

City of
SACRAMENTO
Community Development

2019060255

NOTICE OF EXEMPTION

TO: X County Clerk
County of Sacramento

Office of Planning and Research
1400 10th Street, Room 121
Sacramento, CA 95814

FROM: City of Sacramento
Community Development Department
Planning Division
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

ACTIVITY/PROJECT TITLE: 20 Blue Sky Court CUP

PROJECT NUMBER: Z17-222

ACTIVITY/PROJECT LOCATION: 20 BLUE SKY CT

Parcel Number(s): 06201500390000

CITY: Sacramento

COUNTY: Sacramento

DESCRIPTION OF ACTIVITY/PROJECT:

A request for a Conditional Use Permit to cultivate marijuana within an existing 24,500 square foot building in the Heavy Industrial (M-2S) zone.

NAME OF PUBLIC AGENCY APPROVING ACTIVITY/PROJECT: City of Sacramento

NAME OF PERSON/AGENCY CARRYING OUT ACTIVITY/PROJECT: Ashkan Bashiri
3037 Vaklyrie Way
SACRAMENTO, CA 95821
ashkan.bash@gmail.com

THE CITY OF SACRAMENTO FINDS THAT THE ACTIVITY/PROJECT IS EXEMPT.

Exempt Status:

- ☐ Activity is not a project as defined in Section 15378 [Section 15061 (b)(1)]
- ☐ Ministerial (PRC Section 21080(b)(1); CEQA Guidelines Section 15268)
- ☐ Statutory Exemption
- ☒ Categorical Exemption: CEQA Guidelines State Class 01 Section 15301

REASONS WHY ACTIVITY/PROJECT IS EXEMPT: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section(s) 15301-Existing Facilities of the CEQA Guidelines.

15301 - Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

CONTACT PERSON: Robby Thacker

TELEPHONE: 916-808-5584

EMAIL: RThacker@cityofsacramento.org

SIGNED: 

DATED: 5/28/19

Mayor's Office of Planning & Research

MAY 28 2019

STATE CLEARINGHOUSE

**CITY OF SACRAMENTO
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING ADMINISTRATOR & DESIGN DIRECTOR
300 Richards Boulevard, 3rd Floor, Sacramento, CA 95811**

ACTION OF THE ZONING ADMINISTRATOR & DESIGN DIRECTOR

On **March 13, 2019**, the Zoning Administrator conducted a public hearing for file **Z18-176** and took the project under advisement. On **May 1, 2019**, the Zoning Administrator approved, with conditions, a Conditional Use Permit (CUP) for a Delivery-Only Cannabis Dispensary for medical and adult-use, a Cannabis Production (cultivation) CUP Modification for to allow distribution, and, acting as Design Director, approved the Site Plan and Design Review for minor exterior modifications. Conditions of Approval and Findings of Facts for the project begin on page 5 of this document.

REQUESTED ENTITLEMENTS:

1. **Conditional Use Permit** to allow an 822-square-foot delivery-only dispensary for the sale of medical and adult-use cannabis within an existing 24,500-square-foot building located on a 1.55-acre parcel within the Heavy Industrial (M-2S) zone.
2. **Conditional Use Permit Minor Modification** to an existing Cannabis Production CUP (Z17-222) to decrease the allowed cannabis cultivation square footage from 24,500 square feet to 22,612 square feet to allow an 822-square-foot delivery-only dispensary and 1,066 square feet of cannabis distribution services within an existing 24,500 square foot warehouse on a 1.55-acre parcel in the Heavy Industrial (M-2S) zone.
3. **Site Plan and Design Review** for minor exterior modifications on a 24,500-square-foot warehouse located on a 1.55-acre parcel in the M-2S zone.

PROJECT INFORMATION:

Location: 20 Blue Sky Court (District 6)

Assessor's Parcel Number: 062-0150-039-0000

Applicant: Anna Willey
CAM Corporation
401 Wilhaggin Drive
Sacramento, CA 95864

Property Owner: Javanshir Javanifard
6236 Mahala Drive

Carmichael, CA 95608

Project Planner: Kevin Valente, AICP, Assigned Planner,
(916) 372-6100

General Plan Designation: Industrial
Community Plan Area: Fruitridge/Broadway
Parking District: Suburban
Design Review Area: Citywide
Existing Land Use of Site: Warehouse
Existing Zone of Site: M-2S

Surrounding Land Use and Zoning:

North:	M-2S	Industrial
South:	M-2S	Industrial
East:	M-2S	Industrial
West:	M-2S	Industrial

Property Area: ±67,518 square feet / ±1.55 acres
Existing Property Dimensions: Irregular 344.32' x 180.34' x 271.63' x 201.66'
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Existing Building: 24,500 square feet

Parking Required: 25-49 spaces
Parking Provided: 33 spaces
Project Plans: See Exhibits
Previous Planning Files: Z17-222

Additional Information

The site is an irregular-shaped parcel located at the terminus of Blue Sky Court, east of the intersection of Sky Creek Drive and Blue Sky Court within the Fruitridge/Broadway Community Plan. The project site is a 1.55-acre developed parcel in the M-2S zone. The site is surrounded on all sides by other industrial uses. The site contains a 24,500-square-foot concrete warehouse that was constructed in 1980.

On March 6, 2018, the Zoning Administrator approved a CUP (Z17-222) to allow 24,500 square feet of cannabis cultivation activities within the entire building. The applicant proposes to modify the existing Cannabis Production CUP to reduce the allowed cannabis cultivation space by 1,888 square feet to allow 22,612 square feet of cultivation and 1,066 square feet of cannabis distribution at the warehouse. Total production square footage is 23,678 square feet. Additionally, the applicant requests a CUP to utilize the remaining 822 square feet of the building to operate a delivery-only cannabis dispensary for the sale of medical and adult-use cannabis products. The applicant plans to convert the grow room in the northwest corner to accommodate the cannabis distribution and

delivery-only cannabis dispensary. The proposed interior modifications consist of new partition walls and doors, required lighting, and any required security modifications.

The exterior of the warehouse is constructed with concrete panels and is painted tan. The applicant proposes minor exterior improvements to the existing warehouse. The applicant proposes to replace two of the existing storefront doors on the south elevation with storefront windows to reduce the number of entrances into the facility. Additionally, the applicant proposes a new man door on the north elevation and south elevation. The proposed exterior modifications would require approval of a Site Plan and Design Review.

The proposed delivery and distribution operations would have product stored within secure storage areas prior to being loaded into the delivery vehicle within the indoor, vehicle-loading area. The applicant proposes the use of one delivery vehicle and one driver per operation that would make 8 to 10 trips per day. The delivery vehicle and distribution vehicle would be emptied of all cannabis product and stored in the back of the building in a secure and fenced yard. The proposed hours of operation for the delivery services would be from 9:00 AM to 7:00 PM, seven days per week.

