



CANNABIS USE APPLICATION PROCESS and GENERAL REQUIREMENTS

- CULTIVATION (TYPES 1A, 1B, 1C, 2A, 2B, 2C, 4)**
- MANUFACTURING LEVEL 1 (TYPE 6, N, P, when required)**
- MANUFACTURING LEVEL 2 (TYPE 7)**
- TESTING (TYPE 8)**
- DISTRIBUTION (TYPE 11, 13, when required)**
- RETAIL (DISPENSARY) AND DELIVERY (TYPE 10)**
- MICROBUSINESS w/ RETAIL (TYPE 12)**

Updated March 15, 2018

PURPOSE: The Comprehensive Regulations for Cannabis were adopted (Ordinance No. ORD-2017-025) by the Santa Rosa City Council on December 19, 2017, creating regulations related to medicinal and adult use cannabis cultivation and related uses. Ordinance No. ORD-2017-025 created Chapter 20-46 of the City Code, which provides locations and operating standards for personal cannabis cultivation and for medicinal and adult use cannabis businesses to ensure neighborhood compatibility, minimize potential environmental impacts, and to provide safe access to medicine and provide opportunities for economic development. (Code § 20-46.010.)

Minor Conditional Use Permit Review Authority – ZONING ADMINISTRATOR

Major Conditional Use Permit Review Authority – PLANNING COMMISSION

Application Submittal

A complete application including application fee(s) is submitted in person to the City of Santa Rosa Planning and Economic Development Department. After the application is received and a project is created, a project planner is assigned to the project.

Cannabis Retail Uses only: Complete Steps 1-6

Application Referral

Referrals are sent to various City Divisions, City Departments and outside agencies for review, comment(s), and condition(s) of approval.

Application is deemed complete and a Completeness Letter is issued to the applicant OR the project is deemed incomplete and an Incomplete/Issues Letter is issued to the applicant.

NOTE: Projects with incomplete applications or issues will not continue forward through planning review until deemed complete and any issues are resolved.

Planning Review

Project planner reviews this information in detail, performs a site visit, and makes a determination regarding the level of environmental review required by the California Environmental Quality Act (CEQA) and prepares any documentation required by CEQA.

Project planner prepares a staff report and/or recommendation for the review authority.

The project planner consults with the applicant to set a date for a public meeting before the Zoning Administrator or public hearing before the Planning Commission as determined by the level of Use Permit required.

NOTE: An interested party may request that a Zoning Administrator Public Meeting be elevated to a Zoning Administrator Public Hearing. If such a request is made, the applicant must pay a Zoning Administrator Public Hearing fee before the project will be scheduled and noticed.

Public Meeting or Public Hearing Notification

The public is notified of the scheduled public meeting or public hearing at least 10 days before the public meeting or public hearing is held.

Zoning Administrator – A Notice of Pending Action (Zoning Administrator) is sent to owners of the property within 300 feet of the parcel on which the project is proposed.

Planning Commission – A Notice of the Public Hearing is sent to owners of the property within 300 feet of the parcel on which the project is proposed; (2) a Notice of the Public Hearing onsite sign is installed on the subject property; and (3) a Notice of Public Hearing is advertised in the Press Democrat.

Public Meeting or Public Hearing

Zoning Administrator – Public Meetings occur twice a month on the 1st and 3rd Thursday at 10:30 a.m. (unless otherwise noted) in Room 7; City Hall, 100 Santa Rosa Avenue, Santa Rosa, CA. Agendas are available prior to the meetings, and minutes are available following approval.

Planning Commission – Planning Commission Public Hearings occur twice a month on the 2nd and 4th Thursday at 4 p.m. (unless otherwise noted) in Council Chambers; City Hall, 100 Santa Rosa Ave, Santa Rosa, CA. Agendas are available prior to the meetings, and minutes are available following approval. Meetings may be viewed live online.

Required Findings for ALL Conditional Use Permit Applications

The review authority may approve a Conditional Use Permit or Minor Conditional Use Permit only after first finding all of the following:

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 Plan and any applicable specific plan;
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
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; and
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Appeal of Determination

All interested persons are given an opportunity to comment on the proposed Use Permit at the public meeting or public hearing. Following a decision by the Zoning Administrator or Planning Commission, a 10-day appeal period is observed during which time any interested party may file an appeal of the review authority's determination.

Permit Issuance

An approved permit is issued following the decision of the Zoning Administrator or Planning Commission; however, the issued approved permit is subject to the 10-day appeal period.

REQUIRED APPLICATION MATERIALS: These requirements apply to all non-retail/dispensary commercial cannabis businesses, unless otherwise indicated in italics. A complete application must include each of the following:

1. **Conditional Use Permit Application** signed by property owner.
2. **Indemnification Agreement** signed by the applicant.
3. **Copyright Materials Release** (if applicable) signed by applicant and licensed design professionals.
4. **Disclosure Form** identifying the name of each individual, partnership, corporation, LLC, or trust who has an interest in the proposed land use action including the names of all applicants, developers, property owners, and each person or entity that holds an option on the property
5. **Storm Water Determination Worksheet**

