RESOLUTION NO. ZA-2023-031

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MODIFICATION TO AN APPROVED USE PERMIT (FILE NO. CUP22-003) TO ALLOW EXPANSION OF THE MANUFACTURING ROOM FOR GB2, LLC, WHICH WAS APPROVED FOR A CANNABIS MICROBUSINESS USE (TYPE 12) AT THE PROPERTY LOCATED AT 2717 GIFFEN AVENUE SANTA ROSA, APN: 010-450-008, FILE NO. CUP23-026

WHEREAS, the Santa Rosa Zoning Administrator has completed review of your modification to and approved Minor Conditional Use Permit application to allow the proposed use for the project described above; and

WHEREAS, on August 18, 2022, the Zoning Administrator approved a Minor Conditional Use Permit (CUP22-003) for GB2, LLC Commercial Cannabis Microbusiness use (Type 12) that included 100 square feet of manufacturing, 9,258 square feet of distribution, and 90 square feet of cultivation within the existing industrial building; and

WHEREAS, the modification allows Commercial Cannabis Microbusiness use (Type 12) to increase the cannabis manufacturing area from 100 square feet to 494 square feet, decrease distribution from 9,258 square feet to 8,864 square feet, with the nursery area remaining the same as 90 square feet, within the existing industrial building based on the project description and date stamp received April 21, 2023; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.050.E.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.050.F, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. 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;

2. The proposed use is consistent with the General Industry General Plan land use designation, which is implemented by the Light Industrial (IL) zoning district and requires approval of a Use Permit;

3. The design, location, size, and operating characteristics of the proposed Cannabis Microbusiness use (Type 12) would be compatible with the existing and future land uses in the vicinity in that the proposed modification is for a previously approved project that is within an existing building and located within an industrial campus with similar uses within the other buildings. Additionally, this area is a corridor for heavy industrial uses;

4. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints in that the site is constructed within industrial buildings intended to accommodate these types of uses;

5. 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 project proposes to modify the floor area within an existing building designed for industrial uses;

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 categorical exemption under CEQA Guidelines Section 15301 in that the use is proposed within an existing facility involving negligible expansion of the existing use.

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 building permit for the proposed project.
2. Construction hours shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. Saturday. No construction is permitted on Sunday 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. Comply with the Engineering Development Services Exhibit "A" attached and incorporated herein.
6. No exterior signs are approved with this permit. A separate sign permit is required.
7. 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.

This Minor Conditional Use Permit is hereby approved on June 15, 2023, for the duration of the use provided that conditions are complied with and that the use has commenced within 24 months from the approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____

SUSIE MURRAY, ZONING ADMINISTRATOR

Attachment A – EDS Exhibit A