seq., and Sonoma County Health permit requirements. These requirements provide a system of prevention and overlapping safeguards designed to minimize foodborne illness, ensure employee health, demonstrate industry manager knowledge, ensure safe food preparation practices and delineate acceptable levels of sanitation for preparation of edible products.

Applicant will comply with all relevant Sonoma County Health Permit requirements if the store will include edible products.

F. Operational requirements. In addition to project specific conditions of approval, Cannabis Retail shall comply with the following operational requirements:

1. Employees. The Cannabis Retail Operator shall maintain a current register of the names of all employees employed by the Cannabis Retailer, and shall disclose such register for inspection by any City officer or official for purposes of determining compliance with the requirements of this section.

Applicant shall maintain a current roster of the names of all employees employed by the applicant, and shall disclose such register for inspection by any City officer or official for purposes of obtaining compliance with the requirements of this section. The employee register containing all required information also will be kept up to date with required state agencies. Staff will receive thorough training on workplace safety, operations, track and trace, and security protocols. In addition to state licensing requirements related to staffing, Cookies will diligently follow all applicable labor and employment laws. The employees will likely be part- and full-time and will work staggered shifts to accommodate customer flows.

All employees will be over 21 years of age. All employees will be required to undergo a background check in accordance with state and local requirements, including a check for any prior felony convictions.

2. Recordkeeping. The Cannabis Retail Operator shall maintain patient and sales records in accordance with State law.

Applicant will maintain an accurate record of sale for every sale made to a customer and include the information required (CAL. CODE REGS. tit. 16 § 5426). The applicant will only display cannabis goods for inspection and sale in the retail area. Any cannabis goods available for sale or delivery will have been received from a licensed distributor and the retailer has verified that the cannabis goods have not exceeded their expiration or sell-by date if one is provided. In the case of manufactured cannabis products, the product complies with all requirements of Business and Professions Code section 26130 and all other relevant laws.

3. Protocols and requirements for patients and persons entering the site. No person shall be permitted to enter a Cannabis Retail facility without government issued photo identification. Cannabis Businesses shall not provide Cannabis or Cannabis Products to any person, whether by purchase, trade, gift or otherwise, who does not possess a valid government-issued photo identification card and a valid physician's recommendation under Section 11362.712 of the [Health and Safety Code](#).

Applicant shall not permit customers to enter the store without government-issued photo identification. A valid physician's recommendation is not required for cannabis retail stores per state law.

4. Hours of operation. Cannabis Retail may operate between the hours of 9:00 a.m. to 9:00 p.m. up to seven days per week unless the review authority imposes more restrictive hours due to the particular circumstances of the application. The basis for any restriction on hours shall be specified in the permit.

The dispensary will be open to the public between 9 a.m. to 9 p.m. daily consistent with City permitted hours of operation (Santa Rosa, Cal., ORD-2017-25, Chapter 20 § 46.080(F-4).) All deliveries within the City of Santa Rosa will be restricted to between the hours of 9 a.m. to 9 p.m. (Santa Rosa, Cal., ORD-2017-25, Chapter 20 § 46.080(F-4).)

Delivery operations to the dispensary will be limited to 6 a.m. to 10 p.m. seven days a week (Cal. Code Regs. t. 16 § 5403(a).)

5. Secured access. A Cannabis Retail facility shall be designed to prevent unauthorized entrance into areas containing Cannabis or Cannabis Products. Limited access areas accessible to only authorized personnel shall be established.

The property will be properly secured, as discussed in the Project's security plan.

6. Secured products. Cannabis and Cannabis Products that are not used for display purposes or immediate sale shall be stored in a secured and locked room, safe, or vault, and in a manner reasonably designed to prevent diversion, theft, and loss.

Store products will be properly secured, as illustrated in the Project's security exhibit.

7. Sale and display of cannabis paraphernalia. No dispensary shall sell or display any cannabis related paraphernalia or any implement that may be used to administer Cannabis or Cannabis Products unless specifically described and authorized in the Conditional Use Permit. The sale of such products must comply with the City's zoning code and any other applicable State regulations.

Applicant does intend to sell certain cannabis paraphernalia as part of its Conditional Use Permit. The sale of such products will comply with the City's zoning code and any other applicable State regulations.

8. On-site physician restriction. Cannabis Retail shall not have an on-site or on-staff physician to evaluate patients and provide a recommendation for Cannabis.

Not applicable.