The existing property is developed with 33 on-site parking spaces. The proposed project is in the Suburban Parking District which requires a minimum of one space per 1,000 gross square feet of building and a maximum of two spaces per 1000 gross square feet of building. Therefore, if the building was constructed today, it would require a minimum of 25 and 49 parking spaces. The existing 33 parking spaces would meet the requirements of the proposed use.

Neighborhood Context

The required 300-foot and 600-foot radius maps were submitted and reviewed by staff. The site is entirely surrounded by warehouse/industrial development and the property is not within 300 feet of a residential zone, or within 600 feet of a K-12 school, or a neighborhood park or community park, or a childcare center, in-home day care, youth-oriented facility, church or faith congregation, substance abuse center, or cinema, and it is not within 600 feet of any tobacco retailer that requires a CUP.

Community/Neighborhood Contact

Notification for this project was sent to the Power Inn Alliance, District 6 Councilmember Eric Guerra, and Preservation Sacramento. The site was posted for the public hearing and all property owners within 300 feet of the subject site were mailed a notification of the public hearing for the proposed project. The Power Inn Alliance submitted a comment letter specific to this request which was reviewed by the Zoning Administrator at the public hearing.

Neighborhood Responsibility Plan

A Neighborhood Responsibility Plan is required to mitigate any ongoing adverse effects of cannabis production on the surrounding neighborhood. A requirement of a CUP application submittal is that the property owner of a cannabis site agrees to enter into an agreement with the City Manager to pay money to be used by the City of Sacramento ("City") to pay for measures to mitigate the adverse impacts. The City Manager will authorize a study to determine the impacts. The property owner for this site has agreed to pay a fee in the amount of one percent (1%) of the gross receipts of every cannabis cultivation business on the property. Payment shall be made in accordance with the Neighborhood Responsibility Agreement between the property owner and the City.

Agency Comments

The proposed CUP has been reviewed by the City's Utilities, Parks, and Fire Departments, the Building Division and the Engineering Division of the City's Public Works Department, as well as SMUD and other utility agencies. All conditions and comments provided are included in this report.

The Police Department and Fire Department have reviewed the proposal for security and safety concerns. Police and Fire comments are included in the report under Conditions of Approval. A final security plan is required to be submitted and approved by the Revenue Division before a Business Operating Permit is issued.

Cannabis Business Operating Permit

Any cannabis related business, in addition to obtaining all required land use approvals under the Planning and Development Code (Title 17), must also obtain a business permit from the City pursuant to Sacramento City Code Title 5, Chapter 5.150. Among other things, the business permit regulates the final canopy size and requires a final security plan, lighting plan, odor control plan, community relations plan, business plan and information on employees and owners for each business permitted by the City. The cannabis-related business is also required to obtain applicable permits from the State of California.

Undue Concentration of Cannabis Production: Southeast Area

On June 22, 2018, Ordinance 2018-0022, amending Title 17 became effective and defined the undue concentration of cannabis production establishments in the southeast area of the City. The Ordinance indicates that an undue concentration of cannabis production establishments will exist if more than 2.5 million square feet of building floor space in this area is utilized for cannabis cultivation. The boundaries of the southeast area are Power Inn Road to the west, Folsom Boulevard to the north, and the City limits to the east and south.

In order to implement Ordinance 2018-0022, staff recommends that the Zoning Administrator place a one-year expiration term as a condition of approval on the CUP for cannabis production projects located in the southeast area of the City. Specifically, the use must secure a building permit for the production CUP and construction must physically commence within a year or the CUP for production will expire.

Environmental Determination

The project is determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 1, Section 15301 (Existing Facilities). This project qualifies for this exemption because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Zoning Administrator Hearing

The Zoning Administrator conducted a public hearing on March 13, 2019. Testimony was given by the applicant. Power Inn Alliance attended the hearing and provided verbal comments and referenced their earlier comment letter. No other public testimony from the community was given. The Zoning Administrator took the item under advisement to consider the testimony and review all relevant documents.

CONDITIONS OF APPROVAL - CUP for Cannabis Delivery and CUP for Cultivation

1. All previous conditions of approval found in file Z17-222 under the headings of Building, Fire, Utilities, Regional Sanitation, Sacramento Area Sewer District (SASD), Sacramento Metropolitan Utility District and the Advisory Notes apply to this approval, file Z18-176. In addition, the following conditions listed below for Planning and Police, supersede the conditions found in Z17-222 and now apply to the CUP for this property.

Planning:

2. The project shall conform to the approved plans as shown on the attached exhibits. The interior of the ±24,500-square-foot building is approved for an 822-square-foot delivery-only dispensary for the sale of medical and adult-use cannabis. Changes to the interior are permitted to conduct the use.
3. The project shall conform to the approved plans as shown on the attached exhibits. The interior of the ±24,500-square-foot building is approved for cannabis production as follows: 22,612 square feet of cannabis cultivation and 1,066 square feet of distribution services. Changes to the interior are permitted to conduct the use.
4. Any expansion of cannabis production uses into additions or new buildings is subject to modification of the Conditional Use Permit.
5. Obtain any required building permits for any construction and renovations that are to remain and may have been previously performed without permits.
6. Retain the existing on-site parking lots and repair any deteriorated parking lot paving.
7. Landscaping shall be maintained per Crime Prevention Through Environmental Design (CPTED) principles. Landscaping shall be retained in compliance with city code requirements for the M-2S zone. Existing front setback planter areas shall be repaired as needed and provided with landscaping and with automatic irrigation.
8. Only one non-illuminated sign is permitted for the use. If a new sign is proposed in the future the maximum size permitted of the sign is six square feet in area. The sign may be attached or detached. If the sign is detached it shall be included in the existing monument sign. A sign permit from the Building Division is required.
9. No unpermitted cannabis events on the premises hosted by the property owner, tenants, subtenants or guests are allowed.
10. The site shall be inspected and maintained daily to be clear of litter. A daily maintenance plan shall be implemented to control litter and debris.
11. The production permit holder(s) and/or property owner shall provide regular landscape maintenance for the site. The production permit holder(s) and/or property owner shall provide staff a plan that demonstrates meeting this requirement.
12. Secure or block unused roll up doors and windows.
13. Refuse containers for cannabis products shall be stored within the buildings.
14. Any modification to the project proposed in the future shall be subject to review and approval by Planning staff and may require additional entitlement(s).
15. Any future exterior modifications to the proposed building or site shall require additional Site Plan and Design Review by the City.

