



## AGENDA

### VALLEJO PLANNING COMMISSION REGULAR MEETING – 7:00 P.M. VIA TELECONFERENCE

Diosdado "J.R." Matulac, Chair  
Kathleen Diohep, Vice-Chair  
Peggy Cohen-Thompson  
Jamar Stamps  
Charles Palmares  
Melissa Bowman  
Donald Douglass

#### VIA TELECONFERENCE

[www.cityofvallejo.net](http://www.cityofvallejo.net)

July 7, 2021

#### IMPORTANT NOTICE

Until further notice, meetings of the Planning Commission are being conducted using teleconference and electronic means, consistent with State of California Executive Order N-29-30 regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on television or online. Details may be found at [www.cityofvallejo.net](http://www.cityofvallejo.net). In accordance with Executive Order N-29-30, the public may only view the meetings on television and/or online and not in the Council Chamber.

**PUBLIC COMMENT:** Members of the Public may provide public comments during the Planning Commission Meeting via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#

For additional instructions on how to speak during public comment, please visit, [www.cityofvallejo.net/publiccomment](http://www.cityofvallejo.net/publiccomment)

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- Stream from the City website: [www.cityofvallejo.net/Streaming](http://www.cityofvallejo.net/Streaming)
- Join the Zoom webinar: <https://zoomregular.cityofvallejo.net>

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This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Planning Commission without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

**Notice of Availability of Public Records:** All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Planning Commission will be available on the City of Vallejo website at [www.cityofvallejo.net](http://www.cityofvallejo.net) subject to staff's ability to post the documents prior to the meeting.

**Disclosure Requirements:** Government Code Section 84308 (d) sets forth disclosure requirements which apply to persons who actively support or oppose projects in which they have a "financial interest", as that term is defined by the Political Reform Act of 1974. If you fall within that category, and if you (or your agent) have made a contribution of \$250 or more to any commissioner within the last twelve months to be used in a federal, state or local election, you must disclose the fact of that contribution in a statement to the Commission.

**Appeal Rights:** The applicant or any party adversely affected by the decision of the Planning Commission may, within ten days after the rendition of the decision of the Planning Commission, appeal in writing to the City Council by filing a written appeal with the City Clerk. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the Planning Commission. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee no later than the close of business on the tenth calendar day after the rendition of the decision of the Planning Commission. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

Notice of the appeal, including the date and time of the City Council's consideration of the appeal, shall be sent by the City Clerk to all property owners within two hundred or five hundred feet of the project boundary, whichever was the original notification boundary.

The Council may affirm, reverse or modify any decision of the Planning Commission which is appealed. The Council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.



The Council Chambers in City Hall is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

If you have any questions regarding any of the following agenda items, please call the assigned planner or project manager at (707) 648-4326.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES

A. June 21, 2021

5. WRITTEN COMMUNICATIONS
6. REPORT OF THE SECRETARY

A. Upcoming Meetings

|                |                                 |
|----------------|---------------------------------|
| July 19, 2021  | No items tentatively scheduled. |
| August 2, 2021 | No items tentatively scheduled. |

7. CITY ATTORNEY REPORT
8. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION
9. REPORT OF THE SUBCOMMITTEES
10. REPORT OF THE CITY COUNCIL LIAISON
11. COMMUNITY FORUM

*Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Community Forum may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#*

12. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

*Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Consent Calendar and Approval of the agenda may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 9140075 0676#*

13. PUBLIC HEARINGS

*Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Public Hearing may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#*

|                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A. PROJECT TITLE:</b>                    | Life Enhancement Services Appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>PROJECT LOCATION:</b>                    | 1630 Lewis Brown Drive (APN: 0067-160-030)                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>PROJECT APPELLANT:</b>                   | Anthony Brown                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>PROJECT DESCRIPTION:</b>                 | Appeal request to overturn Planning and Development Services Director approval of Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004 applications. The Minor Use Permit would result in the establishment indoor cannabis cultivation, distribution, and manufacturing for Life Enhancement Services within an existing building with associated tenant improvements. The Minor Exception would reduce required off-street parking from eight spaces to six spaces with one space reserved for loading. |
| <b>PROPOSED ENVIRONMENTAL DETERMINATION</b> | The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Class 1 "Existing Facilities"). Therefore, no further environmental review is required.                                                                                                                                                                                                                                                                                                      |
| <b>STAFF RECOMMENDATION:</b>                | Hold public hearing for Appeal request and adopt Resolution to DENY Appeal (APP) #21-0005 request and uphold Planning and Development Services Director approval of Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004.                                                                                                                                                                                                                                                                                 |
| <b>PROJECT PLANNER:</b>                     | Jonathan Atkinson, Senior Planner<br><a href="mailto:jonathan.atkinson@cityofvallejo.net">jonathan.atkinson@cityofvallejo.net</a>                                                                                                                                                                                                                                                                                                                                                                                      |

#### 14. ACTION CALENDAR

NOTICE: Members of the public wishing to address the Planning Commission on Action Calendar Items may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, *enter meeting id: 914 0075 0676#*. For additional instructions on how to speak during public comment, please visit, [www.cityofvallejo.net/publiccomment](http://www.cityofvallejo.net/publiccomment).

##### A. PHASE II LIST **List of Advanced Planning Tasks**

Initial Discussion of items to include on Phase II of the Zoning Code Update: Staff seeks Planning Commission input and verification of the Phase II list. After initial review, Staff will bring this item back to the for discussion and prioritization in preparation to forward this list to the Council for approval.

**15. OTHER**

*Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as a part of the Other item may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#*

**16. ADJOURNMENT**

I, Narcissa Wilson, Planning Executive Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Vallejo Planning Commission, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 6:30 p.m. Wednesday, June 30, 2021.

Dated June 30, 2021



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Narcissa Wilson, Planning Executive Secretary



# Minutes

**CITY OF VALLEJO PLANNING COMMISSION  
REGULAR MEETING MINUTES  
COUNCIL CHAMBERS  
June 21, 2021**

**1. CALL TO ORDER**

The meeting was called to order by Chairman Matulac at 7:01 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**Present:** Chair Matulac, Vice-Chair Diohep, Commissioners Palmares, Stamps, Bowman, Douglass, and Cohen-Thompson

**Absent:** None

**Staff present:** Interim Deputy City Manager Hayes, City Attorney Nebb, Assistant City Attorney Zagaroli, Planning Manager Kavanaugh-Lynch, Senior Planner Hightower, Associate Planner Orozco, Public Works Director Davis

**4. APPROVAL OF MINUTES**

A. May 17, 2021

On a motion of Commissioner Cohen-Thompson, second by Commissioner Bowman, the Commission approved the minutes with the following vote:

**VOTE:**

**AYES:** Chair Matulac, Vice-Chair Diohep, Commissioners Palmares, Bowman, Stamps, Douglass and Cohen-Thompson

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**5. WRITTEN COMMUNICATION – None**

**6. REPORT OF THE SECRETARY**

**A. Upcoming Meetings:**

- |               |                                                                                                                                                                                                                                                   |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| July 7, 2021  | 1. Appeal to Planning Commission of Director's approval of Minor Use Permit 20-0012 for Life Enhancement Services, a cannabis cultivation, manufacturing and distribution facility at 1630 Lewis Brown.<br>2. Discussion of Phase II Project List |
| July 19, 2021 | No Items Tentatively scheduled.                                                                                                                                                                                                                   |

Planning Manager Kavanaugh-Lynch provided a brief update on the following:

1. An appeal of the Director's approval of Life Enhancement Services (1630 Lewis Brown Drive) is set before Planning Commission on July 7, 2021.
2. Discussion of Phase II Project List for the zoning code.
3. A status report on Crown Hill Materials Site Development Permit (1888 Broadway).
4. The City of Vallejo has extended their deadline for application deadlines for the Commissions.

Interim Deputy City Manager Hayes provided a brief update on the following:

1. Second reading for the New Zoning Code shall be heard at the City Council meeting on June 22, 2021.
2. An Appeal of the Planning Commission approval of Oakwood Apartments (Northwest Corner of Sonoma Boulevard and Magazine Street - APN: 0061-160-210) is set before the City Council on June 29, 2021.
3. Southern Land and Nimitz Group will have an open house on June 23, 2021.
4. Announced Michelle Hightower retirement from the City of Vallejo.

7. **CITY ATTORNEY REPORT** – City Attorney Nebb gave an update on new staff for the neighborhood law program.

8. **REPORT OF THE PRESIDING OFFICER, MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS**

Commissioner Diohep noted an opportunity she had to meet with a group of Berkeley graduate students and walked the downtown to look at potential uses.

9. **REPORT OF THE SUBCOMMITTEES** – None

10. **REPORT OF THE CITY COUNCIL LIAISON** – None

11. **COMMUNITY FORUM** – Robert Schussel

12. **CONSENT CALENDER AND APPROVAL OF THE AGENDA**

**Action:** On a motion of Commissioner Cohen-Thompson, second by Commissioner Stamps, the Commission approved the consent calendar and agenda with the following vote:

**VOTE:**

AYES: Chair Matulac, Vice-Chair Diohep, Commissioners Palmares, Bowman, Douglass, Cohen-Thompson and Stamps

NOES: None

ABSENT: None

ABSTAIN: None

13. **PUBLIC HEARING**

- A. Renovation of an existing gas station and convenience store: 2601 Springs Road (APN:0072-021-350) Use Permit (UP20-0009) Site Development (SD20-0015), Minor Exception (ME20-0009) and Sign Permit (SP20-0040)

Planning Manager Kavanaugh-Lynch introduced the item and Associate Planner Orozco.

Associate Planner Orozco presented the item.

The applicant made a presentation.

Commissioners asked questions and staff and the applicant responded.

Chair Matulac opened for public comments.

**Public Comments – Robert Schussel**

Chair Matulac closed the public comments.

Commissioners commented on the project.

**Action:** Motion by Vice-Chair Diohep, second by Commissioner Stamps, to approve Use Permit (UP) #20-0009, Site Development (SD) #20-0015, Minor Exception (ME) #20-0009 and Sign Permit (SP) #20-0040 based on the findings and provided in the attached Resolution and subject to the Conditions of Approval provided as Exhibit A to the Resolution and add the following Conditions of Approval:

1. A solar array could be installed on the fuel canopy roof as part of the project.
2. Trash collection, extending out 100 feet from the subject property shall be completed by the store operator on a daily basis.
3. The applicant shall include a robust landscaping and irrigation plan, subject to approval by Planning Staff.
4. The applicant shall submit a revised elevation for the canopy that adds stack stone, cladding or another type of material at the base of the fuel canopy columns, to the extent the safe movement of vehicular traffic is not impeded.
5. The applicant shall maintain the property until such time new construction has commenced; including the removal of all trash and debris, including cardboard boxes from the windows.

**VOTE:**

AYES: Chair Matulac, Vice-Chair Diohep, Commissioners Palmares, Bowman, Douglass, Cohen-Thompson and Stamps

NOES: None

ABSENT: None

ABSTAIN: None

**14. ACTION CALENDAR - None**

**15. OTHER**

**A. Nimitz Group Development Agreement Annual Review**

Senior Planner Hightower presented the item.

Representatives of Southern Land and Nimitz Group provided a presentation.

Commissioners asked questions and staff and the applicant responded.

The representatives of Southern Land Group and Nimitz Group agreed to bring members of the Planning Commission on a tour of Mare Island, including buildings and the preserve.

**16. ADJOURNMENT**

Chair Matulac adjourned the meeting at 10:03 p.m.

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DIOSDADO "J.R." MATULAC, CHAIRPERSON

ATTEST:

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CESAR OROZCO  
ASSOCIATE PLANNER

# Staff Reports



**STAFF REPORT  
CITY OF VALLEJO  
PLANNING COMMISSION**

**I. PROJECT INFORMATION**

**DATE OF MEETING:** July 7, 2021 Item No. 13-A

**PREPARED BY:** Jonathan Atkinson, Senior Planner

**PROJECT LOCATION:** 1630 Lewis Brown Drive  
(APN: 0052-021-350)

**PROJECT NUMBERS:** Appeal (APP) #21-0005  
Minor Use Permit (MUP) #20-0012  
Minor Exception (ME) #21-0004

**PROJECT SUMMARY:** Appeal request from Anthony Brown of R+L Carriers (located in Vallejo, California) to overturn Planning and Development Services Director approval of Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004 applications. The Minor Use Permit would result in the establishment indoor cannabis cultivation, distribution, and manufacturing for Life Enhancement Services within an existing building with associated tenant improvements. Retail cannabis sales are not part of the project. Life Enhancement Services currently operates a retail cannabis business at 1966 Broadway.

**ENVIRONMENTAL DETERMINATION:** The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Class 1 "Existing Facilities"). Therefore, no further environmental review is required.

**RECOMMENDATION:** Conduct a public hearing on the Planning and Development Services Director's approval of Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004 for Life Enhancement Services and adopt resolution denying Appeal (APP) #21-0005 and upholding the Planning and Development Services Director's decision.

**PROJECT DATA SUMMARY:**

**Applicant:** Hakeem Brown  
Life Enhancement Services

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|                                   |                                                                                                                                                        |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Appellant:</b>                 | Anthony Brown<br>R+L Carriers                                                                                                                          |
| <b>Property Owner:</b>            | Lezheng Li                                                                                                                                             |
| <b>General Plan Designation:</b>  | Business/Limited Residential (B/LR)                                                                                                                    |
| <b>Specific Plan:</b>             | None                                                                                                                                                   |
| <b>Zoning District:</b>           | Intensive Use (IU) District                                                                                                                            |
| <b>Existing Use:</b>              | Vacant Building                                                                                                                                        |
| <b>Surrounding Land Uses:</b>     | North: Industrial Businesses<br>South: Restaurant with Drive-Through Sales<br>East: Lewis Brown Drive<br>West: Open Space / State Highways (29 and 37) |
| <b>Lot Area:</b>                  | 10,799 square feet                                                                                                                                     |
| <b>Total Floor Area:</b>          | 12,670 square feet                                                                                                                                     |
| <b>Parking Required/Provided:</b> | 8 spaces required / 6 spaces provided                                                                                                                  |

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## II. BACKGROUND

### A. Background

Life Enhancement Services is one of 11 existing cannabis businesses permitted to operate in the City of Vallejo ("City"). Life Enhancement Services currently operates a retail cannabis sales business at 1966 Broadway.

The City's existing 11 cannabis operators are both eligible and required to obtain a local regulatory permit under Vallejo Municipal Code (VMC) Chapter 7.200 for retail cannabis sales. Under VMC Section 7.200.050.D, a retail cannabis operator is eligible to apply for and obtain a permit for cannabis cultivation, cannabis distribution, or cannabis manufacturing, or any combination thereof. VMC Section 7.200.050.D.3 permits a retail cannabis operator to either locate cannabis cultivation, cannabis distribution, and/or cannabis manufacturing operations at the same location (as the retail cannabis operation) or one additional location with land use approvals and compliance with local and State laws.

On December 21, 2020, Hakeem Brown of Life Enhancement Services ("the applicant") filed a Minor Use Permit application to establish indoor cannabis cultivation, distribution, and manufacturing for Life Enhancement Services within an existing building with associated tenant improvements at 1630 Lewis Brown Drive. The applicant filed a Minor Exception application on January 28, 2021 for parking reduction from eight to six spaces.



The Planning Division provided the following notifications in accordance with VMC Sections 16.82.040.A and 16.80.100.B on March 17, 2021: Mailed notices through the United States Postal Service (USPS) to every property owner within 200 feet of the project site and the applicant. There are no identified neighborhood groups for the purposes of public noticing under VMC Section 16.82.040.A.

On March 31, 2021, the Planning Division received written comments from Max Del Real of Ammericann [sic] Development, LLC on behalf of California Collective Care, an existing retail cannabis business, at 1639 Lewis Brown Drive. In general, the written comments expressed opposition to the project, and included a petition. The written comments and the petition are attached to the staff report.

The Planning and Development Services Director approved the Minor Use Permit and Minor Exception applications on May 14, 2021 after analysis of the project, including consideration of comments received from the public.

On May 24, 2021, the Planning Division received an appeal from Anthony Brown of R+L Carriers (“the appellant”) located at 1660 Lewis Brown Drive in Vallejo, California, requesting that the Planning Commission overturn the Minor Use Permit and Minor Exception approvals. Max Del Real of Ammericann [sic] Development, LLC submitted the appeal on behalf of the appellant. The basis for the appeal request is detailed and discussed under the “III. Staff Analysis” section of this staff report.

## B. Location and Land Use Context

**Figure 1 – Vicinity Map**



The project site is a vacant industrial building. The following existing developments and land uses surround the project site: Industrial buildings and uses are located to the north; Lewis Brown Drive is located to the east with industrial and commercial uses on the other side of the street; Jack-in-the-Box and a Shell gas station are located to the south; and open space, wetlands, and Sonoma Boulevard (Highway 29) and Highway 37 are located to the west. The project site is characterized by a vacant industrial building (with zero lot line to the north and south) with roll-up doors facing east, a small surface parking lot, and minimal vegetation.