9. Site management. The Cannabis Retail Operator shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours if directly related to the patrons of the subject retailer. For purposes of this subsection, "reasonable steps" shall include calling the police in a timely manner; and requesting those engaging in nuisance activities to cease those activities, unless personal safety would be threatened in making the request.

Applicant shall comply with this requirement and take reasonable steps to address nuisances as necessary.

10. Advertising and signs. A Cannabis Retail facility shall not advertise or market cannabis or cannabis products on an advertising sign within 1,000 feet of a day care center, school providing instruction in kindergarten or any grades 1 through 12, playground, or youth center.

Applicant shall comply with this requirement. Signage is not included as part of this application. The Applicant will apply for signage approval and any future identification signage will be permitted by the City before installation and will not contain any logos or information that identifies, advertises, or lists the specific products or services offered by the dispensary. Signage posted at the entrance will indicate that smoking, ingesting, or consuming cannabis on the premises or near the dispensary is prohibited. A sign indicating active security camera monitoring will additionally be posted at the entrance.

11. Display of permit. Cannabis Retail shall maintain a copy of its permit on display during business hours and in a conspicuous place so that the same may be readily seen by all persons entering the facility.

Applicant shall display its permit in a conspicuous place.

G. On-site consumption. In addition to the requirements established in this Chapter for Cannabis Retail, the 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:
 - a. 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.
 - b. 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.

The Project does not propose on-site consumption.

TRAFFIC & PARKING

TRAFFIC ANALYSIS

Cookies has submitted a Traffic Impact Study memo from W-TRANS that analyzes the potential traffic impacts associated with the proposed cannabis dispensary.

PARKING ANALYSIS

The Project complies with Santa Rosa's parking requirements. The gross square footage of the store requires 18 parking spaces. The Project is located on a parcel that contains 26 parking spaces, meeting the parking requirement. Also, the building that Cookies proposes to occupy is one component of an existing shopping center, and therefore the project is not considered a change of use for the purposes of Santa Rosa's parking requirements (Muni. Code Section 20-36.040 and Table 3-4). Finally, the car parking requirement for the prior salon use (a personal service) is identical to a cannabis retail use: 1 space per 250 sf of building area. And the bike parking requirement for the salon (1 space per 4,000 sf) is greater than a cannabis retail use (1 space per 5,000 sf). As a result, under Section 20-36.040(C)(2), the proposed cannabis use will not increase any deficiency in required parking.

Business	Land-Use	Address	Gross Sq. Ft.	Parking Ratio	Required Spaces	Provided Spaces
<i>Shopping Center</i>	<i>Shopping Center</i>	<i>1911-1937 Santa Rosa Ave</i>	<i>30,805 sf</i>	<i>1/250</i>	<i>123</i>	<i>95</i>
Pet Club	Retail	1935 Santa Rosa Ave.	19,965 sf	1/250	78	40
Play-It-Again Sports and Casual Male	Retail	1911 Santa Rosa Ave	6,365 sf	1/250	24	29
Cookies	Retail	1937 Santa Rosa Ave	4,475 sf	1/250	18	26

Attached to the submittal please find a reciprocal parking agreement among the shopping center tenants.

GOOD NEIGHBOR POLICIES

SECURITY PLAN

Applicant has always prioritized ensuring its customers have an enjoyable experience at Applicant's locations. To that end, ensuring customers feel safe and secure both within Applicant's facility and in the surrounding neighborhood is imperative to customer satisfaction. Applicant's Santa Rosa location will have systems and measures in place to protect its visitors and to make the community safer as a whole.