16. All cannabis project facilities shall be connected to SMUD or PG&E facilities for the supply of all electrical power. Generators shall be used only for emergency electrical service for the duration of any power outage.
17. Any new roof-mounted HVAC equipment shall be completely screened from view from adjacent streets and public areas and concealed behind parapets or architecturally integrated screens. Any new ground mounted HVAC equipment shall be screened by fences, walls, or landscaping.
18. The applicant shall obtain building permits and commence construction no later than May 1, 2020, or the Conditional Use Permit will expire.

Building:

19. A building permit is required to verify occupancy for a cannabis facility, even if no improvements to the property are proposed. The building permit application must meet the City's general building permit submittal requirements.

Police:

20. Site plans and floor plans for the **Non-Storefront Delivery Only Dispensary and Cannabis Distribution Business** shall be completed to the satisfaction of the Sacramento Police Department CPTED Sergeant prior to the issuance of a building permit, including:
 - Secure Lobby
 - Secure area for transferring cannabis or cash to or from VEHICLES
 - Secure storage (safe[s])
21. A final security plan for the **Non-Storefront Delivery Only Dispensary and Cannabis Distribution Business** shall be submitted for review and approval by the Sacramento Police Department CPTED Sergeant (or designee) prior to issuance of any Business Operations Permit (BOP) for the site. The following Police Department conditions shall be part of the security plan. The final security plan may be modified with the review and approval of the Sacramento Police Department CPTED Sergeant (or designee). The security plan **MUST** be prepared by a qualified professional (Qualified Manager of a licensed PPO or Certified Professional Designation from ASIS International).
22. Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. Color temperature shall be between 2700K and 4100K with a color rendering index of 80 or higher and a light loss factor of .95 or better. Light poles shall be no higher than 16'.
23. Entry drives, drive aisles, parking and bicycle parking shall be illuminated to a maintained minimum of 1.5-foot candles per square foot of parking area at a 6:1 average to minimum ratio.
24. Exterior walkways, alcoves and passageways shall be illuminated to a maintained minimum of 1/3 foot candles per square foot of surface area at a 6:1 average to minimum ratio.
25. Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.
26. Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.

27. All mature landscaping shall follow the two-foot, six-foot rule. All landscaping shall be ground cover, two feet or less and lower tree canopies of mature trees shall be above six feet. This increases natural surveillance and eliminates hiding areas within the landscape.
28. Tree canopies shall not interfere with or block lighting. This creates shadows and areas of concealment. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs. Tree canopies shall be trimmed to not interfere with security cameras.
29. All solid core exterior doors shall be equipped with a 180-degree viewing device to screen persons before allowing entry. Doors shall remain locked at all times, except for emergencies and deliveries.
30. Fences shall be a minimum of 6', constructed of decorative tubular steel, no climb type. This shall apply to entry fencing and gate.
31. The business shall be equipped with and maintain a security system with:
 - An alarm system with a valid UL Certificate in accordance with ANSI/UL Standard 681-2014 (Standard for Installation and Classification of Burglar and Holdup Alarm), **Extent Number 2** with line security.
 - a Video Assessment and Surveillance System (VASS)
 Holdup/Distress alarm system shall be employed near the:
 - transport area
 - manager's office
 - lobby
 - safe(s)
32. Burglar alarms shall cause the dispatch of a properly licensed private patrol.

*The monitoring center will be instructed to notify both the on-site security officer assigned and a duly licensed private patrol operator. Both will be responsible for providing a timely response, **not to exceed 20 minutes**. The private patrol operator will be instructed and equipped to notify the Security Director in the event of a breach in security (open door).*

*The Security Director or its designee shall be able to respond to assist in evaluating the activation **within one hour**.*

Where evidence of criminal activity is discovered by the private patrol operator or the responding Security Manager (or designee), those responding shall retreat to a position of safety and observation, shall alert local law enforcement and shall assist law enforcement with all necessary access to and within the facility as is needed to investigate.
33. Holdup alarms shall cause the dispatch of the Sacramento Police Department.
34. Security system shall be equipped with at least 24 hours of continued operation time in case of power failure.
35. Security system shall be equipped with cellular back-up in case of phone line disruption.
36. A log shall be maintained that shows when the alarm system was armed and disarmed, and by whom.
37. The following are specifications for Video Assessment and Surveillance System (VASS):
 - VASS must provide comprehensive coverage of:
 - safe(s)

- areas of ingress and egress,
 - parking lot, loading areas,
 - coverage of all four (4) exterior sides of the property,
 - adjacent public rights of way.
 - VASS storage must be:
 - kept off-site or in a secured area accessible only to management
 - capable of storing no less than 30 days' worth of activity (CA State currently requires 90 days of retention),
 - capable of exporting footage to common media in a standard viewing format
 - shall not require proprietary software for third party viewing.
 - the manager with access to the VASS storage shall be able to respond to any activation within one hour.
 - cameras shall be day/night capable with a resolution of no less than two (2) megapixels and a minimum frame rate of 15 frames per second.
38. Monitors displaying the employee parking area and property perimeter shall be mounted in a visible location near the door from which employees will arrive and depart so that employees may monitor the outside environment prior to departing the facility.
39. The applicant shall post the property No Trespassing and No Loitering. The applicant shall designate a properly permitted and approved private patrol company as agent for trespass. No trespassing signs shall cite 602K PC and 9.16.140 SCC.
40. The applicant is responsible for reasonably controlling the conduct of persons on the site and shall immediately disperse loiterers.
41. All dumpsters shall be kept locked or in locked enclosures.
42. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the applicant shall be removed or painted over with matching paint within 72 hours of being applied.
43. The operator shall be responsible for the daily removal of all litter from the site.
44. Applicant shall install a "Knox Box" for police access to the exterior areas of the property for after-hours access by law enforcement. If exterior gates can be accessed via keypad, the code shall be supplied and updated to the Sacramento Police Department's Communication Center by contacting (916) 264-5471.
45. ALL crimes occurring on the premises shall be reported to the Sacramento Police Department within 24 hours. ALL crimes involving employees, agents, or representatives of the business, that occur while the employee, agent, or representative is acting on behalf of the business, within the City of Sacramento, shall be reported to the Sacramento Police Department within 24 hours. In the event the reporting party is advised by the Sacramento Police Department that officers will not be responding for a report, the incident/crime shall be reported on-line at www.cityofsacramento.org/Police, listing the name and address of the business as an involved entity.
46. ALL crimes involving employees, agents, or representatives of the business, that occur outside of Sacramento city limits, while the employee, agent, or representative is acting on behalf of the business, shall be reported to the City of Sacramento's Office of Cannabis Policy and Enforcement within 72 hours. The report shall reference the premises of **20 Blue Sky Ct**, Unit Number if applicable, business name, the type of crime, a summary of the incident, the jurisdiction in which it occurred, the investigating law enforcement agency, and that agency's report number. The report shall be sent to the Office of Cannabis Policy and Enforcement at **915 "I" Street, Sacramento, CA 95814** and/or e-mailed to: cannabis@cityofsacramento.org.