### C. Required Approvals

The project required Planning and Development Services Director approval of the following:

**Table 1 – Required Permit Approvals**

| Permit           | Project                                                                             |
|------------------|-------------------------------------------------------------------------------------|
| Minor Use Permit | Cannabis cultivation use<br>Cannabis distribution use<br>Cannabis manufacturing use |
| Minor Exception  | Parking Reduction                                                                   |

### D. Project Description

Life Enhancement Services is one of 11 existing cannabis businesses currently operating in the City of Vallejo ("City"). Life Enhancement Services filed a Minor Use Permit to establish indoor cannabis cultivation, distribution, and manufacturing within an existing building with associated tenant improvements. The building will not be open to the public nor will it involve retail cannabis sales. The building will have a total floor area of 12,670 square feet with indoor cannabis cultivation occupying 9,400 square feet. Minor Exception request to reduce off-street parking from eight spaces to six spaces with one space reserved for loading. The project will accommodate bicycle storage in the building. Security personnel will not park on the premises but be picked up and dropped off. Life Enhancement Services currently operates a retail cannabis business at 1966 Broadway.

## III. STAFF ANALYSIS

### A. Basis of Appeal

The appellant identified the following issues in the appeal:

Key arguments for the appeal are shown in **bold** with staff's response in *italics*. The appeal request is an exhibit to this staff report and provided in its entirety.

#### **1. The Appellant does not believe this project is consistent with the General Plan 2040.**

Staff Response: *The appellant fails to identify any reasons for his allegation that the project is inconsistent with General Plan 2040. The project is consistent with General*

*Plan 2040 Business/Limited Residential (B/LR) designation, as it allows light industrial, manufacturing, and distribution uses that primarily occur inside of buildings. The cannabis business, which involves cultivation, manufacturing, and distribution, is characteristic of a light industrial operation. Furthermore, the cannabis business activities will occur exclusively inside of the building, with the exception of distribution, which activity will be screened by the building and eight-foot tall solid fencing.*

*The project is consistent with the following General Plan 2040 policies: Policy EET-2.1: Economic Diversification. Attract employment- and tax generating businesses that support the economic diversity of the city, and Policy EET-3.2 Local Business Retention: Retain existing businesses and encourage their expansion within Vallejo. The cannabis business will create employment opportunities and generate additional tax revenue for the City. The cannabis business, specifically cannabis cultivation, manufacturing, and distribution, contributes to Vallejo's economic diversity, and allows for an expansion of industrial economic base in general. Life Enhancement Services is an existing retail cannabis business at 1966 Broadway (Vallejo, CA). Approval of this Minor Use Permit not only allows for the retention of Life Enhancement in Vallejo but its expansion to a second authorized location exclusively for cannabis cultivation, manufacturing, and distribution.*

**2. The Appellant believes that the Business/Limited Residential (B/LR) zoning of the City's General Plan 2040 does not specifically allow commercial cannabis.**

Staff Response: *The project is consistent with the General Plan 2040 designation of Business/Limited Residential (B/LR), as previously discussed. The project site's existing zoning designation of Intensive Use (IU) District is consistent with the B/LR General Plan 2040 designation, and permits cannabis uses with a Minor Use Permit. The argument that cannabis uses are not permitted because they are not specifically identified in the B/LR designation is without merit.*

*General Plan 2040 provides the following description:*

***Business/Limited Residential (B/LR).*** *The B/LR designation is intended to facilitate high quality employment-based businesses, including professional office; health care and life sciences; research and development; **production, distribution, and repair (PDR); and light industrial, manufacturing, and similar uses conducted primarily inside of buildings.** A mix of lot sizes is encouraged to accommodate small businesses as well as larger campus-style uses. Restaurants, retail stores, automotive services, personal and business services, hotels, and recreational facilities that cater to the needs of businesses, employees, and residents of the surrounding area are accommodated in the B/LR designation. Residential-only or mixed-use projects containing a residential component are also accommodated, providing that findings of compatibility can be made. The maximum permitted FAR in the B/LR designation is 2.0, with minimum residential density of 25 dwelling units per acre up to 50 dwelling units per acre.*

*The cannabis business involves production, manufacturing, and distribution as part of its light industrial operation conducted primarily inside of the existing building.*

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*Cannabis uses do not need to be explicitly called out in the General Plan to demonstrate compliance with a cannabis business operation.*

3. **The Appellant believes that an Environmental Review must be conducted for this project due to its proposal to commercially manufacture cannabis and "the significant effects of this project on the community due to unusual circumstances."**

Staff Response: *The project does not merit an environmental review beyond that which was needed to consider it categorically exempt under CEQA Guidelines Section 15301 (Class 1 "Existing Facilities"). The project involves the reuse of an existing building for cannabis cultivation, distribution, and manufacturing, and would require minor building and site alterations. Overall, the project operation is relatively passive in that it involves the indoor growth of cannabis; non-volatile manufacturing, and distribution. With the specific exception of cannabis, this light industrial operation is no different than other manufacturing and distribution uses in the vicinity of the project site. The appellant raises the notion that significant impacts due to "unusual impacts" but does not provide the burden of evidence to substantiate this claim.*

4. **The Appellant disagrees with staff findings and believes that the location, size, design, and the operating characteristics of the proposed project will not be compatible with adjacent uses, buildings, structures, and its neighbors.**

Staff Response: *The cannabis business will operate within an existing industrial building space that is consistent with the desired scale, bulk, coverage, and density in the neighborhood. Freestanding industrial buildings (and industrial buildings with zero lot lines) with surface parking areas comprise the area in and around the project site. Some of these industrial buildings include outdoor operations and storage but the bulk of business activity in the area occurs indoors, similar to Life Enhancement Services' cannabis business operation.*

5. **The Appellant disagrees with staff findings and believes that "the impacts and the location" of the proposed conditional use are not consistent with the city general plan.**

Staff Response: *The appellant states that "... 'the impacts and location' of the proposed conditional use are not consistent with the city general plan" without any evidence in support of this claim. The project is consistent with General Plan 2040 Business/Limited Residential (B/LR) designations, as stated and demonstrated herein in this staff report and the resolution.*

6. **The Appellant disagrees with staff findings and believes that this project would adversely affect any and all development or persons upon abutting property, with adversely affect to mean to impact in a substantial, negative manner the economic value, habitability, or enjoyability of properties. In short, the Appellant believes this project would negatively impact "the quality of life" of the surrounding businesses and neighbors of this proposed project.**

Staff Response: *All of the activities associated with the cannabis business operation will either take place exclusively indoors or behind eight-foot tall solid fencing. The cannabis business operation will be secured with site and building improvements, surveillance technology, and uniformed security personnel. Additionally, the improvements will result in minor aesthetic improvements to project site, reversing physical signs of blight. These include the replacement of broken/missing windows and bare/dead landscaping. Physical investment into the property will enhance the economic value, habitability, and enjoyment of properties in the vicinity.*

- 7. Finally, the Appellant is appealing this project due to the fact that this area is well known for loitering, crime, and homelessness. A new commercial cannabis facility, as proposed by this project, in this area will invite more loitering and crime.**

Staff Response: *The establishment of a cannabis business with cultivation, manufacturing, and distribution will serve as a deterrent to loitering and crime in that employees will frequent the premises in addition to uniformed security guards. Additionally, the cannabis business will employ surveillance technology to both survey the premises and potentially deter crimes from occurring. The cannabis business will also incorporate building and site improvements to reinforce the physical security of the premises.*

## **B. Minor Use Permit**

Minor Use Permit applications are subject to Planning and Development Services Director review under VMC Section 16.82.040.A, unless appealed to the Planning Commission. In general, Use Permits are intended to allow for activities and uses that may not be appropriate for all locations and whose effect on the surrounding environment cannot be determined prior to being proposed for a particular location. Uses requiring a Use Permit may not be appropriate without specific conditions being applied that eliminate or minimize any negative impacts caused by the use.

“Cannabis cultivation”, “Cannabis distribution”, and “Cannabis manufacturing” uses are permitted in the Intensive Use (IU) District with a Minor Use Permit under VMC Section(s) 16.34.050.B.1, 16.34.050.B.2, and 16.34.050.B.3. Section 16.82.060.U of the VMC contains permitting, development, and operational standards for cannabis cultivation, distribution, and manufacturing. The project, as proposed and conditioned, is consistent with the requirements set forth in VMC Section 16.82.060.U. Notably, no cannabis business shall be located within a 600 foot of a parcel containing a K-12 school, daycare center, or youth center, as defined in Health and Safety Code Section 11353.1. The project is consistent with this requirement.

Minor Use Permits are subject to the required findings under VMC Section 16.82.050. The Planning and Development Services Director found the Minor Use Permit application to be consistent with the required findings. The findings for the Planning Commission to approve this Minor Use Permit are presented in Section II of the attached Resolution.

### **C. Minor Exception**

The Minor Exception is intended to provide relief from the literal application of zoning ordinance development standards when appropriate. The cannabis business will have a total floor area 12,670 square feet. The project will require four parking spaces for the first 5,000 square feet and one space for each additional 2,000 square feet of floor area, or one space for each one and one-half employees, whichever is greater, under VMC Section 16.62.100.P. The project will require eight total parking spaces.

The project submittal includes a request for a Minor Exception for parking. The Minor Exception allows for a 25 percent reduction from the measurable standard under VMC Section 16.80.090. Additionally, VMC Section 16.62.105.B allows the Planning and Development Services Director to reduce required parked when it can be demonstrated that other forms of transportation will be used, such as walking, bicycling, and transit. The project will also require one loading space and bicycle parking under VMC Section(s) 16.62.129.A and 16.62.150.M. Since the applicant is providing bicycle parking inside the business, the Planning and Development Services Director allowed a further reduction of one parking space.

With a Minor Exception, the project is consistent with these requirements in that it will provide six parking spaces: five vehicle spaces and one loading space (for deliveries and shipments). Additionally, the project will accommodate bicycle storage inside of the building for any employees who opt to use this form of transportation. The findings for the Planning Commission to approve this Minor Exception are presented in Section III of the attached Resolution.

### **D. Environmental Review**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, Title 14, §15000, et seq.) pursuant to Section 15301 of the CEQA Guidelines (Class 1 “Existing Facilities”). The project involves the reuse of an existing industrial building for indoor cultivation, distribution, and manufacturing with associated tenant improvements.

None of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects due to unusual circumstances, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would not affect any historical resource. Therefore, no further environmental review is required.

## **IV. NOTICING AND PUBLIC COMMENTS**

The Planning Division provided the following notifications in accordance with VMC Sections 16.102.030.B, 16.82.040.A and 16.80.100.B on June 23, 2021: Mailed public hearing notices through the United States Postal Service (USPS) to every property owner within 200 feet of the project site, the appellant, and the applicant. There are no identified neighborhood groups within 500 feet of the project site for public noticing purposes. The Planning Division also published a public hearing notice in the Times Herald newspaper and sent copies of the public

hearing notice to the Planning Commission via email both on June 23, 2021. All written communications from the public as of writing this staff report are attached.

## V. CONCLUSION / STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt a Resolution to **DENY** Appeal (APP) #21-0005 and **APPROVE** Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004 based on the analysis contained in this staff report (and attached herein) and the findings in the attached Resolution, and subject to the conditions of approval, attached as an exhibit.

## VI. EXPIRATION

- Minor Use Permit: Pursuant to VMC Section 16.82.090.A, approval of this Minor Use Permit shall automatically expire 24 months after its approval unless authorized construction has commenced prior to the expiration date (**JULY 7, 2023 if approved at this meeting**).
- Minor Exception: Pursuant to VMC Section 16.80.100.D, approval of this Minor Exception shall automatically expire 24 months after its approval unless authorized construction has commenced prior to the expiration (**JULY 7, 2023 if approved at this meeting**).

## VII. APPEAL PROCEDURE

The applicant or any party aggrieved by a determination of the Planning Commission may appeal the action to the City Council. Such appeal must be filed in writing with the Planning Division along with a fee payment of **\$1,062** within ten (10) calendar days after the action by the Planning Commission. Such appeal shall not be timely filed unless it is received by the Planning Division no later than the close of business on the tenth day following the decision of the Planning Commission. The City Council may affirm, reverse or modify any decision of the Planning Commission that is appealed. The City Council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.

## VIII. ATTACHMENTS

1. Resolution
  - Exhibit A – Conditions of Approval
2. Appeal (APP) #21-0005 Request
3. Minor Use Permit (MUP) #20-0012 Approval
4. Project Plans
5. Written Communications

**CITY OF VALLEJO PLANNING COMMISSION**

**RESOLUTION**

**A RESOLUTION UPHOLDING PLANNING AND DEVELOPMENT SERVICES  
DIRECTOR APPROVAL OF MINOR USE PERMIT (MUP) #20-0012 AND MINOR  
EXCEPTION (ME) #21-0004 TO LIFE ENHANCEMENT SERVICES TO ESTABLISH  
CANNABIS CULTIVATION, DISTRIBUTION, AND MANUFACTURING WITHIN AN  
EXISTING BUILDING WITH A PARKING REDUCTION AND DENYING APPEAL  
(APP) #21-0005**

**1630 LEWIS BROWN DRIVE  
APN #0052-021-350**

\*\*\*\*\*

WHEREAS, on August 29, 2017, the City Council adopted General Plan 2040; and

WHEREAS, on May 14, 2021, the Planning and Development Services Director approved Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004 applications to establish cannabis cultivation, distribution, and manufacturing for Life Enhancement Services within an existing building with a parking reduction ("project") at 1630 Lewis Brown Drive (APN: 0052-021-350); and

WHEREAS, on May 24, 2021, the Planning Division received an appeal from Anthony Brown of 1660 Lewis Brown Drive (Vallejo, CA), requesting that the Planning Commission overturn the Minor Use Permit and Minor Exception approvals; and

WHEREAS, the property has a General Plan 2040 land use designation of Business/Limited Residential (B/LR) and has an interim zoning designation of Intensive Use District (IU); and

WHEREAS, on July 7, 2021, the City of Vallejo Planning Commission, after giving all public notices required by State law and the City of Vallejo Municipal Code, conducted a duly noticed public hearing; and

WHEREAS, the Record of Proceedings upon which the Planning Commission bases its decision on the Project at issue herein, includes, but is not limited to: (1) the environmental document (categorical exemption); (2) the staff reports, City files and records and other documents, prepared for and/or submitted to the City relating to the environmental document and the Project; (3) the evidence, facts, findings and other determinations set forth in this resolution; (4) the City of Vallejo General Plan and its related EIR; (5) the Vallejo Municipal Code and its related environmental documents; (6) all designs, plans, studies, data and correspondence submitted to the City in connection with the environmental document and the Project; (7) all documentary and oral evidence received at public workshops, meetings, and hearings regarding the environmental document(s) and the Project; (8) all other matters of common knowledge to the Planning Commission including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records and



projections related to development within the City of Vallejo and its surrounding areas.

WHEREAS, the Planning Commission considered testimony and evidence, both written and oral provided at the public hearing, as well as other documents contained in the Record of Proceedings relating to the project, which are maintained in the offices of the City of Vallejo Planning Division; and

WHEREAS, based on the Record of Proceedings, the Planning Commission makes the following findings:

**I. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDING:**

The Project involves the reuse of an existing building with minor building and site alterations and is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000 et seq. and California Code of Regulations, Title 14, §15000 et seq.) pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities"). None of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects due to unusual circumstances, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would not affect any historical resource. Therefore, no further environmental review is required.

**II. FINDINGS RELEVANT TO THE APPROVAL OF THE MINOR USE PERMIT (VMC Section 16.82.050):**

**A. That the location, size, design and operating characteristics of the proposed conditional use will be compatible with adjacent uses, building or structures, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.**

*Facts in Support: The project site is in an existing building located adjacent to Lewis Brown Drive, Highway 37 and Highway 29 (Sonoma Boulevard). The area is primarily characterized by industrial, commercial, and service uses with open space largely beyond both State highways to the west. Life Enhancement Service's cannabis cultivation, manufacturing, and distribution operation is consistent with adjacent uses and anticipated uses, especially given that the General Plan 2040 and zoning code permit industrial and commercial uses in the immediate area. The cannabis business will operate within an existing industrial building space that is consistent with the desired scale, bulk, coverage, and density in the neighborhood.*

*The project site is served by existing utilities. The City's Traffic Engineer reviewed the project and did not raise any concerns related to traffic generation or parking. The Vallejo Police Department reviewed the project and did not raise any concerns. Furthermore, the cannabis business does not operate within a*

600-foot radius of any potentially sensitive land uses, such as daycares, schools serving grades kindergarten through 12, and youth centers. Finally, the cannabis business will be subject to Vallejo Municipal Code and State requirements and Minor Use Permit conditions to ensure that it does not have an adverse effect on the surrounding area.