6. **Environmental Assessment** (if required by Planner)
7. **Project Description Narrative:** This shall be a written statement that includes descriptions of how the operation meets each of the General Operating Requirements set forth in Section 20-46.050 of the Santa Rosa Code, and provides the following specific information:
- a. **Commercial Cannabis Use:** Specify the Cannabis use—Medicinal, Adult Use, or both—for which application is being made.
 - b. **Compliance:** Describe how the project complies with applicable state licensing requirements and conditions including, but not limited to, operational standards such as background checks, prior felony convictions, restrictions on multiple licenses and license types and locational criteria. [Section 20-46.050 (A)]
 - c. **Separation of License Types:** *Where multiple license types are proposed at the same physical address*, demonstrate that clear separation between license types will be maintained at all times. [Section 20-46.0509 (D)]
 - d. **Building and Fire Codes:** Describe how the project complies with building and fire codes and include a declaration that the cannabis operator will obtain all necessary building permits, fire permits, and CUPA permits, and provide a Fire Department lock box for keys to gates and doors. [Section 20-46.050 (E)]
 - e. **Security Plan:** Provide a security plan, which must include the following minimum requirements pursuant to Section 20-46.050(G). Because security plans are not publicly available, the security plan should be a separate document:
 - i. Provisions for and locations of security cameras.
 - ii. Verification that a professionally monitored alarm system will be installed.
 - iii. Demonstration of safe and secure product storage including outdoor waste receptacles.
 - iv. Demonstration of facility and process for safe and secure transportation and delivery.
 - v. Verification that commercial grade door and window locks will be installed.
 - vi. Demonstration of emergency access in compliance with state and local standards.
 - f. **Odor Mitigation Plan:** Provide an odor mitigation plan, which plan must be certified by a licensed professional engineer to ensure that all mitigation controls are sufficient to effectively mitigate odors from all odor sources. [Section 20-46.050(H)]
 - g. **Outdoor Lighting:** Description of best management practices and technologies used to reduce glare, light pollution and light trespass onto adjacent properties. Demonstrate compliance with the City's Outdoor Lighting Ordinance (Section 20-30.080, Outdoor Lighting).
 - h. **Noise:** Description of how the project will comply with the City's Noise Ordinance (City Code, Chapter 17-16).
 - i. **Accessory Use(s):** Specify and describe any activities that may be considered an Accessory Use (Office, non-Cannabis Warehouse/Storage, etc.)

8. **Vicinity and Neighborhood Context Maps:** These maps will describe your proposed project's location within the City of Santa Rosa (Vicinity Map at approximately 1:76,000 feet scale) and the land uses and development surrounding the proposed site (Neighborhood Map at approximately 1:4,800 feet scale).
9. **Site Plan, Elevations, and Floor Plans**
- a. Site Plan – dimensioned plan of project site that includes parcel lines, ingress/egress locations, all existing structures, all parking (with vehicle travel indicated if necessary), and any additional features such as trees, landscape areas, etc. Also include any outdoor waste receptacles and facilities to ensure the safe delivery and transportation of Cannabis product.
 - b. Elevations – visual representations of existing and proposed structures, including fences, from all sides. Photos may be utilized; however, dimensions must be provided.
 - c. Floor Plans – dimensioned diagram of building(s) including all rooms, windows, and points of entry/exit.
10. **Parking Analysis:** Provide a count of all parking spaces that are described on the Site Plan. Discuss how you will meet the parking requirement for your proposed use (see Zoning Code Section 20-36.040, Table 3-4). If re-tenanting an existing space, provide a description of the location's previous use.
11. **Hours of Operation:** Description of the proposed hours of operation including days of operation. Provide any information about days/hours for commercial deliveries.

Commercial cultivation. The following requirements apply in addition to the general operating requirements set forth in Section 20-46-50, but apply only to *commercial cannabis cultivation businesses* (including microbusinesses with a cultivation component), pursuant to Section 20-46.060:

- a. Verification that the cannabis business does not include any outdoor cultivation.
- b. Description of the gross square footage of the structure or portion of the structure occupied by the cannabis business (not the canopy area).
- c. Description of how the business complies with all applicable federal, state and local laws and regulations governing the use of pesticides, including California Fire Code Chapter 26 governing fumigation and insecticidal fogging.

Commercial cannabis manufacturing. The following requirements apply in addition to the general operating requirements set forth in Section 20-46-50, but apply only to *cannabis manufacturing businesses* (including microbusinesses with a manufacturing component), pursuant to Section 20-46-070:

- a. Description of extraction processes, demonstrating that the business will utilize only extraction processes that are (i) solvent free or that employ only non-flammable, nontoxic solvents and/or (ii) use solvents exclusively within a closed loop system that meets the requirements of the FDCA.

- b. For closed loop systems: demonstrate that the business has been inspected and approved by the City's Building Official and Fire Code Official.
- c. Demonstrate that all extraction equipment to be used by the business has been listed or otherwise certified by an approved third-party testing agency or licensed professional engineer and approved for the intended use by the City's Building Official and Fire Code Official.
- d. For edible product manufacturing: Demonstrate (and provide valid certification numbers) that all owners, employees, volunteers and any other individuals that participate in the production of edible cannabis products are state certified food handlers; demonstrate that the business has obtained a Sonoma County Health Permit.

Commercial cannabis retail/dispensary. See Additional Required Materials for Retail/Dispensary Uses.

Special events. The following requirements apply in addition to the general operating requirements set forth in Code section 20-46.050, but apply only to *cannabis special events businesses*, pursuant to Code section 20-46.090:

- a. Dual licensing. Demonstrate that the business has, or will, obtain all necessary local permits, state temporary event licenses and agency permits.
- b. Conditional use. Describe the location of the event and provide information regarding whether the business is or intends to secure a temporary use permit (Code section 20-52.040) and/or special events permit (Chapter 11-40).

APPLICANTS PROVIDING FALSE OR MISLEADING INFORMATION DURING THE APPLICATION AND/OR PERMITTING PROCESS WILL RESULT IN REJECTION OF THE APPLICATION AND/OR NULLIFICATION OR REVOCATION OF ANY ISSUED PERMIT.