47. Storage containers and non-operational vehicles shall not be allowed in the parking area of the property.
48. Bollards or other devices rated at K4 or higher shall be installed in front of any glass storefront type areas to prevent vehicle intrusion.

Fire Department:

49. Any modifications to the facility must be done under permit by way of plan review for compliance to the Fire and Building Codes.
50. Any access or egress-controlled doors must be identified on the floor plan that is provided as a part of the security plan. This will aid in a more complete plan review when provided for review to obtain a construction permit.
51. Obtain a Fire Clearance by requesting a fire and life safety inspection from the Sacramento City Fire Prevention Division.
52. Obtain any required operational permits from the Sacramento City Fire Prevention Division.
53. Provide a hazardous materials management plan and an inventory statement for any hazardous materials to be stored on-site in accordance with section 5001.5 of the CFC.
54. Provide documentation to verify that any fire and life safety systems such as fire suppression and fire alarm systems have been serviced, maintained and certified in accordance with the required maintenance schedules as may be applicable (quarterly, annual and 5-year service).

Sacramento Municipal Utility District (SMUD):

55. To ensure a timely service connection, the Applicant must submit an anticipated energy load calculation for SMUD's review before requesting service connection. Depending on the anticipated electrical load, additional electrical equipment and/or upgrades may be needed. Due to a large demand for service in this area, additional SMUD offsite system improvements will be necessary. Requests for new/upgraded service connections will exceed the typical 4-6-month timeline. SMUD welcomes the opportunity to discuss your specific service needs. The Applicant may also direct specific questions regarding their service connection to: CannabisOperations@smud.org.
56. In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.
57. SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.
58. The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).
59. In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the Applicant shall dedicate a 12.5-foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City's IOD.
60. The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>.
61. If the sum of the panel sizes for the proposed building exceeds 4000 amps, the New Business service requirement will be "primary" service directly from the 21 kV system. This will require

the applicant to provide their own transformer(s). Space on the premises for pad-mounted switchgear(s) is also likely needed as part of this requirement. Please contact SMUD's new service department for additional information.

62. Space on the premises for pad-mounted transformer(s) and pad-mounted switchgear is likely needed, the precise size and quantity of which will be dependent on the load/service size.
63. Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property.

Sacramento Regional County Sanitation District (SRCSD):

64. Developing this property will require the payment of Regional San sewer impact fees (connection fees). Regional San sewer impact fees shall be paid prior to the issuance of building permits. For questions pertaining to Regional San sewer impact fees, please contact the Sewer Fee Quote Desk at (916) 876-6100.

Advisory Notes:

- ADV1. *PLANNING*: The applicant and property owner shall comply with all provisions of the required Business Operating Permit including submitting and adhering to a final security plan and odor control plan.
- ADV2. *POLICE*: City of Sacramento permits must be obtained for private patrol, alarms, and camera systems.
- ADV3. *FIRE*: Provide appropriate Knox access for site. CFC Section 506.
- ADV4. *DOU*: The applicant shall comply with the conditions set forth in Z17-222.
- ADV5. *DOU*: There is currently a 36-inch City drainage main adjacent to the northwestern and northeastern property lines of the subject parcel. Per City Code 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed on top of drainage pipelines or anywhere within the associated utility easements.
- ADV6. *DOU*: The proposed development is located within Sacramento Area Sewer District (SASD). Satisfy all SASD requirements.
- ADV7. *DOU*: The proposed project is located in a Zone X on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs). Accordingly, the project site lies in an area with no requirements to elevate or flood proof.
- ADV8. *SRCSD*: The Sacramento Area Sewer District (SASD) is responsible for providing local sewer service to the proposed project site via their local sanitary sewer collection system. Regional San is responsible for the conveyance of wastewater from the SASD collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP). SASD will respond via separate correspondence.

FINDINGS OF FACT

Findings of Fact – CUP for the Delivery-Only Dispensary

1. The proposed development is consistent with the City's Industrial and Business Park Design Guidelines, Fruitridge/Broadway Community Plan, and the General Plan, which designates the site for Industrial use. There is no applicable specific plan or transit village plan for this site.
2. The proposed use and its operating characteristics, as conditioned, are consistent with the

applicable standards, requirements, and regulations of the Heavy Industrial zoning district in which it is located, and of all other provisions of this title and this code in that:

- a. The use involves a delivery service, which is an appropriate use in the heavy industrial zone;
 - b. Adequate onsite parking is provided; and
 - c. A final security plan shall be reviewed by the Police Department and implemented prior to opening of the business.
3. The proposed use, as conditioned, is situated on a parcel that is physically suitable for the production of cannabis in terms of location, size, topography, and access, and is adequately served by public services and utilities.
 4. The proposed use and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance, in that:
 - a. The property owner for this site has agreed to pay a fee in the amount of 1% of the gross receipts of every cannabis business on the property to pay for measures to mitigate the adverse impacts the business may cause;
 - b. The applicant is required to submit a final detailed odor control plan describing method that will be implemented to prevent cannabis-related odors generated by the project from being detected outside the building on the site to the City Revenue Division prior to issuance of a Business Operating Permit;
 - c. All uses are not visible from the public right-of-way; and
 - d. Adequate onsite parking is provided per the existing development;

Findings of Fact – CUP for Cannabis Production

5. The proposed development is consistent with the City's Industrial and Business Park Design Guidelines, Fruitridge/Broadway Community Plan, and the General Plan, which designates the site for Industrial use. There is no applicable specific plan or transit village plan for this site.
6. The proposed use and its operating characteristics, as conditioned, are consistent with the applicable standards, requirements, and regulations of the Heavy Industrial zoning district in which it is located, and of all other provisions of this title and this code in that:
 - a. The use involves a delivery service, the warehousing and tending of plants inside a building, and the distribution of those products, which are appropriate uses in the heavy industrial zone;
 - b. Adequate onsite parking is provided; and
 - c. A final security plan shall be reviewed by the Police Department and implemented prior to opening of the business.
7. The proposed use, as conditioned, is situated on a parcel that is physically suitable for the production of cannabis in terms of location, size, topography, and access, and is adequately served by public services and utilities.
8. The proposed use and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance, in that:
 - a. The property owner for this site has agreed to pay a fee in the amount of 1% of the gross receipts of every cannabis production business on the property to pay for measures to mitigate the adverse impacts the business may cause;

- b. The applicant is required to submit a final detailed odor control plan describing methods that will be implemented to prevent cannabis-related odors generated by the project from being detected outside the building on the site to the City Revenue Division prior to issuance of a Business Operating Permit;
 - c. All uses take place within the building and are not visible from the public right-of-way; and
 - d. Adequate onsite parking is provided per the existing development;
9. The proposed cannabis activities will not result in undue concentration of cannabis production establishments. An undue concentration of cannabis production establishments results when the production use is located within the area bounded by Power Inn Road to the west, Folsom Boulevard to the north, and the city limits to the east and south; and results in more than 2.5 million square feet of building floor space approved by a CUP for cannabis production use in that area.