**B. That the impacts, as described in subsection A of this section, and the location of the proposed conditional use are consistent with the city general plan.**

Facts in Support: The General Plan 2040 Land Use Map designates the project site as Business/Limited Residential (B/LR). The project is consistent with the B/LR designation in that a cannabis business with cultivation, manufacturing, and distribution contributes to the diversity of land uses typical of the B/LR designation. The B/LR designation envisions light industrial, manufacturing, and distribution uses that primarily occur inside of buildings. Cannabis cultivation, manufacturing (non-volatile), and distribution within a 12,670 square foot building is a generally passive use that is characteristically light industrial. Additionally, the cannabis business activities will occur exclusively inside of the building with the exception of deliveries/distribution for which these activities will be screened by the building and eight-foot tall solid fencing.

The project is consistent with the following General Plan 2040 policies: Policy EET-2.1: Economic Diversification. Attract employment- and tax generating businesses that support the economic diversity of the city, and Policy EET-3.2 Local Business Retention: Retain existing businesses and encourage their expansion within Vallejo. The cannabis business will create employment opportunities and generate additional tax revenue for the City. The cannabis business, specifically cannabis cultivation, manufacturing, and distribution, contributes to Vallejo's economic diversity, and allows for an expansion of industrial economic base. Life Enhancement Services is an existing retail cannabis business at 1966 Broadway in Vallejo. Approval of this Minor Use Permit supports the retention of Life Enhancement in Vallejo and its expansion within Vallejo from a single retail location to a second location to be used exclusively for cannabis cultivation, manufacturing, and distribution.

**III. FINDINGS RELEVANT TO THE APPROVAL OF THE MINOR EXCEPTION (VMC Section 16.80.090):**

**A. Would not exceed twenty-five percent of the prescribed measurable standards.**

Facts in Support: The cannabis business will have a total floor area 12,670 square feet. Pursuant to VMC Section 16.62.100.P, the project will require four parking spaces for the first 5,000 square feet and one space for each additional 2,000 square feet of floor area, or one space for each one and one-half employees, whichever is greater. The project will require eight total parking spaces. VMC Section 16.62.105.B allows the Planning and Development Services Director to reduce required parking when it can be demonstrated that other forms of transportation will be used, such as walking, bicycling, and transit. The project is consistent with this provision in that it will provide six parking

spaces: five vehicle spaces and one loading space (for deliveries and shipments). Additionally, the project will accommodate bicycle storage inside of the building for any employees who opt to use this form of transportation.

- B. Would not adversely affect any development or persons upon abutting property, with adversely affect to mean to impact in a substantial, negative manner the economic value, habitability, or enjoyability of properties.**

*Facts in Support: The Minor Exception is for a parking reduction and considered minimal in that the project requires eight total parking spaces. The cannabis business will involve a passive operation of cultivation, manufacturing, and distribution with a slight seasonal intensification during harvest season. The existing parking area can accommodate three to five employees during harvest season, especially given that five vehicle spaces will provided, bicycle storage is available, and security guards will be dropped off/picked up on the premises. Additionally, the cannabis business will be subject to an operational condition prohibiting offsite parking unless City of Vallejo and property owner approvals are obtained in writing.*

- C. Would not result in a hazard to pedestrian and/or vehicular traffic.**

*Facts in Support: The City's Traffic Engineer reviewed the project and did not identify any concerns or potential hazards related to pedestrian and/or vehicular traffic.*

- D. Would be reasonably necessary to the sound development of such property, or would result in better environmental quality of development of such property than without such exception.**

*Facts in Support: The project site is developed with both building and site improvements. The Minor Exception is necessary to the sound utilization of the property. The existing building footprint occupies a substantial portion of the lot area. The parking lot is limited to a small paved area between the existing building and public right-of-way. The project requires eight vehicle spaces and one loading space. The parking lot can accommodate five vehicle spaces and one loading space in a manner that allows for both maneuverability and employee vehicle parking. Requiring additional vehicle parking, especially for a generally passive use, would result in potentially-significant building alterations to expand the parking area or a tandem arrangement that complicates site maneuverability.*

**IV. FINDINGS RELEVANT TO THE APPROVAL OF THE MINOR USE PERMIT FOR RETAIL CANNABIS CULTIVATION, DISTRIBUTION, AND MANUFACTURING (VMC Section 16.82.060.U):**

**The Planning Commission hereby finds that:**

- 1. Permits required to Operate. Cannabis cultivation, distribution, manufacturing, and testing laboratory uses must obtain and maintain all required State and local permits and licenses including the corresponding local permits required under Chapter 7.200 of this code: CC, CD, CM and**

**CT. Revocation of the State cannabis license (e.g. Microbusiness license) or the local permit to operate under Chapter 7.200 of this code shall be grounds for revocation of the minor use permit for the cannabis cultivation, distribution, manufacturing and testing laboratory use. Valid and applicable State and local licenses and permits shall be publicly displayed at all times during hours of operation. Operations and location requirements must at all times comply with applicable regulations contained in Title 16 of the California Code of Regulations as those may be updated from time to time by the California Bureau of Cannabis Control.**

*Facts in Support: The applicant is required to obtain all regulatory permits under Vallejo Municipal Code Chapter 7.200, and to maintain all City and State of California permits and licenses, as conditioned.*

- 2. Locational Limitation. Any cannabis cultivation, distribution, manufacturing or testing laboratory use may not be located within a six hundred-foot radius of a school providing instruction in kindergarten or any grades one through twelve, day care center, or youth center as defined in Health and Safety Code Section 11353.1. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the school or center to the closest property line of the lot on which the permittee is to be located without regard to intervening structures.**

*Facts in Support: The project site is consistent with this requirement in that there are no schools providing instruction in kindergarten or any grades one through twelve, daycare centers, or youth centers, as defined in Health and Safety Code Section 11353.1, within a 600-foot radius of the closest property line of the project site.*

**3. Development and Operational Standards:**

**a. General:**

- i. All activities shall occur within a secure fence at least eight feet in height that fully encloses the area. The fence must include a lockable gate(s) that is locked at all times, except for during times of active ingress/egress.**
- ii. No person under age eighteen shall be allowed on the property.**
- iii. The site shall not be open to the general public.**
- iv. No transactions outside, or partially outside of an enclosed building are permitted. No transactions which are performed through walk-up or drive-through service are allowed.**
- v. No use, inhalation, smoking, eating, ingestion, or otherwise consumption of cannabis on the property, including the parking areas of the property.**

- vi. **No exhibition or product sales area or retail sales are allowed on the premises.**

*Facts in Support: The project is consistent with each of these standards, as proposed and conditioned.*

**b. Cultivation:**

- i. **The canopy shall not exceed ten thousand square feet.**
- ii. **All cannabis cultivation shall occur indoors, completely enclosed in a structure with opaque walls, and shall not be visible from any public right-of-way.**

*Facts in Support: The project is consistent with each of these standards, as proposed and conditioned.*

**c. Lighting:**

- i. **Exterior perimeter lighting shall be in place prior to operation.**
- ii. **Exterior lighting shall be code compliant LED fixtures or high efficacy luminaries, and shall have an illumination intensity of between one and four foot candles.**
- iii. **Lights shall be directed and shielded so as not to illuminate into adjoining properties.**
- iv. **Lights shall have a housing to protect against breakage.**
- v. **Broken or burnt out lights shall be replaced within five calendar days.**
- vi. **Transitional lighting shall be incorporated in exterior areas going to and from buildings or uses within a site.**
- vii. **Trees and shrubs shall not interfere with the distribution of lighting as required by this section.**

*Facts in Support: The project is consistent with each of these standards, as conditioned.*

**d. Signs:**

- i. **A sign shall be posted on the door or in view of the entrance stating that no person under the age of eighteen is allowed on site.**
- ii. **A sign shall be posted stating that the use or consumption of cannabis or cannabis products on or near the premises is prohibited.**
- iii. **A sign shall be posted stating loitering on or near the premises is prohibited.**

- iv. A sign shall be posted outside the facility in full public view that contains contact information of the city manager's office for both in case of an emergency situations and for public concern of operations.
- v. Other requirements as prescribed in Chapter 16.64.

Facts in Support: The project is consistent with each of these standards, as conditioned.

**e. Fencing, screening and landscaping:**

- i. All fencing shall be eight feet tall, solid fence, masonry or board-on-board as approved by the planning manager or designee.
- ii. Shrubs located next to pedestrian walkways and other vulnerable areas as determined by the planning manager or his or her designee shall not exceed three feet in height at maturity.
- iii. Trees shall be pruned up to six feet above ground.
- iv. Trees and shrubs shall be pruned back from windows, doors and walkways.
- v. Decorative stone, brick, and other masonry material shall be grouted to prevent removal by hand.
- vi. Entrances to the site and parking lots shall be defined with landscaping or entry feature.
- vii. Outdoor waste and recycle bins shall be contained within a locked structure to prevent unauthorized entry.
- viii. Other requirements as prescribed in Chapter 16.70.

Facts in Support: The project is consistent with each of these standards, as proposed and conditioned.

**f. Noise:**

- i. The use of generators is prohibited, except as short-term temporary emergency back-up systems.
- ii. Other requirements as prescribed in Section 16.72.030.

Facts in Support: The project is consistent with each of these standards, as conditioned.

- g. **Odor control:** A sufficient odor-absorbing ventilation and exhaust system shall be installed to ensure that odor generated by the use is not detected outside the property, anywhere on adjacent properties or public rights-

of-way, or within any other unit located within the same building as the cannabis use.

*Facts in Support: The project is consistent with each of these standards, as conditioned.*

**h. Maintenance:**

- i. Property shall be maintained free of debris, litter and trash.**
- ii. Comply with Chapter 7.54, Property Maintenance.**

*Facts in Support: The project is consistent with each of these standards, as conditioned.*

- i. Other performance standards: comply with all requirements prescribed in Chapter 16.72.**

*Facts in Support: The project is consistent with each of these standards, as conditioned.*

**V. FINDINGS RELEVANT TO THE DENIAL OF THE APPEAL:**

**A. The Planning Commission finds the appellant's objections to the cannabis business do not address the relevant findings, and that:**

- 1. The appellant fails to identify any reasons for his allegation that the project is inconsistent with General Plan 2040. The project is consistent with General Plan 2040 Business/Limited Residential (B/LR) designation, as it allows light industrial, manufacturing, and distribution uses that primarily occur inside of buildings. The cannabis business, which involves cultivation, manufacturing, and distribution, is characteristic of a light industrial operation. Furthermore, the cannabis business activities will occur exclusively inside of the building, with the exception of distribution, which activity will be screened by the building and eight-foot tall solid fencing.*

*The project is consistent with the following General Plan 2040 policies: Policy EET-2.1: Economic Diversification. Attract employment- and tax generating businesses that support the economic diversity of the city, and Policy EET-3.2 Local Business Retention: Retain existing businesses and encourage their expansion within Vallejo. The cannabis business will create employment opportunities and generate additional tax revenue for the City. The cannabis business, specifically cannabis cultivation, manufacturing, and distribution, contributes to Vallejo's economic diversity, and allows for an expansion of industrial economic base in general. Life Enhancement Services is an existing retail cannabis business at 1966 Broadway (Vallejo, CA). Approval of this Minor Use Permit not only allows for the retention of Life Enhancement in Vallejo but its expansion to a second authorized location exclusively for cannabis cultivation, manufacturing, and distribution.*

2. The project is consistent with the General Plan 2040 designation of Business/Limited Residential (B/LR), as previously discussed. The project site's existing zoning designation of Intensive Use (IU) District is consistent with the B/LR General Plan 2040 designation, and permits cannabis uses with a Minor Use Permit. The argument that cannabis uses are not permitted because they are not specifically identified in the B/LR designation is without merit.

General Plan 2040 provides the following description:

**Business/Limited Residential (B/LR).** The B/LR designation is intended to facilitate high quality employment-based businesses, including professional office; health care and life sciences; research and development; **production, distribution, and repair (PDR); and light industrial, manufacturing, and similar uses conducted primarily inside of buildings.** A mix of lot sizes is encouraged to accommodate small businesses as well as larger campus-style uses. Restaurants, retail stores, automotive services, personal and business services, hotels, and recreational facilities that cater to the needs of businesses, employees, and residents of the surrounding area are accommodated in the B/LR designation. Residential-only or mixed-use projects containing a residential component are also accommodated, providing that findings of compatibility can be made. The maximum permitted FAR in the B/LR designation is 2.0, with minimum residential density of 25 dwelling units per acre up to 50 dwelling units per acre.

The cannabis business involves production, manufacturing, and distribution as part of its light industrial operation conducted primarily inside of the existing building. Cannabis uses do not need to be explicitly called out in the General Plan to demonstrate compliance with a cannabis business operation.

3. The project does not merit an environmental review beyond that which was needed to consider it categorically exempt under CEQA Guidelines Section 15301 (Class 1 "Existing Facilities"). The project involves the reuse of an existing building for cannabis cultivation, distribution, and manufacturing, and would require minor building and site alterations. Overall, the project operation is relatively passive in that it involves the indoor growth of cannabis; non-volatile manufacturing, and distribution. With the specific exception of cannabis, this light industrial operation is no different than other manufacturing and distribution uses in the vicinity of the project site. The appellant raises the notion that significant impacts due to "unusual impacts" but does not provide the burden of evidence to substantiate this claim.
4. The cannabis business will operate within an existing industrial building space that is consistent with the desired scale, bulk, coverage, and density in the neighborhood. Freestanding industrial buildings (and industrial buildings with zero lot lines) with surface parking areas comprise the area in and around the project site. Some of these industrial buildings include outdoor operations and storage but the bulk of business activity in the area



*occurs indoors, similar to Life Enhancement Services' cannabis business operation.*

- 5. The appellant states that "...the impacts and location' of the proposed conditional use are not consistent with the city general plan" without any evidence in support of this claim. The project is consistent with General Plan 2040 Business/Limited Residential (B/LR) designations, as stated and demonstrated herein in this staff report and the resolution.*
- 6. All of the activities associated with the cannabis business operation will either take place exclusively indoors or behind eight-foot tall solid fencing. The cannabis business operation will be secured with site and building improvements, surveillance technology, and uniformed security personnel. Additionally, the improvements will result in minor aesthetic improvements to project site, reversing physical signs of blight. These include the replacement of broken/missing windows and bare/dead landscaping. Physical investment into the property will enhance the economic value, habitability, and enjoyment of properties in the vicinity.*
- 7. The establishment of a cannabis business with cultivation, manufacturing, and distribution will serve as a deterrent to loitering and crime in that employees will frequent the premises in addition to uniformed security guards. Additionally, the cannabis business will employ surveillance technology to both survey the premises and potentially deter crimes from occurring. The cannabis business will also incorporate building and site improvements to reinforce the physical security of the premises.*

**VI. RESOLUTION DENYING THE APPEAL OF THE MINOR USE PERMIT APPROVAL AND MINOR EXCEPTION AT 1630 LEWIS BROWN DRIVE AND APPROVING MINOR USE PERMIT (MUP) #20-0012 AND MINOR (ME) #21-0004:**

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby UPHOLDS Planning and Development Services Director approval of Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004 and DENIES Appeal (APP) #21-0005, based on the analysis contained in this staff report and the findings contained herein and subject to the Conditions of Approval attached hereto as an exhibit.

## **VII. VOTE**

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 7<sup>th</sup> day of July, 2021 by the following vote to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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DIOSDADO MATULAC, CHAIRPERSON  
City of Vallejo Planning Commission

Attest:

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CHRISTINA RATCLIFFE, AICP, SECRETARY  
City of Vallejo Planning Commission

## **EXHIBIT A**

### **CITY OF VALLEJO**

#### **CONDITIONS OF APPROVAL**

**LIFE ENHANCEMENT SERVICES  
MINOR USE PERMIT (MUP) #20-0012  
MINOR EXCEPTION (ME) #21-0004  
1630 LEWIS BROWN DRIVE  
APN #0067-160-030**

**PERMIT DESCRIPTION:** Life Enhancement Services is one of 11 existing cannabis business currently operating in the City of Vallejo ("City"). Life Enhancement Services filed a Minor Use Permit to establish indoor cannabis cultivation, distribution, and manufacturing within an existing building with associated tenant improvements. The building will not be open to the public nor will it involve retail cannabis sales. The building will have a total floor area of 12,670 square feet with indoor cannabis cultivation occupying 9,400 square feet. Minor Exception request to reduce off-street parking from eight spaces to six spaces with one space reserved for loading. The project will accommodate bicycle storage in the building. Security personnel will not park on the premises but be picked up and dropped off. Life Enhancement Services currently operates a retail cannabis business at 1966 Broadway.

#### **A. PLANNING DIVISION**

Jonathan Atkinson | [jonathan.atkinson@cityofvallejo.net](mailto:jonathan.atkinson@cityofvallejo.net) | (707) 648-4346

##### **Special Conditions**

1. The business owner shall not commence operation of any cannabis activities at 1630 Lewis Brown Drive until the following occurs:
  - a. The business owner has obtained Minor Use Permit approval for Life Enhancement Services for retail cannabis sales.
  - b. The business owner has obtained local regulatory permit approval for Life Enhancement Services for a Cannabis Business Retailer.