- Applicant's retail store will always be monitored closely for crime and suspicious activity - either by staff and contractors or by Applicant's 24-hour surveillance and alarm system. The professionally monitored robbery alarm system shall be installed and maintained in good working condition. Section 6-68.130 of the City Code requires that an alarm permit be obtained by the Santa Rosa Police Department prior to installing an alarm system. The alarm system shall include sensors to detect entry and exit from all secure areas and all windows. Applicant shall keep the name and contact information of the alarm system installation and monitoring company as part of the Cannabis Business's on-site books and records. Applicant shall identify a local site contact person who will be responsible for the use and shall provide and keep current full contact information to the Santa Rosa Police Department dispatch database as part of the alarm permitting process.
- Applicant will keep state-licensed, uniformed security guards on staff to secure Applicant's premises at least an hour before operations begin, and they will remain on site until all other individuals have left applicant's premises. At least two security guards will remain on site during hours of operation. One security guard will be assigned to Applicant's entryway to track and monitor anyone entering or leaving the facility, while the second security guard will constantly patrol the premises to ensure Applicant's security protocols are obeyed. In addition to monitoring Applicant's premises, Applicant's patrolling security guard will routinely walk a route that enhances the security of the entire block.
- Applicant's surveillance system will continue to maintain a watchful eye over the premises. Applicant will install a state-of-the-art video surveillance system that utilizes commercial-grade equipment, including 60-day video retention and storage. Cameras will be professionally installed in such a way as to prevent tampering or disabling, or being readily obstructed. Applicant's video surveillance system will monitor the entire perimeter and parking lot and will record activity 24 hours per day.
- Applicant's premises will be well-lit, both internally and externally, and Applicant will use advanced cameras and direct line-of-sight camera placement at the dispensary that will be capable of clearly revealing facial detail and identifying all persons on the premises under all lighting conditions in and around the facility, especially in any area where theft or diversion could reasonably occur.
- The proposed floor plan also includes commercial grade security windows, doors and locks at all entrances, exits, and access points to restricted areas.
- Upon entering the facility, security and/or reception will verify that the medicinal patients with a valid medical use card over the age of 18 or adult use customers is over 21 years of age, prior to allowing access to the retail floor.
- Applicant shall implement procedures for safe and secure delivery of cannabis product to the store in accordance with State law. Deliveries shall take place at an entrance located on the west side of the building, adjacent to the parking area, and separated from the public main entrance which is located on the north side

of the building. A specific delivery path, as marked on the plan, will be used to ensure security. Distributors delivering cannabis goods to the store will park in a front space, designated for receiving deliveries. Transport personnel, carrying the cannabis goods, will be escorted from the delivery vehicle into the secured storage area inside by security personnel.

- All cannabis products and any cannabis waste will be stored in an area secured with commercial-grade nonresidential locks, that is not visible to the public and that prevents diversion, theft, loss, hazards and nuisance according to Santa Rosa, Cal., ORD-2017-25, Chapter 20 § 46.050 (G.3).
- Applicant will be a retail-only dispensary with no cultivation or distribution. Therefore, we do not foresee any waste associated with the processing of cannabis product. The location will only accept deliveries of cannabis product that is pre-packaged for retail sale. In the case of an unforeseen event such as dropping, spilling, expiration of product during or after delivery, applicant would dispose of the product in a secured receptacle placed in the Secured Storage area. A contracted third-party service will be scheduled to pick up the waste, as necessary.
- All points of ingress and egress to a Cannabis Business shall be secured with Building Code compliant commercial-grade, non-residential door locks or window locks.
- Security measures shall be designed to ensure emergency access in compliance with the California Fire Code and Santa Rosa Fire Department standards.

Statistics show crime is often reduced in areas surrounding licensed cannabis retailers, which is the result of the increased security and foot traffic the businesses create. In addition to monitoring its neighborhood closely using video surveillance and security patrol. Applicant will work with the Santa Rosa Police Department as well as local neighborhood watch organizations, to ensure its operations contribute to the security of the surrounding community and have a positive impact on the neighborhood. Applicant strives to create a positive perception of its business by openly familiarizing law enforcement with Applicant's operations and best practices, and by proving that Applicant is a law-abiding player. Moreover, Applicant is optimistic that local law enforcement will see Applicant's facility as a tool by making its outdoor security cameras and staff available as a resource to help monitor the surrounding area.

Please see the attached security exhibit.

ODOR CONTROL

Applicant's goal is to keep cannabis odors undetectable. Cookies will manage odors proactively in multiple ways. Applicant's odor management plan is set forth in more detail below.

1. First Applicant will utilize carbon filters to neutralize cannabis odors. Carbon filters are industry standard and scrub cannabis doors from the air.
2. Second, Applicant's odor control system utilizes negative pressure to draw clean air into the facility.
3. Third, Applicant will only sell prepackaged cannabis goods. Cannabis-odor-producing activities (cultivation, packaging, and consumption) will be prohibited on site.
4. Finally, Applicant will monitor the environment for the presence of cannabis odor. Security will patrol the building and report to maintenance if cannabis is detectable outside of the retail premise.

Please see the attached third party Odor Control Plan by TEP Engineering.

INTERIOR LIGHTING PLAN