Building floor space designated for a cannabis manufacturing use in a Conditional Use Permit is excluded from the 2.5 million square footage calculation.

With the approval of this CUP, the square feet of building floor space approved by CUPs for cannabis production use is 2,385,061 square feet.

FINDINGS OF FACT – Site Plan and Design Review

- 10. The proposed development is consistent with the City's Industrial and Business Park Design Guidelines, Fruitridge/Broadway Community Plan, and the General Plan, which designates the site for Industrial use. There is no applicable specific plan or transit village plan for this site.
- 11. The proposed development is consistent with all applicable design guidelines and all development standards of the Heavy Industrial zoning district.
- 12. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards, in that:
 - a. The project has adequate street access, utility infrastructure; and
 - b. Adequate onsite parking is proposed for the proposed commercial-industrial buildings.
- 13. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance, in that:
 - a. All new proposed mechanical equipment will not be visible from street view;
 - b. All cannabis activities will be conducted within the building; and
 - c. All police and fire concerns are addressed through conditions of approval.
- 14. The local flood management agency has made adequate progress (as defined in California Government Code section 65007) on the construction of a flood protection system what will result in flood protection equal to or greater than the urban level of flood protection.

Joy D. Patterson

Joy D. Patterson
Zoning Administrator
Acting Design Director

May 1, 2019

Date of Action

The decision of the Zoning Administrator/Design Director may be appealed to the Planning and Design Commission. An appeal must be filed within 10 days of the date of the action by the Zoning Administrator/Design Director. If an appeal is not filed, the action of the Zoning Administrator/Design Director is final.

The appeal period for this action ends on Monday, May 13, 2019 at 4:00 pm.

Studio K2 Architecture
1525 Market St., Suite 200
Denver, CO 80202
Phone: 303.534.4480

319 NORTH 4TH STREET, SUITE 1000
ST. LOUIS, MO 63102

CAM - CORP
NEW PLANT HUSBANDRY FACILITY

TENANT FINISH OF EXISTING WAREHOUSE
FOR A NEW PLANT HUSBANDRY FACILITY

20 BLUE SKY COURT
SACRAMENTO, CA 95828

NO. REVISION / SUBMISSIONS	DATE
PRELIMINARY DESIGN	07.17.18
PRELIM REV 1	07.18.18
PRELIM REV 2	07.24.18
PERMIT SET	09.07.18

PROJECT NUMBER	DATE
2018.036	09.07.18

ARCHITECTURAL SITE
ROOF PLAN &
LANDSCAPING PLAN

DRAWING NUMBER

AS001



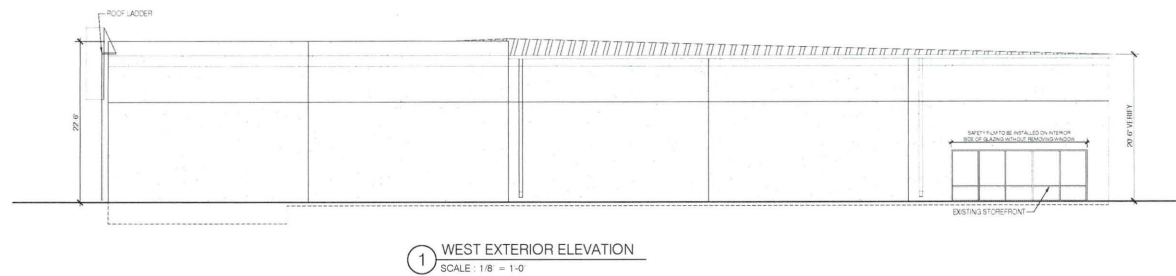
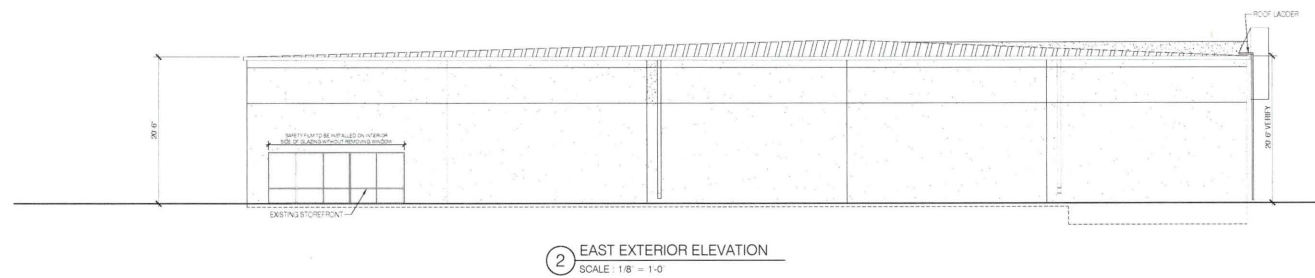
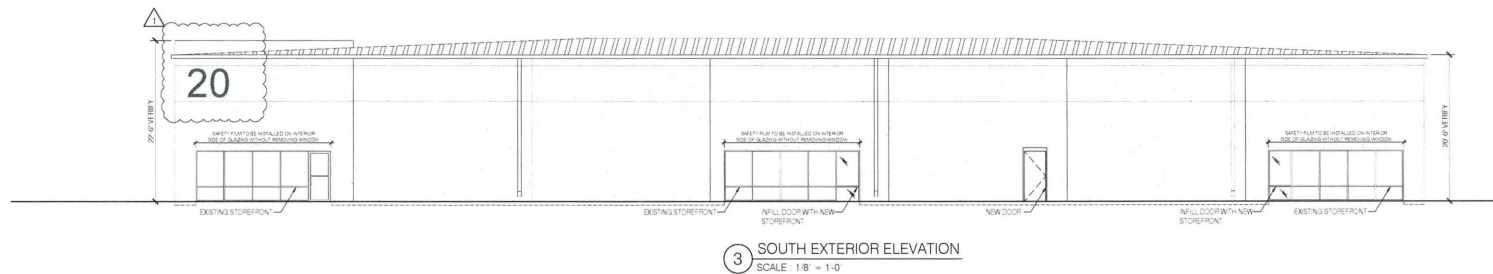
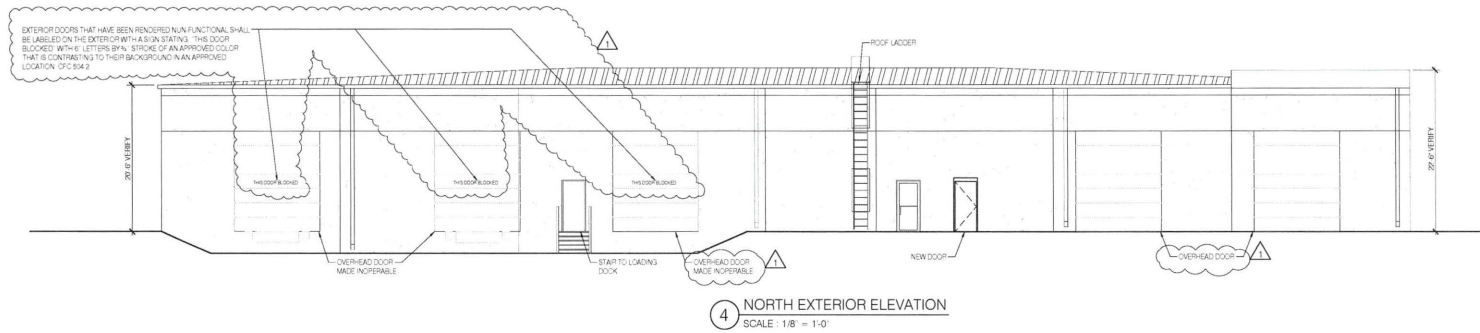
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AS001