See Condition 12 for additional cannabis permitting and licensing requirements.

2. The abandoned monument sign structure within the existing planter area along the northern property line shall be removed. See Condition 27 for additional sign requirements.
3. The design of the roll-out gate is subject to Planning Division approval prior to issuance of building permits.
4. The parking space located in front of the roll-up doors and main building entrance shall be marked as a "Loading Space" and have a minimum dimension of 12 feet in width and 45 feet in length.

5. Two street trees are required: One tree shall be installed at the Lewis Brown Drive street frontage and one tree shall be installed in the existing planter area at the northern property line. The trees shall be 24-inch box specimens at the time of planting and the species shall be approved by the Planning Division prior to planting. Root-deflectors shall be installed at the time of planting.
6. New shrubs and ground covers shall be installed and maintained within the existing planter areas along the northern property line and in front of the building to the satisfaction of the Planning Division.
7. No vehicles associated with the cannabis business shall park offsite without written City of Vallejo Planning Division and property owner approvals.

### **General Requirements**

8. The Planning & Development Services Director is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to the Planning Division demonstrating that the condition(s) is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. The Planning Division shall consult with affected City departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by the Planning and Development Services Director are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public review process. Any modification of the permit conditions shall be documented with an approval letter from the Planning Division, and shall not affect the original permit approval date or the term for expiration of the permit.
9. Within five working days after project approval, the applicant/operator shall pay the Notice of Exemption filing fee (the latest fees in effect at the time of payment) for County Clerk processing, made payable to Solano County and submitted to the City of Vallejo Planning Division. If an in-person filing is required, such filing shall be completed by the applicant, unless directed otherwise by the Planning Division. NOTE: If the fees are not paid and the Notice of Exemption is not filed within five working days after approval of the project, it will extend time frames for California Environmental Quality Act (CEQA) legal challenges.
10. The business owner shall submit a numbered list to the Planning Division with a written response on how each Use Permit condition herein will be satisfied prior to issuance of building permits and/or the commencement of the use.
11. Applicant shall indemnify, hold harmless, and defend City, its officers, officials, directors, employees, agents, volunteers and affiliates and each of them from any and all claims, demands, causes of action, damages, costs, expenses, actual attorney's fees, applicant's fees, expert fees, losses or liability, in law or in equity, of every kind and nature whatsoever arising out of or in connection with Applicant's operations, or any subcontractor's operations, to be performed under this agreement for Applicant's or subcontractor's tort negligence including active or passive, or strict negligence, including but not limited to personal injury including, but not limited to bodily injury, emotional injury,

sickness or disease, or death to persons and/or damage to property of anyone, including loss of use thereof, caused or alleged to be caused by any act or omission of Applicant, or any subcontractor, or anyone directly or indirectly employed by any of them or anyone for the full period of time allowed by the law, regardless to any limitation by insurance, with the exception of the sole negligence or willful misconduct of the City. No modification of the project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the Applicant's indemnity obligation.

### **Cannabis Permits and Licensing**

12. Regulatory Permits. Prior to operation and maintained thereafter, the cannabis business shall obtain all required State and local permits and licenses, including the local regulatory permit to operate under Vallejo Municipal Code Chapter 7.200. Revocation of the State cannabis license or the local regulatory permit to operate under VMC Chapter 7.200 shall be grounds for revocation of the Use Permit for the cannabis business.

Valid and applicable State and local licenses and permits shall be publicly displayed at all times during hours of operation, and provided to the City of Vallejo to be maintained on file. Operations and location requirements must at all times comply with applicable regulations contained in Title 16 of the California Code of Regulations, as those may be updated from time to time by the California Bureau of Cannabis Control.

### **Operational Requirements**

13. Operation of the cannabis business shall be substantially in accord with the approved Use Permit application submittal and plans dated December 21, 2020, except as modified by the conditions stated herein.
14. Operation of the cannabis business shall be in compliance with all applicable State and Vallejo Municipal Code (VMC) requirements.
15. The business owner and all managers shall be subject to background search and shall not be able to continue operations, if there are any felony convictions, as specified in subdivision (c) of Section 667.5 of the California Penal Code and subdivision (c) of Section 1192.7 of the California Penal Code. Any change in ownership shall require an amendment to the local regulatory permit and necessary background checks.
16. The property shall comply with all applicable California State Building Code provisions, the City's property maintenance ordinance, and be maintained free of debris, litter and trash.
17. The business owner shall maintain a written security plan, including procedures for verifying identification and age of purchasers, on file with the Planning and Development Services Department and the Vallejo Police Department. The plan must include a description of licensed and uniformed security guards, who must be present on site during hours of operation, including their number, location and hours, as well as a theft prevention plan including locked exterior doors and windows during the times the cannabis business is closed. The licensed and uniformed security guard best practices shall comply with State law. The Planning and Development Services Department and Vallejo Police

Department shall be notified in writing of any revisions to the approved written security plan dated December 21, 2020.

18. The business owner shall only use one name to identify themselves in the Use Permit, the local regulatory permit to operate, the State license, and any other applicable State or local permit that may be required for the purposes of retail sales of cannabis.
19. All activities shall occur within a secure fence at least eight feet in height that fully encloses the area. The fence must include a lockable gate(s) that is locked at all times, except for during times of active ingress/egress.
20. No person under age 18 years shall be allowed on the property.
21. The site shall not be open to the general public.
22. No transactions outside, or partially outside of an enclosed building are permitted. No transactions which are performed through walk-up or drive-through service are allowed.
23. No use, inhalation, smoking, eating, ingestion, or otherwise consumption of cannabis on the property, including the parking areas of the property.
24. No exhibition or product sales area or retail sales are allowed on the premises.
25. Cultivation. The following cultivation requirements shall apply:
  - a. The cannabis canopy shall not exceed 10,000 square feet.
  - b. All cannabis cultivation shall occur indoors, completely enclosed in a structure with opaque walls, and shall not be visible from any public right-of-way.
26. Lighting. The following lighting requirements shall apply:
  - a. Exterior perimeter lighting shall be in place prior to operation.
  - b. Exterior lighting shall be code compliant LED fixtures or high efficacy luminaries, and shall have an illumination intensity of between one and four foot candles.
  - c. Lights shall be directed and shielded so as not to illuminate into adjoining properties.
  - d. Lights shall have a housing to protect against breakage.
  - e. Broken or burnt out lights shall be replaced within five calendar days.
  - f. Transitional lighting shall be incorporated in exterior areas providing access to and from buildings or uses within the site.
  - g. Exterior trees and shrubs shall not interfere with the distribution of lighting as required by this Use Permit.
27. Signs. The following signage requirements shall apply:

- a. A sign shall be posted on the door or in view of the entrance stating that no person under the age of 18 is allowed on site.
- b. A sign shall be posted stating that the use or consumption of cannabis or cannabis products on or near the premises is prohibited.
- c. A sign shall be posted stating loitering on or near the premises is prohibited.
- d. A sign shall be posted outside the facility in full public view containing City of Vallejo contact information for both emergency situations and information regarding public concern about operations.
- e. Other Sign Ordinance requirements as prescribed in Title 16 of the VMC.

28. Fencing, Screening, and Landscaping. The following landscape requirements shall apply:

- a. All fencing shall be eight feet tall, solid fence, masonry or board-on-board as approved by the Planning Manager or designee.
- b. Shrubs located next to pedestrian walkways and other vulnerable areas as determined by the planning manager or his or her designee shall not exceed three feet in height at maturity.
- c. Trees shall be pruned up to six feet above ground.
- d. Trees and shrubs shall be pruned back from windows, doors and walkways.
- e. Decorative stone, brick, and other masonry material shall be grouted to prevent removal by hand.
- f. Entrances to the site and parking lots shall be defined with landscaping or entry feature.
- g. Outdoor waste and recycle bins shall be contained within a locked structure to prevent unauthorized entry.
- h. Other screening and landscape regulations as prescribed in Title 16 of the VMC.

29. Noise. The following noise requirements shall apply:

- a. The use of generators is prohibited, except as short-term temporary emergency back-up systems.
- b. Other Noise Performance Standards as prescribed in Title 16 of the VMC.

30. Odor Control. A sufficient odor-absorbing ventilation and exhaust system shall be installed to ensure that odor generated by the use is not detected outside the property, anywhere on adjacent properties or public rights-of-way, or within any other unit located within the same building as the cannabis business.

31. Property Maintenance. The following property maintenance requirements shall apply:

- a. Property shall be maintained free of debris, litter and trash.
  - b. The cannabis business shall comply with the Property Maintenance Ordinance under VMC Chapter 7.54.
32. Tracking. The cannabis business shall comply with any labeling, testing, and track and trace program established by the City and/or State agencies. The operator must maintain records tracking all cannabis production and products and shall make all records related to commercial cannabis activity available to the City upon request.
33. Taxes. The cannabis business shall be current on the City's Marijuana Business License Tax and any additional applicable taxes enacted by the City or this Use Permit may be subject to revocation and/or local regulatory permit non-renewal and/or revocation.
34. Parking. The applicant shall maintain the approved five onsite parking spaces, one loading space, and indoor bicycle storage areas to serve the cannabis business. Parking lot surfaces, lighting, and exterior landscaping shall be maintained in good condition in compliance with the approved plans.
35. Special Events. Special events are prohibited unless authorized in writing by both authorized staff of the City of Vallejo and the California Bureau of Cannabis Control.
36. Inspection. The cannabis business shall be subject to inspections by appropriate local and State agencies, including but not limited to the City Manager's Office, Planning and Development Services Department, and/or a third-party inspector appointed by and acting on behalf of the City. Inspections may occur at random times for conformance with the Vallejo Municipal Code and City permit requirements. If interference in the performance of the duty of the agency having jurisdiction occurs, the agency may temporarily suspend the permit and order the cannabis business to immediately cease operations.
37. Exterior Modification. All exterior modifications to the building façade or site, including landscaping, parking lot improvements, fencing, lighting, and signage, shall be subject to City of Vallejo review and approval. Razor or barbed wire and similar fencing is not permitted.
38. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of the City of Vallejo. Such changes may require a new or modified Use Permit and additional environmental review, if warranted.
39. Use Permit Certificate. This Use Permit, the approved project description, and approved floor plan shall be maintained on site and made available to City of Vallejo officials upon request.

#### **Approval Time/Revocation**

40. Approval of this Use Permit shall automatically expire 24 months from the date of approval, unless building permits are issued and authorized construction has commenced prior to the expiration date.



41. The Use Permit shall be deemed abandoned if the cannabis business operation remains not in use for 12 consecutive months. A new Use Permit shall be obtained prior to the resumption of the cannabis business, if deemed abandoned.
42. If the Planning Division, either independently or as a result of complaints from the public, becomes aware that the use is being conducted in a manner which violates the conditions of this Use Permit or other applicable City regulations, and Planning Division staff is unable to obtain compliance or abatement, staff will refer the Use Permit to Code Enforcement and/or the Planning Commission for possible suspension or revocation.

## **B. BUILDING DIVISION**

Steve Arnold | [steve.arnold@cityofvallejo.net](mailto:steve.arnold@cityofvallejo.net) | (707) 648-4387

1. Permits are required per California Code of Regulations, Title 24 and the applicable City of Vallejo Ordinance in effect at the time of completed Building Permit application date and required fees paid at time of application.

## **C. FIRE DEPARTMENT**

Vincent Sproete | [vincent.sproete@cityofvallejo.net](mailto:vincent.sproete@cityofvallejo.net) | (707) 648-4566

1. Access roads that are fire lanes shall either be posted with permanent all-weather signs constructed and installed in accordance with the Fire Department Fire Lane Marking Standards or shall all have curbs painted red and a sign posted at each entrance. Contact the Fire Prevention Bureau for further information and design templates. Location of such areas shall be determined prior to final inspection.
2. Duct smoke detectors complying with UL 268A shall be installed in accordance with the CBC, CFC, CMC and NFPA 72.
  - a. In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 CFM. Such detectors shall be located in a serviceable area downstream of the last duct inlet.
3. Portable fire extinguishers shall be installed in M occupancy groups per CFC § 906. The size and distribution of portable of portable fire extinguishers shall be in accordance with CFC § 906.
4. If the tenant improvements require modification of the automatic fire system, a permit is required from the Fire Department prior to any such work being completed.
5. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the Fire Code Official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official per CFC § 506.1.
6. Hazardous Materials Business Plan Requirements. Any occupancy that will be conducting operations or storing materials that are hazardous will obtain the appropriate permits from

the City of Vallejo Fire Department and/or Solano County Environmental Management prior to commencing business operations.

7. The provisions of CFC § 407 shall be applicable where hazardous materials subject to permits under CFC § 5001.5 are used and/or stored on the premises or where required by the Fire Code Official.
8. Storage, use and handling of compressed gases in compressed containers, cylinders, tanks, and systems shall comply with CFC Chapter 53 including those gases regulated elsewhere in the CFC and/or any applicable NFPA Standards as determined by the Fire Code Official. Partially full compressed gas container, cylinders or tanks containing residual gases shall be considered as full for purposes of the controls required.
9. The storage, use and handling of all hazardous materials shall be in accordance with CFC Chapter 50 and California Health and Safety Code requirements. The maximum allowable quantity (MAQ) of hazardous materials per control area will be established using CFC § 5003.1. Applicant will need to contact the Fire Department for hazardous materials storage permitting and approval.
10. Fume Ventilation; continuous mechanical ventilation shall be provided per the California Fire Code and the Building and Mechanical Code.
11. Hazardous Materials Inventory Statement (HMIS) per CFC § 5001.5.2. An application for building permit shall include an HMIS. The HMIS shall include the following information:
  - a. Product name.
  - b. Component.
  - c. Chemical Abstract Service (CAS) number.
  - d. Location where stored or used.
  - e. Container size.
  - f. Hazard classification.
  - g. Amount in storage.
  - h. Amount in use-closed systems.
  - i. Amount in use-open systems.
  - j. Safety Data Sheets (SDS) for all proposed materials
12. The smoking or carrying of a lighted pipe, cigar, cigarette or any other type of smoking paraphernalia or material is prohibited in the areas indicated in CFC § 310. No smoking signs are required.
13. Storage of combustible materials in buildings shall be orderly. Storage shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur per CFC § 315.
14. Any security device or system that emits any medium that could obscure a means of egress in any building, structure or premise shall be prohibited per CFC § 316.5.
15. High-piled storage or rack storage in any occupancy group shall comply with the CFC Chapter 32.
16. Provide an approved exit sign all over required exit doors. CFC Chapter 10.

17. Means of egress illumination shall be provided and maintained at any time the building is occupied. The means of egress shall be illuminated of not less than 1 foot candle power. CFC Chapter 10.
18. Emergency exit lighting shall be provided at or near all exits and as designated by the Fire Marshal. CFC Chapter 10.
19. All emergency lighting, exit sign lights shall have two separate sources of power as required by the California Building Code. CFC Chapter 10.
20. Locking devices on exit doors shall conform to the California Building Code. Only one lock or latch requiring one motion/operation to open/unlock is required. No double keyed dead-bolts are permitted on exit doors. CFC Chapter 10.
21. A final inspection from the Vallejo Fire Department is required prior to final occupancy.

#### **D. PUBLIC WORKS DEPARTMENT**

Philip Ho | [philip.ho@cityofvallejo.net](mailto:philip.ho@cityofvallejo.net) | (707) 554-5902

##### **Special Conditions**

1. Plans to show trash enclosure for garbage. Plans to annotate means of garbage disposal and cannabis disposal.
2. Plans to show refreshing of striping and pavement marking at on-site parking stalls and ADA parking stalls. Install ADA signs if missing or non-compliant. Plans to show an accessible path of travel between building main entrance and public sidewalk. Applicant to consult with Building Division for ADA compliance requirements.
3. Project is subject to a City Transportation Impact Mitigation Fee for the proposed industrial land use. Fee is \$5,727.30 based on an increased floor area of 3,369 square feet (proposed 12,670 square feet less existing 9,301 square feet) and \$1.70 per square foot per 2020-2021 Master Fee Schedule. This fee is subject to annual escalation.

##### **Standard Conditions**

4. HOW PROJECT CONDITIONS ARE SATISFIED. Prior to building permit issuance, submit a numbered list to the Planning Division stating how each condition of Project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
5. PUBLIC IMPROVEMENT STANDARDS. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply. (COV, Regulations & Standard Specifications, 2011).
6. IMPROVEMENT PLANS. Prior to building permit submittals, submit three sets of plans to the Department of Public Works for plan check review and approval. (Improvement or

civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations and pertinent reports. (COV, Regulations & Standard Specifications, 2011, Section 1.1.7–A).

7. DUST AND EROSION CONTROL. All dust and erosion control shall be in conformance with City standards and ordinances. (VMC, Sections 12.40.050 & 12.40.070).
8. STREET EXCAVATION PERMIT. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards. (VMC, Section 10.08).
9. ENCROACHMENT PERMIT. Prior to building permit issuance, obtain an encroachment permit from the Department of Public Works for all work proposed within the public right-of-way. (VMC, Section 10.16).
10. TRAFFIC CONTROL PLAN. Prior to start of construction; submit a traffic control plan to the Department of Public Works for review and approval. (CA MUTCD).
11. COORDINATION OF CONSTRUCTION INSPECTION. Construction inspection shall be coordinated with the Department of Public Works and no construction shall deviate from the approved plans. (COV, Regulation & Standard Specification Sections 1.1.4 & 1.1.5).
12. PLAN CHANGES. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by the Department of Public Works and, when applicable, by Vallejo Flood and Wastewater District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (COV, Regulation & Standard Specification Section 1.1.9).
13. INSTALL IMPROVEMENTS. Prior to occupancy/final building inspection, install the improvements required by the Department of Public Works including but not limited to streets and utilities.
14. BONDS AND FEES. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinance. (VMC, Section 15.12.090).
15. SIDEWALK REPAIR. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk or driveway approach as directed in the field by the City Engineer. (VMC, Section 10.04).
16. ADA COMPLIANCE WITHIN CITY ROW. In order to ensure ADA compliance within any and all City ROW, ADA compliance will be addressed in accordance to the state government and federal codes: HEALTH AND SAFETY CODE DIVISION 13 PART 5.5. ACCESS TO PUBLIC ACCOMMODATIONS BY PHYSICALLY HANDICAPPED PERSONS [19955 - 19959.5] (Part 5.5 added by Stats. 1969, Ch. 1560.) GOVERNMENT

CODE DIVISION 5 CHAPTER 7 ACCESS TO PUBLIC BUILDINGS BY PHYSICALLY HANDICAPPED PERSONS [4450 – 4461] (Chapter 7 added by Stats. 1968, Ch. 261.) FEDERAL THE AMERICAN WITH DISABILITIES ACT OF 1990.

**E. WATER DEPARTMENT**

Matthew Brown | [matt.brown@cityofvallejo.net](mailto:matt.brown@cityofvallejo.net) | (707) 648-4479

1. Provide a proposed plumbing fixture calculation per 2016 California Plumbing Code. This structure will require a water use that is different than the original use for the building and the existing water meter may not be adequately sized.
2. Provide a site plan showing the location of the backflow device, if one does not exist then one will be required for this site and the size will be determined by the plumbing fixture calculation per the comment above.
3. CODE REQUIREMENTS. All code requirements as stated in Title 11 of the Vallejo Municipal Code (VMC) and Vallejo Standard Specifications and Standard Drawings adopted in 2011 (VSSSD) that apply to this project shall be conformed to. The project is being made aware of codes that require extra attention by the following items.
4. WATER SYSTEM PLANS (VSSSD Section 4.1). All water system improvements shall be consistent with the latest Vallejo Water System Master Plan, prepared by Kennedy/Jenks Engineers. Prior to Improvement plan approval and building permit issuance, water system improvement plans shall be submitted to the Water Department for review and approval, and shall contain at least:
  - a. Location and size of fire sprinkler service connection(s).
  - b. Location and size of existing and proposed domestic service connection(s).
  - c. Location and size of irrigation service connection(s), if any.
  - d. Location of fire hydrants.
  - e. Location of structures with respect to existing public water system improvements, such as mains, meters, etc.
  - f. Location and size of any new water mains.
  - g. Location and size of backflow prevention devices (required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d).
5. FIRE FLOW REQUIREMENTS (VSSSD Section 4.1). Fire flow requirements of the Fire department shall be complied with. Fire flow at no less than 25 psig residual pressure shall be available within 1,000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure.
  - a. For single family residential units, the fire flow is 1,500 gpm.
  - b. For other developments, see the Vallejo Water System Master Plan, 2015, prepared by Kennedy Jenks.
6. HYDRAULIC CALCULATIONS (VSSSD Section 4.1). Prior to Improvement Plan and building permit issuance, hydraulic calculations shall be submitted to the Water Director demonstrating that the fire flow requirements are complied with.

7. FIRE PROTECTION SYSTEMS (VSSSD Section 4.1). Fire hydrant placement and fire sprinkler system installation, if any, shall meet the requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with latest revisions, shall be satisfied.
  - a. 15 ft. wide (minimum) for water mains.
  - b. 10 ft. wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
  - c. Other facilities will be reviewed by the Water Department.
8. WATER EASEMENTS (VSSSD Section 4.1). Easements shall be granted for all water system improvements installed outside the public right-of-way in the City's Standard Form for Grant of Water Line Easement with the following widths:
9. WATER METERS (VMC 11.04.110 and 11.16.090). Each parcel shall be metered separately and shall have a separate fire sprinkler service connection.
10. WATER SERVICE BONDS AND FEES (VMC Sections 11.16, 11.18, 11.20 and 11.24). Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code including connection and elevated storage fees, etc., and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system improvements. The Water Department may be contacted for a description of applicable fees. These fees have to be paid prior to issuance of the building permit.
11. Apply and pay for Fire Flow Test with the Water Department in order to determine operation of sprinkler system and final service size.
12. Provide water meter and service sizing calculations per most recent California Plumbing Code, include a water fixture count table.
13. As of January 1, 2018, all units in multi-family, commercial, or combination thereof, buildings shall be individually metered (if existing plumbing allows or is re-configured) by the City, additional meters at the owner/applicant's expense; or, master metered by the City, and sub-metered by the property owner, with approved/certified meters. Per California Senate Bill 7 (SB7).
14. WATER SYSTEM INSTALLATION. Prior to occupancy or final building inspection, install water system improvements as required. Backflow device/s where required shall be installed in areas hidden from public view and/or shall be mitigated by landscaping.
15. ESTIMATE OF FEES: Until Building Plans, Water Meter Data Card and Fire Flow Test results are submitted.



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MAY 24 2021

CITY OF VALLEJO  
PLANNING DIVISION[www.cityofvallejo.net](http://www.cityofvallejo.net)

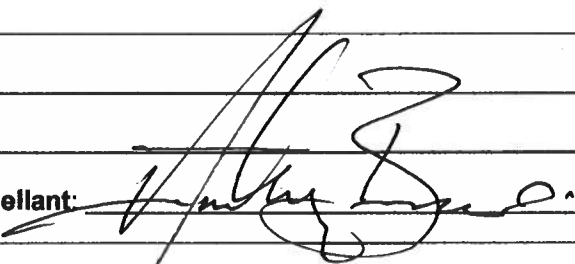
Central Permit Center • 555 Santa Clara Street • Vallejo • CA • 94590

Business License  
707.648.4357Building  
707.648.4374Planning  
707.648.4326Public Works/Engineering  
707.651.7151

## APPEAL APPLICATION

Date Accepted: 05/24/2021  
Intake Planner: J. AtkinsonNotice to Appellants:

- Appeals must be filed by close of business on the 10<sup>th</sup> (tenth) calendar day following the decision being appealed. If the appeal deadline falls on a weekend or holiday, the deadline shall be extended to the next business day.
- The fee specified in the current fee schedule is required to file an appeal.
- Pursuant to Vallejo Municipal Code Sections 15.08.070, 15.080.080, 16.102.020 and/or 16.102.030, appeals must include a written statement of the reason or reasons for the appeal and why the appellant believes he or she is adversely affected by the administrative decision. An appeal may be summarily rejected upon determination that the appellant is not adversely affected by a decision under appeal.

| PROJECT INFORMATION                                                                                         |                                          | APPELLANT INFORMATION              |                     |
|-------------------------------------------------------------------------------------------------------------|------------------------------------------|------------------------------------|---------------------|
| Project Name (if applicable)<br><b>Commercial Cannabis Project</b>                                          | Name<br><b>Anthony Brown</b>             |                                    |                     |
| Address/Location<br><b>1630 Lewis Brown Drive</b>                                                           | Address<br><b>1660 Lewis Brown Drive</b> |                                    |                     |
| Project Number(s)<br><b>MUP #20-0012; ME #21-0004</b>                                                       | City<br><b>Vallejo</b>                   | State<br><b>CA</b>                 | Zip<br><b>94589</b> |
| Date of Decision Being Appealed<br><b>May 14, 2021</b>                                                      | Phone<br><b>(916) 717-2664</b>           | Email<br><b>max@ammericann.com</b> |                     |
| <b>REASONS FOR APPEAL</b><br>(attach additional sheets if necessary)                                        |                                          |                                    |                     |
| Please see the attachments.                                                                                 |                                          |                                    |                     |
|                                                                                                             |                                          |                                    |                     |
|                                                                                                             |                                          |                                    |                     |
|                                                                                                             |                                          |                                    |                     |
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|                                                                                                             |                                          |                                    |                     |
|                                                                                                             |                                          |                                    |                     |
|                                                                                                             |                                          |                                    |                     |
| Signature of Appellant:  |                                          | Date: <b>May 24, 2021</b>          |                     |

| FOR PLANNING DIVISION USE ONLY                         |  | PROJECT TYPE  | ESTIMATED FEES    |
|--------------------------------------------------------|--|---------------|-------------------|
| APPLICATION NAME/NUMBER:<br><b>Appeal / APP21-0005</b> |  | <b>Appeal</b> | <b>\$ 1,021 -</b> |
| PLANNER:<br><b>J. Atkinson</b>                         |  |               |                   |
| ASSOCIATED FILES: <b>MUP20-0012   ME21-0004</b>        |  |               |                   |



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MAY 24 2021

CITY OF VALLEJO  
PLANNING DIVISION

Ammericann Development LLC  
Capital Office 1122 S Street, Suite 101 Sacramento, CA 95811  
District Office 1339 Esplanade, Second Floor Chico, CA 95926  
530.487.7036 Office 916.333.2938 Direct ammericann.com

May 24, 2021

VIA HAND DELIVERY

City of Vallejo; Planning Division  
Attn: Mr. Jonathan Atkinson  
555 Santa Clara Street  
Vallejo, CA 94590

**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

To Whom It May Concern:

My firm, Ammericann Development LLC, has been retained by Mr. Anthony Brown of 1660 Lewis Brown Drive in the City of Vallejo.

The Appellant, Mr. Anthony Brown, is appealing the commercial cannabis project proposed at 1630 Lewis Brown Drive in the City of Vallejo. Mr. Anthony Brown is a concerned neighbor and local business manager in the City of Vallejo. His concern is in regards to the proposed cannabis project at 1630 Lewis Brown Drive, or Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004.

Mr. Anthony Brown, like many of his neighbors, understands that the Applicant, Life Enhancement Services, wants to establish a cannabis cultivation, manufacturing, and distribution center at the proposed property. Mr. Anthony Brown, like many of his neighbors, has serious concerns about this project. The Appellant is appealing this project for the following reasons:

1. **The Appellant does not believe this project is consistent with the General Plan 2040;**
2. **The Appellant believes that the Business/Limited Residential (B/LR) zoning of the City's General Plan 2040 does not specifically allow commercial cannabis;**
3. **The Appellant believes that an Environmental Review must be conducted for this project due to its proposal to commercially manufacture cannabis and "the significant effects of this project on the community due to unusual circumstances."**



4. **The Appellant disagrees with staff findings and believes that the location, size, design, and the operating characteristics of the proposed project will not be compatible with adjacent uses, buildings, structures, and its neighbors.**
5. **The Appellant disagrees with staff findings and believes that “the impacts and the location” of the proposed conditional use are not consistent with the city general plan.**
6. **The Appellant disagrees with staff findings and believes that this project would adversely affect any and all development or persons upon abutting property, with adversely affect to mean to impact in a substantial, negative manner the economic value, habitability, or enjoyability of properties. In short, the Appellant believes this project would negatively impact “the quality of life” of the surrounding businesses and neighbors of this proposed project.**
7. **Finally, the Appellant is appealing this project due to the fact that this area is well known for loitering, crime, and homelessness. A new commercial cannabis facility, as proposed by this project, in this area will invite more loitering and crime.**

By this Appeal, we restfully ask that the Vallejo City Council deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

Signed



M. Max Del Real  
President / CEO

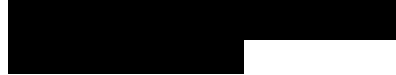


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Planning Division • 555 Santa Clara Street • Vallejo • CA • 94590 • 707.648.4326

May 14, 2021

Hakeem Brown  
Life Enhancement Services



Application No: Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004

Dear Hakeem Brown:

This letter confirms the decision of the Vallejo Planning Division on **MAY 14, 2021** to approve your application. Enclosed please find the approved permit and a copy of the staff report which contains the conditions of approval for the project and project requirements.

The next steps in the development process are as follows:

- Carefully review all of the conditions of approval and project requirements, and be sure that everyone who will be involved with this project is fully aware of these conditions and requirements.
- Complete the conditions and requirements as indicated. In most cases, this will involve completion of plans and documents that require approval from various City departments.
- Submit a numbered list to the staff planner stating how you have satisfied and/or intend to satisfy each condition of approval. This list must be dated and signed by you.
- Submit completed plans and documents to the Building Division who will route them to the various departments, as applicable, for review and comment.

No changes to the approved project, except those required by the conditions of approval, are to occur without the prior approval of Jonathan Atkinson, the staff planner. Please feel free to contact Jonathan, if you have any questions regarding these requirements. The phone number is (707) 648-4346. We look forward to working with you in the future.

Sincerely,

Christina Ratcliffe, AICP  
Interim Planning & Development Services Director



Planning Division • 555 Santa Clara Street • Vallejo • CA • 94590 • 707.648.4326

### **APPROVED PLANNING PERMIT**

APPLICANT: Hakeem Brown  
Life Enhancement Services



APPLICATION NO: MUP #20-0012  
ME #21-0004

ASSESSOR PARCEL NO.: 0067-160-030

SITE ADDRESS: 1630 Lewis Brown Dr.

OWNER: Lezheng Li



ZONING DISTRICT: IU District

APPROVED DATE: May 14, 2021

EFFECTIVE DATE: May 25, 2021

This matter having not been appealed in the time prescribed by law, a **MINOR USE PERMIT** and **MINOR EXCEPTION** for Life Enhancement Services to establish cannabis cultivation, manufacturing, and distribution uses with a parking reduction, is hereby GRANTED, as described in the attached staff report and subject to the conditions of approval.

Christina Ratcliffe, AICP, Interim Director  
Planning and Development Services

By: Jonathan Atkinson  
Senior Planner

Unless otherwise provided, THIS PERMIT WILL EXPIRE ON **MAY 14, 2023** if the action allowed by this permit is not undertaken prior to the expiration date.



## STAFF REPORT AND DETERMINATION CITY OF VALLEJO PLANNING DIVISION

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### I. PROJECT INFORMATION

**DATE OF REPORT/ACTION:** May 14, 2021

**PREPARED BY:** Jonathan Atkinson, Senior Planner

**PROJECT NUMBER:** Minor Use Permit (MUP) #20-0012  
Minor Exception (ME) #21-0004

**PROJECT LOCATION:** 1630 Lewis Brown Drive  
(APN: 0052-021-350)

**PROJECT DESCRIPTION:** Minor Use Permit request to establish cannabis cultivation, cannabis manufacturing, and cannabis distribution uses for Life Enhancement Services within an existing building. Minor Exception request for a parking reduction.

**CEQA DETERMINATION:** The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Class 1 "Existing Facilities"). Therefore, no further environmental review is required.

### PROJECT DATA SUMMARY:

**Applicant:** Hakeem Brown  
[REDACTED]

**Property Owner:** Lezheng Li  
[REDACTED]

**General Plan Designation:** Business/Limited Residential (B/LR)

**Zoning District:** Intensive Use (IU) District

**Specific Plan:** None

**Existing Land Use:** Vacant Building

**Surrounding Land Uses:** North: Industrial Businesses  
South: Restaurant with Drive-Through Sales  
East: Lewis Brown Drive  
West: Open Space / State Highways (29 and 37)

## II. PROJECT DESCRIPTION

Life Enhancement Services is one of 11 existing cannabis business currently operating in the City of Vallejo ("City"). Life Enhancement Services filed a Minor Use Permit to establish indoor cannabis cultivation, distribution, and manufacturing within an existing building with associated tenant improvements. The building will not be open to the public nor will it involve retail cannabis sales. The building will have a total floor area of 12,670 square feet with indoor cannabis cultivation occupying 9,400 square feet. Minor Exception request to reduce off-street parking from eight spaces to six spaces with one space reserved for loading. The project will accommodate bicycle storage in the building. Security personnel will not park on the premises but be picked up and dropped off. Life Enhancement Services currently operates a retail cannabis business at 1966 Broadway.