SK2
ARCHITECTURE

Studio K2 Architecture
1525 Market St., Suite 200
Denver, CO 80202
Phone: 303.534.4480

LAWRENCE
GROUP

319 NORTH 4TH STREET, SUITE 1000
ST. LOUIS, MO 63102

This Project is to be used as a guide only. It is not intended to be a final design. All drawings are preliminary and subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. The architect is not responsible for the construction of the project. The architect is not responsible for the construction of the project. The architect is not responsible for the construction of the project.

CAM - CORP
NEW PLANT HUSBANDRY FACILITY
TENANT FINISH OF EXISTING WAREHOUSE
FOR A NEW PLANT HUSBANDRY FACILITY
20 BLUE SKY COURT
SACRAMENTO, CA 95828

NO. REVISION	SUBMISSIONS	DATE
1	PRELIMINARY DESIGN	07.17.18
2	PRELIM REV 1	07.18.18
3	PRELIM REV 2	07.24.18
4	PERMIT SET	09.07.18
5	RESPONSE TO COMMENTS	11.09.18

PROJECT NUMBER	DATE
2018.036	11.09.18

EXTERIOR ELEVATIONS

DRAWING NUMBER

A300



**CITY OF SACRAMENTO
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING ADMINISTRATOR**
300 Richards Boulevard, 3rd Floor, Sacramento, CA 95811

ACTION OF THE ZONING ADMINISTRATOR

On Thursday, March 1, 2018, the Zoning Administrator conducted a public hearing for File Z17-222 and took the project under advisement. On March 6, 2018 the Zoning Administrator approved, with conditions, a Conditional Use Permit for cannabis production for the project described below. Findings of Fact and Conditions of Approval for the project begin on page 3.

REQUESTED ENTITLEMENTS:

1. **Conditional Use Permit** to allow a cannabis production facility for cultivation within a 24,500-sq. ft. building in the Heavy Industrial (M-2S) zone on a 1.55-acre parcel.

Project Information

Location: 20 Blue Sky Court (District 6)

Assessor's Parcel Number: 062-0150-039

Applicant: Ashkan Bashiri
3037 Valkyrie Way
Sacramento, CA 95821

Property Owner: 6779 Q Street LLC
6236 Mahala Drive
Carmichael, CA 95608

Project Planner: Robby Thacker, Assistant Planner, (916) 808-5584

General Plan/Community Plan Designation: Industrial
Existing Land Use of Site: Industrial Warehouse
Existing Zoning of Site: Heavy Industrial (M-2S)

Surrounding Land Use/ Zoning:
North: Industrial; M-2
South: Industrial; M-2
East: Industrial; M-2
West: Industrial; M-2

Property Dimensions: Irregular
Property Area: Approximately 1.55-acres
Topography: Flat
Street Improvements: Existing

~~Z17-126~~ Z17-222

Utilities:	Existing
Project Plans:	See exhibits
Previous Files:	None

Additional Information

The project site is a 1.55-acre parcel within the Heavy Industrial (M-2) zone. The site is fully developed with an industrial warehouse and site improvements. The development shares a primary access point with two other industrial buildings from Blue Sky Court. The site is located within an industrial park and has existing utilities serving the site. The applicant proposes to occupy the 24,500-sq.ft. warehouse for the purposes of operating a cannabis production facility. The applicant proposes tenant improvements to the interior of the space including creation of separate rooms for cultivation, drying/trimming, storage, office, lobby, and secure loading area.

The existing building is a one-story 24,500-sq.ft. concrete tilt-up warehouse building located centrally within the parcel with a dedicated parking lot in front of the building and a secured vehicle loading area in the rear of the site. The building has a main office storefront area that will remain unchanged, and five roll-up doors on the rear of the building which are not proposed to be filled in as part of this project. No modifications to the site or the existing building are proposed as part of the project.

The site is located within the Traditional parking district which would require one parking space per 2,000-sq.ft. of building area for the proposed use. Based on the proposed building area, 13 parking spaces would be required. The approved parking layout for the site includes 30 parking spaces and therefore satisfies the parking code requirement.

Neighborhood Context

The site is located in an area developed with industrial buildings or otherwise undeveloped industrial zoned land. The required 600-foot radius map was submitted and reviewed by staff. The site is not within 600-feet of a K-12 school or a neighborhood or community park. The site is within 600-ft of another cannabis production facility.

Community/Neighborhood Contact

Notification for this project was sent to the Power Inn Alliance. The site was posted 10-days before the public hearing and all property owners and neighborhood associations within 300-feet of the subject site were mailed a notification of the public hearing for the proposed project. No other comments or concerns for the project were received by staff.

Neighborhood Responsibility Plan

A Neighborhood Responsibility Plan is required to mitigate any ongoing adverse effects of cannabis production on the surrounding neighborhood. A requirement of a conditional use permit application submittal is that the property owner of a cannabis cultivation site agrees to enter into an agreement with the City Manager to pay money to be used by the City to pay for measures to mitigate the adverse impacts. The City Manager will authorize a study to determine the impacts. The property owner for this site has agreed to pay a fee in the amount of 1% of the gross receipts of every cannabis business on the property. Payment shall be made in accordance with the Neighborhood Responsibility Agreement between the property owner and the City. The submitted Neighborhood Responsibility Agreement has been sent to the City Clerk's Office for execution.

Agency Comments

The proposed Conditional Use Permit has been reviewed by the City's Utilities, Parks, Fire Department, Building Divisions and the Department of Engineering Division of the City's Public Works department, as well as SMUD and other utility agencies. All conditions and comments provided are included in this report.

The Police Department and Fire Department have reviewed the proposal for security and safety concerns. A final security plan is required to be submitted and approved by the Revenue Division before a Business Operating Permit is issued.

Marijuana Business Operating Permit

Any marijuana related business, in addition to obtaining all required land use approvals under the Planning and Development Code (Title 17), must also obtain a business permit from the City pursuant to Sacramento City Code Title 5, Chapter 5.150. Among other things, the business permit regulates the final canopy size and requires a final security plan, lighting plan, odor control plan, community relations plan, business plan and information on employees and owners for each business permitted by the city. The marijuana related business is also required to obtain applicable permits from the State of California.

Environmental Determination

The project is determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 1, Section 15301 (Existing Facilities). This project qualifies for this exemption because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Zoning Administrator Hearing:

The Zoning Administrator conducted a public hearing on March 1, 2018 and heard testimony from the applicant and the Power Inn Alliance. The Zoning Administrator took the item under advisement to consider the testimony and review all relevant documents.

CONDITIONS OF APPROVAL:

Conditional Use Permit for Cannabis Cultivation:

Planning

1. The project shall conform to the approved plans as shown on the attached exhibits. The interior of the 24,500-sq.ft. tenant space is approved for cannabis production cultivation. Changes to the interior are permitted to conduct the approved use.
2. Only one non-illuminate sign is permitted for the use. If a sign is proposed in the future the maximum size is six square feet in area. The sign may be attached or detached. If the sign is detached it shall be a monument sign. A sign permit from the Building Division is required.

3. The site shall be inspected and maintained daily to be clear of litter.
4. The cannabis production permit holder or property owner shall provide regular landscape maintenance for the site. The cultivation permit holder or property owner shall provide staff a plan that demonstrates meeting this requirement.
5. No outdoor storage of materials or equipment related to the cannabis production business is allowed.
6. All dumpsters shall be kept inside the building.
7. Any modification to the project proposed in the future shall be subject to review and approval by Planning staff and may require additional entitlements.

Building Division

8. A building permit is required to verify occupancy for a cannabis production facility, even if no improvements to the property are proposed. The building permit application must meet the City's general building permit submittal requirements.

Police

9. Site plans and floor plans shall be completed to the satisfaction of the Sacramento Police Department CPTED Sergeant prior to the issuance of a building permit, including:
 - Secure transportation/shipping area
 - Secure lobby for visitors
 - Storage area
 - Guardhouse
 - Landscape areas
10. Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. Color temperature shall be between 2700K and 4100K with a color rendering index of 75 or better and a light loss factor of .95 or better.
11. Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.
12. Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.
13. All mature landscaping shall follow the two-foot, six-foot rule. All landscaping shall be ground cover, two feet or less and lower tree canopies of mature trees shall be above six feet. This increases natural surveillance and eliminates hiding areas within the landscape.

14. Tree canopies shall not interfere with or block lighting. This creates shadows and areas of concealment. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs.
15. Fences shall be of decorative tubular steel, no climb type.
16. All solid core exterior doors shall be equipped with a 180-degree viewing device to screen persons before allowing entry.
17. Business shall be equipped with and maintain a security system with
 - An alarm system with a valid UL Certificate in accordance with ANSI/UL Standard 681-2014 (Standard for Installation and Classification of Burglar and Holdup Alarm), Extent Number 3
 - a Video Assessment and Surveillance System (VASS)
18. Holdup alarm system shall be employed near the:
 - transport area
 - lobby
 - employee entrance
 - safe(s).
19. Burglar alarms shall cause the dispatch of a properly licensed private patrol.
20. Holdup alarms shall cause the dispatch of the Sacramento Police Department.
21. Security system shall be equipped with at least 24 hours of continued operation time in case of power failure.
22. Security system shall be equipped with cellular back-up in case of phone line disruption.
23. Facility shall be staffed at all times that the security system is not fully functional.
24. A log shall be maintained that shows when the alarm system was armed and disarmed, and by whom.
25. VASS storage shall be kept off-site or in a secured area accessible only to management.
26. Manager with access to VASS storage shall be able to respond to any activation within one hour.
27. Cameras shall be day/night capable with a resolution of no less than two (2) megapixels and a minimum frame rate of 15 frames per second.
28. Each driveway entrance and exit and each building entrance and exit shall be covered by a camera set at 100 pixels per foot or higher to capture license plates and faces.

29. VASS shall be capable of exporting footage to common media in a standard viewing format and shall not require proprietary software for third party viewing.
30. VASS shall be capable of storing no less than 30 days' worth of activity.
31. VASS shall provide comprehensive coverage of:
 - safe(s)
 - areas of ingress and egress
 - parking lot
 - loading areas
 - coverage of all four (4) exterior sides of the property
32. Monitors displaying the employee parking area and property perimeter shall be mounted in a visible location near the door from which employees will arrive and depart so that employees may monitor the outside environment prior to departing the facility.
33. No more than 33 percent of the square footage of the windows and clear doors shall be blocked by advertising, signs, shelves or anything else. All advertising, signs, and shelving shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises from the exterior public sidewalk or entrance to the premises. All signs shall comply with the City Code.
34. The applicant is responsible for reasonably controlling the conduct of persons on the site and shall immediately disperse loiterers.
35. All dumpsters shall be kept locked or in locked enclosures.
36. Applicant shall install a "Knox Box" for police access to the exterior areas of the property after hours.

Utilities

37. City record indicates that there is no existing backflow preventer device. If no backflow preventer exists, the applicant will need to install a backflow preventer device prior to the issuance of building permit to the satisfaction of the Department of Utilities. The applicant is advised to contact the Department of Utilities Development Services staff located at the CDD public counter at 300 Richards Boulevard for assistance. The applicant should be advised that the verification of the existence or installation of the backflow preventer device by the field crews involved prior to sign-off of this condition may take a considerable amount of time. Therefore, all requests should be submitted in a timely matter.

Fire

38. Any modifications to the facility must be done under permit by way of plan review for compliance to the Fire and Building Codes.