## III. STAFF ANALYSIS

### A. General Plan 2040 Consistency

The General Plan 2040 land use designation for the project site is Business/Limited Residential (B/LR). General Plan 2040 describes the B/LR designation as follows:

***Business/Limited Residential (B/LR).*** *The B/LR designation is intended to facilitate high quality employment-based businesses, including professional office; health care and life sciences; research and development; production, distribution, and repair (PDR); and light industrial, manufacturing, and similar uses conducted primarily inside of buildings. A mix of lot sizes is encouraged to accommodate small businesses as well as larger campus-style uses. Restaurants, retail stores, automotive services, personal and business services, hotels, and recreational facilities that cater to the needs of businesses, employees, and residents of the surrounding area are accommodated in the B/LR designation. Residential-only or mixed-use projects containing a residential component are also accommodated, providing that findings of compatibility can be made. The maximum permitted FAR in the B/LR designation is 2.0, with minimum residential density of 25 dwelling units per acre up to 50 dwelling units per acre.*

The project is consistent with the B/LR designation in that a cannabis business with cultivation, manufacturing, and distribution contributes to the diversity of land uses typical of the B/LR designation. The B/LR designation envisions light industrial, manufacturing, and distribution uses that primarily occur inside of buildings. Cannabis cultivation, manufacturing (non-volatile), and distribution within a 12,670 square foot building is a generally passive use that is characteristically light industrial. Additionally, the cannabis business activities will occur exclusively inside of the building with the exception of deliveries/distribution for which these activities will be screened by the building and eight-foot tall solid fencing.

Key policies relevant to the project are shown below in **bold**, followed by City staff's analysis in *italics*:

- **Policy EET-2.1: Economic Diversification. Attract employment- and tax generating businesses that support the economic diversity of the city.**

*The cannabis business will create employment opportunities and generate additional tax revenue for the City. The cannabis business, specifically cannabis cultivation, manufacturing, and distribution, contributes to Vallejo's economic diversity, and allows for an expansion of industrial economic base in general.*

- **Policy EET-3.2 Local Business Retention.** Retain existing businesses and encourage their expansion within Vallejo.

*Life Enhancement Services is an existing retail cannabis business at 1966 Broadway (Vallejo, CA). Approval of this Minor Use Permit not only allows for the retention of Life Enhancement in Vallejo but its expansion to a second authorized location exclusively for cannabis cultivation, manufacturing, and distribution.*

## **B. Vallejo Municipal Code Compliance**

Land Use: The project site's current zoning designation is Intensive Use (IU) District implements the General Plan 2040 designation of Business/Limited Residential (B/LR). The IU District permits "Cannabis cultivation", "Cannabis distribution", and "Cannabis manufacturing" uses with a Minor Use Permit under VMC Section(s) 16.34.050.B.1, 16.34.050.B.2, and 16.34.050.B.3.

The Vallejo Municipal Code describes each of these uses as follows:

- **Cannabis cultivation.** *The cannabis cultivation use type refers to commercial activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.*
- **Cannabis distribution.** *The cannabis distribution use type refers to the procurement, sale, and transport of cannabis and cannabis products between persons who are holders of state licenses and local permits.*
- **Cannabis manufacturing.** *The cannabis manufacturing use type refers exclusively to the non-volatile production, preparation, propagation, or compounding of cannabis or cannabis products whether done directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, at a fixed location. This classification also includes infusion consisting of the direct incorporation of cannabis, cannabinoids, or cannabis concentrates into an edible, topical or other product to produce a cannabis product as well as packaging or repackaging cannabis or cannabis products and/or labels or re-labels its container. Volatile methods of production, preparation, propagation, compounding or infusion are prohibited.*

Cannabis Cultivation, Distribution, and Manufacturing Standards: Section 16.82.060.U of the VMC contains permitting, development, and operational standards for cannabis cultivation, manufacturing, and distribution uses. The project, as proposed and conditioned, is consistent with the requirements set forth in VMC Section 16.82.060.U.

Locational Limitations: Under VMC 16.82.060.U.2, cannabis cultivation, manufacturing, and/or manufacturing uses may not be located within a 600-foot radius of a school providing instruction in kindergarten or any grades one through 12, day

care center, or youth center, as defined in Health and Safety Code Section 11353.1. The project is consistent with this requirement.

Parking: The cannabis business will have a total floor area 12,670 square feet. The project will require four parking spaces for the first 5,000 square feet and one space for each additional 2,000 square feet of floor area, or one space for each one and one-half employees, whichever is greater, under VMC Section 16.62.100.P. The project will require eight total parking spaces.

The project submittal includes a request for a Minor Exception for parking. The Minor Exception allows for a 25 percent reduction from the measurable standard under VMC Section 16.80.090. Additionally, VMC Section 16.62.105.B allows the Planning and Development Services Director to reduce required parked when it can be demonstrated that other forms of transportation will be used, such as walking, bicycling, and transit. The project will also require one loading space and bicycle parking under VMC Section(s) 16.62.129.A and 16.62.150.M.

The project is consistent with these requirements in that it will provide six parking spaces: five vehicle spaces and one loading space (for deliveries and shipments). Additionally, the project will accommodate bicycle storage inside of the building for any employees who opt to use this form of transportation.

### C. Environmental Review

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, Title 14, §15000, et seq.) pursuant to Section 15301 of the CEQA Guidelines (Class 1 “Existing Facilities”).

None of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects due to unusual circumstances, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would not affect any historical resource. Therefore, no further environmental review is required.

## IV. FINDINGS

The project is subject to the following required findings under the Vallejo Municipal Code (findings are shown in **bold** and staff’s analysis follows in *italics*):

### Minor Use Permit (VMC Section 16.82.050)

- A. That the location, size, design and operating characteristics of the proposed conditional use will be compatible with adjacent uses, building or structures, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.**

*The project site is a building space located adjacent to Lewis Brown Drive, Highway 37, and Highway 29 (Sonoma Boulevard). The area is primarily characterized by industrial, commercial, and service uses with open space largely beyond both State highways to the west. Life Enhancement Service's cannabis cultivation, manufacturing, and distribution operation is consistent with both existing uses and anticipated uses, especially given that the General Plan 2040 and zoning code envision (and permit) industrial and commercial uses in the immediate area. The cannabis business will operate within an existing industrial building space that is consistent with the desired scale, bulk, coverage, and density in the neighborhood.*

*The project site is served by existing utilities. City permit approvals subsequent to this land use entitlement will ensure that the cannabis operation is constructed in a manner that is conducive to utility infrastructure. The City's Traffic Engineer reviewed the project and did not raise any concerns related to traffic generation or parking. The Vallejo Police Department reviewed the project and did not raise any concerns. Furthermore, the cannabis business does not operate within a 600-foot radius of any potentially sensitive land uses, such as daycares, schools with grades kindergarten through 12, and youth centers. Finally, the cannabis business will be subject to Vallejo Municipal Code and State requirements, and Minor Use Permit conditions to ensure that it does not result in an adverse effect on the surrounding area.*

**B. That the impacts, as described in subsection A of this section, and the location of the proposed conditional use are consistent with the city general plan.**

*The General Plan 2040 Land Use Map designates the project site as Business/Limited Residential (B/LR). The project is consistent with the B/LR designation in that a cannabis business with cultivation, manufacturing, and distribution contributes to the diversity of land uses typical of the B/LR designation. The B/LR designation envisions light industrial, manufacturing, and distribution uses that primarily occur inside of buildings. Cannabis cultivation, manufacturing (non-volatile), and distribution within a 12,670 square foot building is a generally passive use that is characteristically light industrial. Additionally, the cannabis business activities will occur exclusively inside of the building with the exception of deliveries/distribution for which these activities will be screened by the building and eight-foot tall solid fencing.*

*The project is consistent with the following General Plan 2040 policies: Policy EET-2.1: Economic Diversification. Attract employment- and tax generating businesses that support the economic diversity of the city, and Policy EET-3.2 Local Business Retention: Retain existing businesses and encourage their expansion within Vallejo. The cannabis business will create employment opportunities and generate additional tax revenue for the City. The cannabis business, specifically cannabis cultivation, manufacturing, and distribution, contributes to Vallejo's economic diversity, and allows for an expansion of industrial economic base in general. Life Enhancement Services is an existing retail cannabis business at 1966 Broadway (Vallejo, CA). Approval of this Minor Use Permit not only allows for the retention of Life Enhancement in Vallejo but its expansion to a second authorized location exclusively for cannabis cultivation, manufacturing, and distribution.*



Minor Exception (VMC Section 16.80.090)

**A. Would not exceed twenty-five percent of the prescribed measurable standards.**

*The cannabis business will have a total floor area 12,670 square feet. The project will require four parking spaces for the first 5,000 square feet and one space for each additional 2,000 square feet of floor area, or one space for each one and one-half employees, whichever is greater, under VMC Section 16.62.100.P. The project will require eight total parking spaces. VMC Section 16.62.105.B allows the Planning and Development Services Director to reduce required parked when it can be demonstrated that other forms of transportation will be used, such as walking, bicycling, and transit. The project is consistent with this provision in that it will provide six parking spaces: five vehicle spaces and one loading space (for deliveries and shipments). Additionally, the project will accommodate bicycle storage inside of the building for any employees who opt to use this form of transportation.*

**B. Would not adversely affect any development or persons upon abutting property, with adversely affect to mean to impact in a substantial, negative manner the economic value, habitability, or enjoyability of properties.**

*The Minor Exception is for a parking reduction and considered minimal in that the project requires eight total parking spaces. The cannabis business will involve a passive operation of cultivation, manufacturing, and distribution with a slight seasonal intensification during harvest season. The existing parking area can accommodate three to five employees during harvest season, especially given that five vehicle spaces will be provided, bicycle storage is available, and security guards will be dropped off/picked up on the premises. Additionally, the cannabis business will be subject to an operational condition prohibiting offsite parking unless City of Vallejo and property owner approvals are obtained in writing.*

**C. Would not result in a hazard to pedestrian and/or vehicular traffic.**

*The City's Traffic Engineer reviewed the project and did not identify any concerns or potential hazards related to pedestrian and/or vehicular traffic.*

**D. Would be reasonably necessary to the sound development of such property, or would result in better environmental quality of development of such property than without such exception.**

*The project site is developed with both building and site improvements. The Minor Exception is necessary to the sound utilization of the property. The existing building footprint occupies a substantial portion of the lot area. The parking lot is limited to a small paved area between the existing building and public right-of-way. The project requires eight vehicle spaces and one loading space. The parking lot can accommodate five vehicle spaces and one loading space in a manner that allows for both maneuverability and employee vehicle parking. Requiring additional vehicle parking, especially for a generally passive use, would result in potential significant building alterations to expand the parking area or a tandem arrangement that complicates site maneuverability.*

## V. NOTICING AND PUBLIC COMMENTS

The Planning Division provided the following notifications in accordance with VMC Section 16.82.040.A on March 17, 2021: Mailed notices through the United States Postal Service (USPS) to every property owner within 200 feet of the project site and the applicant. There are no neighborhood groups within 500 feet of the project site.

The City received written comments from Max Del Real of Ammericann Development on behalf of California Collective Care, an existing retail cannabis business, at 1639 Lewis Brown Drive. The written comments detail concerns with the project. Each concern is shown in **bold** with staff's response in *italics* below:

- **This area is known for loitering, crime, and homelessness. A new cannabis facility in this area will invite more loitering and crime.**

*Staff Response: The building is currently vacant. Establishing a cannabis business with cultivation, manufacturing, and distribution will serve as a deterrent to loitering and crime in that employees will frequent the premises in addition to uniformed security guards. Additionally, the cannabis business will employ surveillance technology to both survey the premises and potentially deter crimes from occurring. The cannabis business will also incorporate building and site improvements to reinforce the physical security of the premises.*

- **The project proposes a 9,400 square foot cannabis cultivation facility. Did the Applicant submit an Odor Control Plan? A cannabis cultivation facility will emit "bad smells" from the property and also "cannabis odors," which will attract crime.**

*Staff Response: Under VMC Section 16.82.060.U.3.g, the cannabis business will be required to install an odor-absorbing ventilation and exhaust system to ensure that cannabis odors are non-detectable outside of the building prior to occupancy and as an operational requirement.*

- **The City's General Plan 2040 identifies 1630 Lewis Brown Drive and its surrounding neighborhood as a Business/Limited Residential Zone (B/LR). Currently, the area includes a Jack in the Box, a Shell gas station, and a furniture store. A commercial cannabis cultivation facility does not fit in this area today nor does it fit in the City's General Plan 2040.**

*Staff Response: Industrial, commercial, and service uses characterize the immediate vicinity of the project site. This includes the area bound by Highway 37, Highway 29, Lewis Brown Drive, and Broadway for which each property is designated as Business/Limited Residential (B/LR) in General Plan 2040. General Plan 2040 envisions light industrial, manufacturing, and distribution uses that primarily occur inside of buildings for the B/LR designation. The cannabis business, which involves cultivation, manufacturing, and distribution, is characteristic of a light industrial operation. Furthermore, the cannabis business activities will occur exclusively inside of the building with the exception of deliveries/distribution for which these activities will be screened by the building and eight-foot tall solid fencing.*

## **VI. CONCLUSION**

The Planning and Development Services Director **APPROVES** Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004 based on the analysis contained herein and subject to the attached conditions.

## **VII. EXPIRATION**

Approval of this Minor Use Permit shall expire automatically 24 months after its approval unless authorized construction has commenced prior to the expiration date (May 14, 2023) pursuant to VMC Section 16.82.090.A.

Approval of this Minor Exception shall expire automatically 24 months after its approval unless authorized construction has commenced prior to the expiration date (May 14, 2023) pursuant to VMC Section 16.80.100.D.

The Minor Use Permit shall be deemed abandoned if the cannabis business operation remains not in use for 12 consecutive months in accordance with VMC Section 16.82.150.C. A new Minor Use Permit shall be obtained prior to the resumption of the cannabis business, if deemed abandoned.

## **VIII. APPEAL PROCEDURE**

The applicant, or any party adversely affected by the decision of the decision of the Planning and Development Services Director on an application for a Minor Use Permit and Minor Exception shall have the right to appeal the decision within ten days. The appeal must be submitted in writing to the Planning Commission. The appeal shall state the reason or reasons for the appeal and why the appellant believes he or she is adversely affected by the administrative decision.

Such appeal shall not be timely filed unless it is actually received by the Planning and Development Services Director or designee, along with applicable fee (currently \$1,021) no later than the close of business on the tenth calendar day after the decision of the Planning and Development Services Director. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

## **IX. ATTACHMENTS**

1. Minor Use Permit (MUP) #20-0012 - Minor Exception (ME) #21-0004 Conditions

## **CITY OF VALLEJO**

**LIFE ENHANCEMENT SERVICES  
MINOR USE PERMIT (MUP) #20-0012  
MINOR EXCEPTION (ME) #21-0004  
1630 LEWIS BROWN DRIVE  
APN #0067-160-030**

**PERMIT DESCRIPTION:** Life Enhancement Services is one of 11 existing cannabis business currently operating in the City of Vallejo ("City"). Life Enhancement Services filed a Minor Use Permit to establish indoor cannabis cultivation, distribution, and manufacturing within an existing building with associated tenant improvements. The building will not be open to the public nor will it involve retail cannabis sales. The building will have a total floor area of 12,670 square feet with indoor cannabis cultivation occupying 9,400 square feet. Minor Exception request to reduce off-street parking from eight spaces to six spaces with one space reserved for loading. The project will accommodate bicycle storage in the building. Security personnel will not park on the premises but be picked up and dropped off. Life Enhancement Services currently operates a retail cannabis business at 1966 Broadway.

### **A. PLANNING DIVISION**

Jonathan Atkinson | [jonathan.atkinson@cityofvallejo.net](mailto:jonathan.atkinson@cityofvallejo.net) | (707) 648-4346

#### **Special Conditions**

1. The business owner shall not commence operation of any cannabis activities at 1630 Lewis Brown Drive until the following occurs:
  - a. The business owner has obtained Minor Use Permit approval for Life Enhancement Services for retail cannabis sales.
  - b. The business owner has obtained local regulatory permit approval for Life Enhancement Services for a Cannabis Business Retailer.

See Condition 12 for additional cannabis permitting and licensing requirements.

2. The abandoned monument sign structure within the existing planter area along the northern property line shall be removed. See Condition 27 for additional sign requirements.
3. The design of the roll-out gate is subject to Planning Division approval prior to issuance of building permits.
4. The parking space located in front of the roll-up doors and main building entrance shall be marked as a "Loading Space" and have a minimum dimension of 12 feet in width and 45 feet in length.
5. Two street trees are required: One tree shall be installed at the Lewis Brown Drive street frontage and one tree shall be installed in the existing planter area at the northern property line. The trees shall be 24-inch box specimens at the time of planting and the species

shall be approved by the Planning Division prior to planting. Root-deflectors shall be installed at the time of planting.

6. New shrubs and ground covers shall be installed and maintained within the existing planter areas along the northern property line and in front of the building to the satisfaction of the Planning Division.
7. No vehicles associated with the cannabis business shall park offsite without written City of Vallejo Planning Division and property owner approvals.

### **General Requirements**

8. The Planning & Development Services Director is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to the Planning Division demonstrating that the condition(s) is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. The Planning Division shall consult with affected City departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by the Planning and Development Services Director are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public review process. Any modification of the permit conditions shall be documented with an approval letter from the Planning Division, and shall not affect the original permit approval date or the term for expiration of the permit.
9. Within five working days after project approval, the applicant/operator shall pay the Notice of Exemption filing fee (the latest fees in effect at the time of payment) for County Clerk processing, made payable to Solano County and submitted to the City of Vallejo Planning Division. If an in-person filing is required, such filing shall be completed by the applicant, unless directed otherwise by the Planning Division. NOTE: If the fees are not paid and the Notice of Exemption is not filed within five working days after approval of the project, it will extend time frames for California Environmental Quality Act (CEQA) legal challenges.
10. The business owner shall submit a numbered list to the Planning Division with a written response on how each Use Permit condition herein will be satisfied prior to issuance of building permits and/or the commencement of the use.
11. Applicant shall indemnify, hold harmless, and defend City, its officers, officials, directors, employees, agents, volunteers and affiliates and each of them from any and all claims, demands, causes of action, damages, costs, expenses, actual attorney's fees, applicant's fees, expert fees, losses or liability, in law or in equity, of every kind and nature whatsoever arising out of or in connection with Applicant's operations, or any subcontractor's operations, to be performed under this agreement for Applicant's or subcontractor's tort negligence including active or passive, or strict negligence, including but not limited to personal injury including, but not limited to bodily injury, emotional injury, sickness or disease, or death to persons and/or damage to property of anyone, including loss of use thereof, caused or alleged to be caused by any act or omission of Applicant, or any subcontractor, or anyone directly or indirectly employed by any of them or anyone for the full period of time allowed by the law, regardless to any limitation by insurance, with

the exception of the sole negligence or willful misconduct of the City. No modification of the project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the Applicant's indemnity obligation.

### **Cannabis Permits and Licensing**

12. Regulatory Permits. Prior to operation and maintained thereafter, the cannabis business shall obtain all required State and local permits and licenses, including the local regulatory permit to operate under Vallejo Municipal Code Chapter 7.200. Revocation of the State cannabis license or the local regulatory permit to operate under VMC Chapter 7.200 shall be grounds for revocation of the Use Permit for the cannabis business.

Valid and applicable State and local licenses and permits shall be publicly displayed at all times during hours of operation, and provided to the City of Vallejo to be maintained on file. Operations and location requirements must at all times comply with applicable regulations contained in Title 16 of the California Code of Regulations, as those may be updated from time to time by the California Bureau of Cannabis Control.

### **Operational Requirements**

13. Operation of the cannabis business shall be substantially in accord with the approved Use Permit application submittal and plans dated December 21, 2020, except as modified by the conditions stated herein.
14. Operation of the cannabis business shall be in compliance with all applicable State and Vallejo Municipal Code (VMC) requirements.
15. The business owner and all managers shall be subject to background search and shall not be able to continue operations, if there are any felony convictions, as specified in subdivision (c) of Section 667.5 of the California Penal Code and subdivision (c) of Section 1192.7 of the California Penal Code. Any change in ownership shall require an amendment to the local regulatory permit and necessary background checks.
16. The property shall comply with all applicable California State Building Code provisions, the City's property maintenance ordinance, and be maintained free of debris, litter and trash.
17. The business owner shall maintain a written security plan, including procedures for verifying identification and age of purchasers, on file with the Planning and Development Services Department and the Vallejo Police Department. The plan must include a description of licensed and uniformed security guards, who must be present on site during hours of operation, including their number, location and hours, as well as a theft prevention plan including locked exterior doors and windows during the times the cannabis business is closed. The licensed and uniformed security guard best practices shall comply with State law. The Planning and Development Services Department and Vallejo Police Department shall be notified in writing of any revisions to the approved written security plan dated December 21, 2020.

18. The business owner shall only use one name to identify themselves in the Use Permit, the local regulatory permit to operate, the State license, and any other applicable State or local permit that may be required for the purposes of retail sales of cannabis.
19. All activities shall occur within a secure fence at least eight feet in height that fully encloses the area. The fence must include a lockable gate(s) that is locked at all times, except for during times of active ingress/egress.
20. No person under age 18 years shall be allowed on the property.
21. The site shall not be open to the general public.
22. No transactions outside, or partially outside of an enclosed building are permitted. No transactions which are performed through walk-up or drive-through service are allowed.
23. No use, inhalation, smoking, eating, ingestion, or otherwise consumption of cannabis on the property, including the parking areas of the property.
24. No exhibition or product sales area or retail sales are allowed on the premises.
25. Cultivation. The following cultivation requirements shall apply:
  - a. The cannabis canopy shall not exceed 10,000 square feet.
  - b. All cannabis cultivation shall occur indoors, completely enclosed in a structure with opaque walls, and shall not be visible from any public right-of-way.
26. Lighting. The following lighting requirements shall apply:
  - a. Exterior perimeter lighting shall be in place prior to operation.
  - b. Exterior lighting shall be code compliant LED fixtures or high efficacy luminaries, and shall have an illumination intensity of between one and four foot candles.
  - c. Lights shall be directed and shielded so as not to illuminate into adjoining properties.
  - d. Lights shall have a housing to protect against breakage.
  - e. Broken or burnt out lights shall be replaced within five calendar days.
  - f. Transitional lighting shall be incorporated in exterior areas providing access to and from buildings or uses within the site.
  - g. Exterior trees and shrubs shall not interfere with the distribution of lighting as required by this Use Permit.
27. Signs. The following signage requirements shall apply:
  - a. A sign shall be posted on the door or in view of the entrance stating that no person under the age of 18 is allowed on site.

- b. A sign shall be posted stating that the use or consumption of cannabis or cannabis products on or near the premises is prohibited.
- c. A sign shall be posted stating loitering on or near the premises is prohibited.
- d. A sign shall be posted outside the facility in full public view containing City of Vallejo contact information for both emergency situations and information regarding public concern about operations.
- e. Other Sign Ordinance requirements as prescribed in Title 16 of the VMC.

28. Fencing, Screening, and Landscaping. The following landscape requirements shall apply:

- a. All fencing shall be eight feet tall, solid fence, masonry or board-on-board as approved by the Planning Manager or designee.
- b. Shrubs located next to pedestrian walkways and other vulnerable areas as determined by the planning manager or his or her designee shall not exceed three feet in height at maturity.
- c. Trees shall be pruned up to six feet above ground.
- d. Trees and shrubs shall be pruned back from windows, doors and walkways.
- e. Decorative stone, brick, and other masonry material shall be grouted to prevent removal by hand.
- f. Entrances to the site and parking lots shall be defined with landscaping or entry feature.
- g. Outdoor waste and recycle bins shall be contained within a locked structure to prevent unauthorized entry.
- h. Other screening and landscape regulations as prescribed in Title 16 of the VMC.

29. Noise. The following noise requirements shall apply:

- a. The use of generators is prohibited, except as short-term temporary emergency back-up systems.
- b. Other Noise Performance Standards as prescribed in Title 16 of the VMC.

30. Odor Control. A sufficient odor-absorbing ventilation and exhaust system shall be installed to ensure that odor generated by the use is not detected outside the property, anywhere on adjacent properties or public rights-of-way, or within any other unit located within the same building as the cannabis business.

31. Property Maintenance. The following property maintenance requirements shall apply:

- a. Property shall be maintained free of debris, litter and trash.



- b. The cannabis business shall comply with the Property Maintenance Ordinance under VMC Chapter 7.54.
32. Tracking. The cannabis business shall comply with any labeling, testing, and track and trace program established by the City and/or State agencies. The operator must maintain records tracking all cannabis production and products and shall make all records related to commercial cannabis activity available to the City upon request.
33. Taxes. The cannabis business shall be current on the City's Marijuana Business License Tax and any additional applicable taxes enacted by the City or this Use Permit may be subject to revocation and/or local regulatory permit non-renewal and/or revocation.
34. Parking. The applicant shall maintain the approved five onsite parking spaces, one loading space, and indoor bicycle storage areas to serve the cannabis business. Parking lot surfaces, lighting, and exterior landscaping shall be maintained in good condition in compliance with the approved plans.
35. Special Events. Special events are prohibited unless authorized in writing by both authorized staff of the City of Vallejo and the California Bureau of Cannabis Control.
36. Inspection. The cannabis business shall be subject to inspections by appropriate local and State agencies, including but not limited to the City Manager's Office, Planning and Development Services Department, and/or a third-party inspector appointed by and acting on behalf of the City. Inspections may occur at random times for conformance with the Vallejo Municipal Code and City permit requirements. If interference in the performance of the duty of the agency having jurisdiction occurs, the agency may temporarily suspend the permit and order the cannabis business to immediately cease operations.
37. Exterior Modification. All exterior modifications to the building façade or site, including landscaping, parking lot improvements, fencing, lighting, and signage, shall be subject to City of Vallejo review and approval. Razor or barbed wire and similar fencing is not permitted.
38. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of the City of Vallejo. Such changes may require a new or modified Use Permit and additional environmental review, if warranted.
39. Use Permit Certificate. This Use Permit, the approved project description, and approved floor plan shall be maintained on site and made available to City of Vallejo officials upon request.

#### **Approval Time/Revocation**

40. Approval of this Use Permit shall automatically expire 24 months from the date of approval, unless building permits are issued and authorized construction has commenced prior to the expiration date.
41. The Use Permit shall be deemed abandoned if the cannabis business operation remains not in use for 12 consecutive months. A new Use Permit shall be obtained prior to the resumption of the cannabis business, if deemed abandoned.

42. If the Planning Division, either independently or as a result of complaints from the public, becomes aware that the use is being conducted in a manner which violates the conditions of this Use Permit or other applicable City regulations, and Planning Division staff is unable to obtain compliance or abatement, staff will refer the Use Permit to Code Enforcement and/or the Planning Commission for possible suspension or revocation.

## **B. BUILDING DIVISION**

Steve Arnold | [steve.arnold@cityofvallejo.net](mailto:steve.arnold@cityofvallejo.net) | (707) 648-4387

1. Permits are required per California Code of Regulations, Title 24 and the applicable City of Vallejo Ordinance in effect at the time of completed Building Permit application date and required fees paid at time of application.

## **C. FIRE DEPARTMENT**

Vincent Sproete | [vincent.sproete@cityofvallejo.net](mailto:vincent.sproete@cityofvallejo.net) | (707) 648-4566

1. Access roads that are fire lanes shall either be posted with permanent all-weather signs constructed and installed in accordance with the Fire Department Fire Lane Marking Standards or shall all have curbs painted red and a sign posted at each entrance. Contact the Fire Prevention Bureau for further information and design templates. Location of such areas shall be determined prior to final inspection.
2. Duct smoke detectors complying with UL 268A shall be installed in accordance with the CBC, CFC, CMC and NFPA 72.
  - a. In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 CFM. Such detectors shall be located in a serviceable area downstream of the last duct inlet.
3. Portable fire extinguishers shall be installed in M occupancy groups per CFC § 906. The size and distribution of portable of portable fire extinguishers shall be in accordance with CFC § 906.
4. If the tenant improvements require modification of the automatic fire system, a permit is required from the Fire Department prior to any such work being completed.
5. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the Fire Code Official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official per CFC § 506.1.
6. Hazardous Materials Business Plan Requirements. Any occupancy that will be conducting operations or storing materials that are hazardous will obtain the appropriate permits from the City of Vallejo Fire Department and/or Solano County Environmental Management prior to commencing business operations.

7. The provisions of CFC § 407 shall be applicable where hazardous materials subject to permits under CFC § 5001.5 are used and/or stored on the premises or where required by the Fire Code Official.
8. Storage, use and handling of compressed gases in compressed containers, cylinders, tanks, and systems shall comply with CFC Chapter 53 including those gases regulated elsewhere in the CFC and/or any applicable NFPA Standards as determined by the Fire Code Official. Partially full compressed gas container, cylinders or tanks containing residual gases shall be considered as full for purposes of the controls required.
9. The storage, use and handling of all hazardous materials shall be in accordance with CFC Chapter 50 and California Health and Safety Code requirements. The maximum allowable quantity (MAQ) of hazardous materials per control area will be established using CFC § 5003.1. Applicant will need to contact the Fire Department for hazardous materials storage permitting and approval.
10. Fume Ventilation; continuous mechanical ventilation shall be provided per the California Fire Code and the Building and Mechanical Code.
11. Hazardous Materials Inventory Statement (HMIS) per CFC § 5001.5.2. An application for building permit shall include an HMIS. The HMIS shall include the following information:
  - a. Product name.
  - b. Component.
  - c. Chemical Abstract Service (CAS) number.
  - d. Location where stored or used.
  - e. Container size.
  - f. Hazard classification.
  - g. Amount in storage.
  - h. Amount in use-closed systems.
  - i. Amount in use-open systems.
  - j. Safety Data Sheets (SDS) for all proposed materials
12. The smoking or carrying of a lighted pipe, cigar, cigarette or any other type of smoking paraphernalia or material is prohibited in the areas indicated in CFC § 310. No smoking signs are required.
13. Storage of combustible materials in buildings shall be orderly. Storage shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur per CFC § 315.
14. Any security device or system that emits any medium that could obscure a means of egress in any building, structure or premise shall be prohibited per CFC § 316.5.
15. High-piled storage or rack storage in any occupancy group shall comply with the CFC Chapter 32.
16. Provide an approved exit sign all over required exit doors. CFC Chapter 10.

17. Means of egress illumination shall be provided and maintained at any time the building is occupied. The means of egress shall be illuminated of not less than 1 foot candle power. CFC Chapter 10.
18. Emergency exit lighting shall be provided at or near all exits and as designated by the Fire Marshal. CFC Chapter 10.
19. All emergency lighting, exit sign lights shall have two separate sources of power as required by the California Building Code. CFC Chapter 10.
20. Locking devices on exit doors shall conform to the California Building Code. Only one lock or latch requiring one motion/operation to open/unlock is required. No double keyed dead-bolts are permitted on exit doors. CFC Chapter 10.
21. A final inspection from the Vallejo Fire Department is required prior to final occupancy.

#### **D. PUBLIC WORKS DEPARTMENT**

Philip Ho | [philip.ho@cityofvallejo.net](mailto:philip.ho@cityofvallejo.net) | (707) 554-5902

##### **Special Conditions**

1. Plans to show trash enclosure for garbage. Plans to annotate means of garbage disposal and cannabis disposal.
2. Plans to show refreshing of striping and pavement marking at on-site parking stalls and ADA parking stalls. Install ADA signs if missing or non-compliant. Plans to show an accessible path of travel between building main entrance and public sidewalk. Applicant to consult with Building Division for ADA compliance requirements.
3. Project is subject to a City Transportation Impact Mitigation Fee for the proposed industrial land use. Fee is \$5,727.30 based on an increased floor area of 3,369 square feet (proposed 12,670 square feet less existing 9,301 square feet) and \$1.70 per square foot per 2020-2021 Master Fee Schedule. This fee is subject to annual escalation.

##### **Standard Conditions**

4. HOW PROJECT CONDITIONS ARE SATISFIED. Prior to building permit issuance, submit a numbered list to the Planning Division stating how each condition of Project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
5. PUBLIC IMPROVEMENT STANDARDS. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply. (COV, Regulations & Standard Specifications, 2011).
6. IMPROVEMENT PLANS. Prior to building permit submittals, submit three sets of plans to the Department of Public Works for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may

not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations and pertinent reports. (COV, Regulations & Standard Specifications, 2011, Section 1.1.7–A).

7. DUST AND EROSION CONTROL. All dust and erosion control shall be in conformance with City standards and ordinances. (VMC, Sections 12.40.050 & 12.40.070).
8. STREET EXCAVATION PERMIT. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards. (VMC, Section 10.08).
9. ENCROACHMENT PERMIT. Prior to building permit issuance, obtain an encroachment permit from the Department of Public Works for all work proposed within the public right-of-way. (VMC, Section 10.16).
10. TRAFFIC CONTROL PLAN. Prior to start of construction; submit a traffic control plan to the Department of Public Works for review and approval. (CA MUTCD).
11. COORDINATION OF CONSTRUCTION INSPECTION. Construction inspection shall be coordinated with the Department of Public Works and no construction shall deviate from the approved plans. (COV, Regulation & Standard Specification Sections 1.1.4 & 1.1.5).
12. PLAN CHANGES. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by the Department of Public Works and, when applicable, by Vallejo Flood and Wastewater District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (COV, Regulation & Standard Specification Section 1.1.9).
13. INSTALL IMPROVEMENTS. Prior to occupancy/final building inspection, install the improvements required by the Department of Public Works including but not limited to streets and utilities.
14. BONDS AND FEES. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinance. (VMC, Section 15.12.090).
15. SIDEWALK REPAIR. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk or driveway approach as directed in the field by the City Engineer. (VMC, Section 10.04).
16. ADA COMPLIANCE WITHIN CITY ROW. In order to ensure ADA compliance within any and all City ROW, ADA compliance will be addressed in accordance to the state government and federal codes: HEALTH AND SAFETY CODE DIVISION 13 PART 5.5. ACCESS TO PUBLIC ACCOMMODATIONS BY PHYSICALLY HANDICAPPED PERSONS [19955 - 19959.5] (Part 5.5 added by Stats. 1969, Ch. 1560.) GOVERNMENT CODE DIVISION 5 CHAPTER 7 ACCESS TO PUBLIC BUILDINGS BY PHYSICALLY

HANDICAPPED PERSONS [4450 – 4461] (Chapter 7 added by Stats. 1968, Ch. 261.)  
FEDERAL THE AMERICAN WITH DISABILITIES ACT OF 1990.