Z17-222

39. Any access or egress controlled doors must be identified on the floor plan that is provided as a part of the security plan. This will aid in a more complete plan review when obtaining a construction permit.
40. Obtain a Fire Clearance by requesting a fire and life safety inspection from the Sacramento City Fire Prevention Division.
41. Identify if any extraction processes are to be done and provide details for the means in which it is to be accomplished.
42. Provide a hazardous materials management plan and an inventory statement for any hazardous materials to be stored on-site in accordance with section 5001.5 of the CFC.
43. Provide documentation to verify that any fire and life safety systems such as fire suppression and fire alarm systems have been serviced, maintained and certified in accordance with the required maintenance schedules as may be applicable (quarterly, annual, and 5-year service).

SMUD

44. To ensure a timely service connection, the applicant must submit an anticipated energy load calculation for SMUD's review before requesting service connection. Depending on the anticipated electrical load, additional electrical equipment and/or upgrades may be needed. The applicant may also direct specific questions regarding their service connection to: indoorcultivation@smud.org.
44. In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.
45. SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.
46. The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).
47. In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the Applicant shall dedicate a 12.5-foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City's IOD.
48. The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>.

49. Any necessary future SMUD facilities located on the applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the applicant's property. This includes the future 69kV facilities along Industrial Parkway.

SASD

45. Prior to the ISSUANCE OF A BUILDING PERMIT: SASD and the Sacramento Regional County Sanitation District may require additional sewer impact fee payments in accordance with each District's Ordinance. Fees are to be paid prior to the issuance of building permits. The applicant should contact the Permit Services Unit at 916-876-6100 for sewer impact fee information.

Regional San

46. Developing this property may require the payment of Regional Sanitation sewer impact fees (connection fees). Regional San sewer impact fees shall be paid prior to the issuance of building permits. For questions pertaining to Regional San sewer impact fees, please contact the sewer Fee Quote Desk at (916) 876-6100.

Advisories

1. Prior to the APPROVAL OF IMPROVEMENT PLANS: To obtain sewer service for this proposed project, construction of offsite sewer infrastructure shall be required to the satisfaction of SASD. SASD Design Standards apply to any sewer construction and/or modification. Field modifications to new or existing precast manhole bases are not allowed. (SASD)
2. The proposed development is located within Sacramento Area Sewer District (SASD). Satisfy all SASD requirements. (Note: There is an existing County sewer main along the southern property line). (SASD)
3. SASD Design Standards require 6-inch service laterals for commercial services. Demolishing of the building or any future change in use or may require replacing the existing 4-inch service lateral to a 6-inch sewer lateral. (SASD)
4. The existing building is currently connected to public sewer. Sewer service shall continue to be provided by SASD infrastructure to the existing sewer service lateral. Any construction and/or modification to the public sewer system shall be required to the satisfaction of SASD prior to the approval of improvement plans. SASD Design Standards apply to any onsite and offsite sewer construction. (SASD)
5. The Sacramento Area Sewer District (SASD) is responsible for providing local sewer service to the proposed project site via their local sanitary sewer collection system. Regional San is responsible for the conveyance of wastewater from the SASD collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP). (SRCSD)

6. Any engines utilized to meet power needs, including those used only on an emergency basis, must be registered with the SMAQMD and must comply with the Airborne Toxic Control Measures promulgated by the California Air Resources Board and codified in the California Code of Regulations (<https://www.arb.ca.gov/toxics/atcm/atcm.htm>). (SMAQMD)
7. A marijuana cultivation permittee shall prevent all odors generated from the cultivation and storage of marijuana from escaping from the buildings on the cultivation site, such that the odor cannot be detected by a reasonable person of normal sensitivity outside the buildings. (SMAQMD)
8. Parking lot planted with trees can clean and cool the air for the Sacramento region as a whole. Trees clean the air, reducing carbon, ozone, and particulate matter in the atmosphere. SMAQMD recommends additional trees be incorporated within the existing parking lot. (SMAQMD)
9. Because of the proposed project's location close to existing neighborhoods long term bicycle parking is needed, in accordance with the City of Sacramento's 2035 General Plan Policy M5.1.14: Encourage Bicycle Use. The City shall encourage bicycle use in all neighborhoods, especially where short trips are most common. (SMAQMD)
10. There is currently a 36-inch City drainage main adjacent to the northwestern and northeastern property lines of the subject parcel. Per City Code 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed on top of drainage pipelines or anywhere within the associated utility easements. (Utilities)
11. The proposed project is located in a Zone X on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs). Accordingly, the project site lies in an area with no requirements to elevate or flood proof. (Utilities)

FINDINGS OF FACT

Findings of Fact – Conditional Use Permit:

1. The proposed development is consistent with the City's Industrial and Business Park Design Guidelines and the General Plan land use designation of Employment Center Low Rise, which designates the site for industrial uses. There is no applicable specific plan or transit village plan for the site.
2. The proposed use and its operating characteristics, as conditioned, are consistent with the applicable standards, requirements, and regulations of the Heavy Industrial (M-2S) zoning district in which it is located, and of all other provisions of this title and this code in that
 - a. The proposed cannabis production is appropriately located within the Heavy Industrial zone and will be located within an existing warehouse building surrounded by other industrial uses.

- b. The project site plan provides adequate parking for cannabis production and the use will be conducted entirely within the building.
- 3. The proposed use, as conditioned, is situated on a parcel that is physically suitable for the production of cannabis in terms of location, size, topography, access, and is adequately served by public services and utilities.
- 4. The proposed use and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance, in that:
 - a. The property owner for this site has agreed to pay a fee in the amount of 1% of the gross receipts of every cannabis cultivation or manufacturing business on the property to pay for measures to mitigate the adverse impacts the business may cause; and
 - b. The applicant is required to submit a final detailed odor control plan describing methods that will be implemented to prevent cannabis related odors generated by the project from being detected outside the building on the site to the City Revenue Division prior to issuance of a Business Operating Permit.
- 5. The proposed cannabis production will not adversely affect the peace or general welfare of the surrounding neighborhood in that:
 - a. All cannabis production takes place within the existing building and is not visible from the public right of way; and
 - b. Adequate parking is provided.
- 6. The proposed cannabis production will not result in an undue concentration of cannabis production establishments.

Joy Patterson

JOY PATTERSON
Zoning Administrator

March 6, 2018

Date of Action

The decision of the Zoning Administrator may be appealed to the Planning and Design Commission. An appeal must be filed within 10 days of the date of the action by the Zoning Administrator. If an appeal is not filed, the action of the Zoning Administrator is final.

The appeal period for this action ends on March 16th, 2018 at 4:00 p.m.





916-804-9300

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CHANGES:

REVISIONS		
NO.	DESCRIPTION	DATE

[illegible]

DRAFTING PREPARED FOR:

20 BLUE SKY CT.
SACRAMENTO, CA

SHEET INDEX

(E)_ROOF_PLAN

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17-	1700
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SCALE:	1"=10'	AD.0
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THEODORE ST. JAC





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BY: _____



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