**E. WATER DEPARTMENT**

Matthew Brown | [matt.brown@cityofvallejo.net](mailto:matt.brown@cityofvallejo.net) | (707) 648-4479

1. Provide a proposed plumbing fixture calculation per 2016 California Plumbing Code. This structure will require a water use that is different than the original use for the building and the existing water meter may not be adequately sized.
2. Provide a site plan showing the location of the backflow device, if one does not exist then one will be required for this site and the size will be determined by the plumbing fixture calculation per the comment above.
3. CODE REQUIREMENTS. All code requirements as stated in Title 11 of the Vallejo Municipal Code (VMC) and Vallejo Standard Specifications and Standard Drawings adopted in 2011 (VSSSD) that apply to this project shall be conformed to. The project is being made aware of codes that require extra attention by the following items.
4. WATER SYSTEM PLANS (VSSSD Section 4.1). All water system improvements shall be consistent with the latest Vallejo Water System Master Plan, prepared by Kennedy/Jenks Engineers. Prior to Improvement plan approval and building permit issuance, water system improvement plans shall be submitted to the Water Department for review and approval, and shall contain at least:
  - a. Location and size of fire sprinkler service connection(s).
  - b. Location and size of existing and proposed domestic service connection(s).
  - c. Location and size of irrigation service connection(s), if any.
  - d. Location of fire hydrants.
  - e. Location of structures with respect to existing public water system improvements, such as mains, meters, etc.
  - f. Location and size of any new water mains.
  - g. Location and size of backflow prevention devices (required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d).
5. FIRE FLOW REQUIREMENTS (VSSSD Section 4.1). Fire flow requirements of the Fire department shall be complied with. Fire flow at no less than 25 psig residual pressure shall be available within 1,000 feet of any structure. One half of the fire flow shall be available within 300 feet of any structure.
  - a. For single family residential units, the fire flow is 1,500 gpm.
  - b. For other developments, see the Vallejo Water System Master Plan, 2015, prepared by Kennedy Jenks.
6. HYDRAULIC CALCULATIONS (VSSSD Section 4.1). Prior to Improvement Plan and building permit issuance, hydraulic calculations shall be submitted to the Water Director demonstrating that the fire flow requirements are complied with.

7. FIRE PROTECTION SYSTEMS (VSSSD Section 4.1). Fire hydrant placement and fire sprinkler system installation, if any, shall meet the requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with latest revisions, shall be satisfied.
  - a. 15 ft. wide (minimum) for water mains.
  - b. 10 ft. wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
  - c. Other facilities will be reviewed by the Water Department.
8. WATER EASEMENTS (VSSSD Section 4.1). Easements shall be granted for all water system improvements installed outside the public right-of-way in the City's Standard Form for Grant of Water Line Easement with the following widths:
9. WATER METERS (VMC 11.04.110 and 11.16.090). Each parcel shall be metered separately and shall have a separate fire sprinkler service connection.
10. WATER SERVICE BONDS AND FEES (VMC Sections 11.16, 11.18, 11.20 and 11.24). Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code including connection and elevated storage fees, etc., and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system improvements. The Water Department may be contacted for a description of applicable fees. These fees have to be paid prior to issuance of the building permit.
11. Apply and pay for Fire Flow Test with the Water Department in order to determine operation of sprinkler system and final service size.
12. Provide water meter and service sizing calculations per most recent California Plumbing Code, include a water fixture count table.
13. As of January 1, 2018, all units in multi-family, commercial, or combination thereof, buildings shall be individually metered (if existing plumbing allows or is re-configured) by the City, additional meters at the owner/applicant's expense; or, master metered by the City, and sub-metered by the property owner, with approved/certified meters. Per California Senate Bill 7 (SB7).
14. WATER SYSTEM INSTALLATION. Prior to occupancy or final building inspection, install water system improvements as required. Backflow device/s where required shall be installed in areas hidden from public view and/or shall be mitigated by landscaping.
15. ESTIMATE OF FEES: Until Building Plans, Water Meter Data Card and Fire Flow Test results are submitted.



# INDOOR CULTIVATION

## MANUFACTURING AND DISTRIBUTION

DIGALERT



1-800-227-2600  
AT LEAST TWO DAYS  
BEFORE YOU DIG

UNDERGROUND SERVICE ALERT OF  
NORTHERN CALIFORNIA

### CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- 2019 CALIFORNIA BUILDING CODE (CBC)
- 2019 CALIFORNIA MECHANICAL CODE (CMC)
- 2019 CALIFORNIA PLUMBING CODE (CPC)
- 2019 CALIFORNIA ELECTRIC CODE (CEC)
- 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN)
- 2019 CALIFORNIA ENERGY CODE
- 2019 CALIFORNIA FIRE CODE (CFC)
- 2019 CALIFORNIA EXISTING BUILDING CODE (CEBC)
- CALIFORNIA HEALTH AND SAFETY CODE (H&SC)
- CALIFORNIA BUSINESS AND PROFESSIONS CODE (B&PC)
- NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS (NFPA)
- MEDICAL AND ADULT USE CANNABIS REGULATION AND SAFETY ACT (MAUCRSA)
- VALLEJO CITY CODE

### PROJECT TEAM

#### ARCHITECT:

ZON ARCHITECTS, INC.  
660 4TH STREET #255  
SAN FRANCISCO, CA 94107  
CONTACT: DAVID ELIAS  
TEL: (415) 287-0596  
EMAIL: permits@zonarchitects.com

#### ELECTRICAL:

PIERCE ELECTRIC, INC.  
PO BOX 6480  
VALLEJO, CA 94591  
CONTACT: HAL PIERCE  
TEL: (707) 644-4497  
CELL: (707) 980-1941  
EMAIL: hal@pierce-inc.com

#### MECHANICAL CONTRACTOR

ALL WEATHER HEATING AND AIR CONDITIONING  
CONTACT: GIL MEDRANO  
CELL: (707) 694-3337  
EMAIL: gilmedrano@sbcglobal.net

#### SECURITY:

SONITROL  
CONTACT: JAMES JOHNSON  
TEL: (925) 689-8360 EXT. 807  
CELL: (925) 765-9847  
EMAIL: jjohnson@sonitrolsecurity.com

#### MECHANICAL ENGINEER

SAEED DAVAR, P.E.  
CONSULTING MECHANICAL ENGINEER  
CONTACT: SAEED DAVAR  
PHONE: (805) 546-8802  
EMAIL: saeeddavar@aol.com

### ABBREVIATIONS

|               |                                  |         |                                 |
|---------------|----------------------------------|---------|---------------------------------|
| A.B.          | ANCHOR BOLT                      | HDR.    | HEADER                          |
| ABV.          | ABOVE                            | HGR.    | HANGER                          |
| ACCA          | ANTENNA CABLE COVER ASSEMBLY     | HT.     | HEIGHT                          |
| ADDL          | ADDITIONAL                       | ICGB.   | ISOLATED COPPER GROUND BUS      |
| A.F.F.        | ABOVE FINISHED FLOOR             | IN.(")  | INCH(ES)                        |
| A.F.G.        | ABOVE FINISHED GRADE             | INT.    | INTERIOR                        |
| AGL           | ABOVE GROUND LEVEL               | LB.(#)  | POUND(S)                        |
| ALUM          | ALUMINUM                         | L.B.    | LAG BOLTS                       |
| ALT.          | ALTERNATE                        | L.F.    | LINEAR FEET(FOOT)               |
| AMSL          | ABOVE SEA LEVEL                  | L.      | LONGITUDINAL                    |
| ANT.          | ANTENNA                          | MAS.    | MASONRY                         |
| APPRX.        | APPROXIMATE(LY)                  | MAX.    | MAXIMUM                         |
| ARCH.         | ARCHITECT(URAL)                  | M.B.    | MACHINE BOLT                    |
| AWG.          | AMERICAN WIRE GAUGE              | MECH.   | MECHANICAL                      |
| BLDG.         | BUILDING                         | MFR.    | MANUFACTURER                    |
| BLK.          | BLOCK                            | MIN.    | MINIMUM                         |
| BLKG          | BLOCKING                         | MISC.   | MISCELLANEOUS                   |
| BM.           | BEAM                             | MTL.    | METAL                           |
| B.N.          | BOUNDARY NAILING                 | (N)     | NEW                             |
| BN            | BACK-UP CABINET                  | NO.(#)  | NUMBER                          |
| CAB.          | CABINET                          | N.T.S.  | NOT TO SCALE                    |
| BTCW.         | BARE TINNED COPPER WIRE          | O.C.    | ON CENTER                       |
| B.O.F.        | BOTTOM OF FOOTING                | OPNG.   | OPENING                         |
| CANT.         | CANTILEVER(ED)                   | P/C     | PRE CAST CONCRETE               |
| C.I.P.        | CAST IN PLACE                    | PCS     | PERSONAL COMMUNICATION SERVICES |
| CLG.          | CEILING                          | P.LY.   | PLYWOOD                         |
| CLR.          | CLEAR                            | PPC.    | POWER PROTECTION CABINET        |
| COL.          | COLUMN                           | PRC.    | PRIMARY FLEXING CABINET         |
| CONC.         | CONCRETE                         | P.S.F.  | POUNDS PER SQUARE FOOT          |
| CONN.         | CONNECTION(OR)                   | P.S.I.  | POUNDS PER SQUARE INCH          |
| CONST.        | CONSTRUCTION                     | P.T.    | PRESSURE TREATED                |
| CONT.         | CONTINUOUS                       | PWR.    | POWER (CABINET)                 |
| d             | PENNY (NAILS)                    | QTY.    | QUANTITY                        |
| DBL.          | DOUBLE                           | RAD.(R) | RADIUS                          |
| DEPT.         | DEPARTMENT                       | REF.    | REFERENCE                       |
| D.F.          | DOUGLAS FIR                      | REINF.  | REINFORCING                     |
| DIA.          | DIAMETER                         | REQ'D.  | REQUIRED                        |
| DIAG.         | DIAGONAL                         | RGS.    | RIGID GALVANIZED STEEL          |
| DIM.          | DIMENSION                        | SCH.    | SCHEDULE                        |
| DWG.          | DRAWING(S)                       | SHT.    | SHEET                           |
| DWL.          | DOWEL(S)                         | SIM.    | SIMILAR                         |
| EA.           | EACH                             | SPEC.   | SPECIFICATION(S)                |
| EL.           | ELEVATION                        | SQ.     | SQUARE                          |
| ELEC.         | ELECTRICAL                       | S.S.    | STAINLESS STEEL                 |
| ELEV.         | ELEVATOR                         | STD.    | STANDARD                        |
| EMT.          | ELECTRICAL METALLIC TUBING       | STL.    | STEEL                           |
| E.N.          | EDGE NAIL                        | STRUC.  | STRUCTURAL                      |
| ENG.          | ENGINEER                         | TEMP.   | TEMPORARY                       |
| EQ.           | EQUAL                            | THK.    | THICKNESS                       |
| EXP.          | EXPANSION                        | T.N.    | TOE NAIL                        |
| EXST.(E)      | EXISTING                         | T.O.A.  | TOP OF ANTENNA                  |
| EXT.          | EXTERIOR                         | T.O.C.  | TOP OF CURB                     |
| FAB.          | FABRICATION(OR)                  | T.O.F.  | TOP OF FOUNDATION               |
| F.F.          | FINISH FLOOR                     | T.O.P.  | TOP OF PLATE(PARAPET)           |
| F.G.          | FINISH GRADE                     | T.O.S.  | TOP OF STEEL                    |
| FIN.          | FINISH(ED)                       | T.O.W.  | TOP OF WALL                     |
| FLR.          | FLOOR                            | TYP.    | TYPICAL                         |
| FDN.          | FOUNDATION                       | U.G.    | UNDER GROUND                    |
| F.O.C.        | FACE OF CONCRETE                 | U.L.    | UNDERWRITES LABORATORY          |
| F.O.M.        | FACE OF MASONRY                  | U.N.O.  | UNLESS NOTED OTHERWISE          |
| F.O.S.        | FACE OF STUD                     | V.I.F.  | VERIFY IN FIELD                 |
| F.O.W.        | FACE OF WALL                     | W       | WIDE(WIDTH)                     |
| F.S.          | FINISH SURFACE                   | WI      | WITH                            |
| FT.(')        | FOOT(FEET)                       | WD.     | WOOD                            |
| FTG.          | FOOTING                          | W.P.    | WEATHERPROOF                    |
| G.            | GROWTH(CABINET)                  | WT.     | WEIGHT                          |
| GA.           | GAUGE                            | Q       | CENTERLINE                      |
| GI.           | GALVANIZE(D)                     | R       | PLATE                           |
| G.F.I.        | GROUND FAULT CIRCUIT INTERRUPTER |         |                                 |
| GLB.(GLU-LAM) | GLUE LAMINATED BEAM              |         |                                 |
| GPS           | GLOBAL POSITIONING SYSTEM        |         |                                 |
| GRND.         | GROUND                           |         |                                 |

### PROJECT DESCRIPTION

THIS PROJECT CONSISTS OF:

- TENANT IMPROVEMENT OF EXISTING BUILDING FOR INDOOR CANNABIS CULTIVATION FOR MANUFACTURING AND DISTRIBUTION

- WORK TO INCLUDE MECHANICAL, ELECTRICAL, SECURITY, ACCESSIBILITY UPGRADES & TITLE 24 ENERGY CALCULATIONS

### LOT COVERAGE CALCULATION

|                          |                                               |
|--------------------------|-----------------------------------------------|
| LOT SIZE:                | ±10,799 SQ. FT.                               |
| BUILDING COVERAGE:       | ±6,972 SQ. FT                                 |
| BUILDING COVERAGE %:     | ±6,972 SQ. FT / 10,799 SQ. FT. X 100% = 64.6% |
| INDOOR CULTIVATION AREA: | ±9,400 SQ. FT                                 |

### PROJECT INFORMATION

|                                   |                                             |
|-----------------------------------|---------------------------------------------|
| SITE ADDRESS:                     | 1630 LEWIS BROWN DRIVE<br>VALLEJO, CA 94589 |
| PROPERTY OWNER:                   | UNITED PROPERTIES, LLC                      |
| APN#:                             | 0067-160-030                                |
| EXISTING NUMBER OF STORIES:       | TWO                                         |
| TYPE OF CONSTRUCTION:             | III-B                                       |
| CURRENT OCCUPANCY CLASS:          | F-1 (MODERATE HAZARD FACTORY/INDUSTRY)      |
| ZONING:                           | INTENSIVE USE (IU)                          |
| GENERAL PLAN DESIGNATION:         | BUSINESS/ LIGHT INDUSTRIAL (B/LI)           |
| YEAR BUILT:                       | 1982                                        |
| EXISTING BUILDING SQUARE FOOTAGE: | ±9,301 SQ. FT.                              |
| PROPOSED BUILDING SQUARE FOOTAGE: | ±12,670 SQ. FT.                             |
| JURISDICTION:                     | CITY OF VALLEJO                             |
| SPRINKLERS:                       | NO                                          |
| CARBON DIOXIDE ENRICHMENT SYSTEM: | YES                                         |

### GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWING:  
CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

### SHEET INDEX

| SHEET  | DESCRIPTION                                              |
|--------|----------------------------------------------------------|
| T-1    | TITLE SHEET, SITE INFORMATION AND VICINITY MAP           |
| T-1.2  | CODE ANALYSIS                                            |
| T-2    | SITE ACCESSIBILITY CHECKLIST                             |
| T-3    | SITE ACCESSIBILITY CHECKLIST                             |
| T-4    | ACCESSIBILITY REQUIREMENTS                               |
| 1 OF 1 | SURVEY DRAWING                                           |
| A-1    | OVERALL SITE PLAN                                        |
| A-2    | EXISTING SITE PLAN, FIRST FLOOR PLAN & SECOND FLOOR PLAN |
| A-3    | PROPOSED SITE PLAN, FIRST FLOOR PLAN & SECOND FLOOR PLAN |
| A-4    | EXISTING ELEVATIONS                                      |
| A-5    | EXISTING BUILDING SECTIONS                               |
| A-6    | PROPOSED BUILDING SECTIONS                               |
| A-7    | DETAILS                                                  |
| SC-1   | SECURITY PLAN                                            |

### DEFERRED SUBMITTALS

- FIRE SPRINKLERS

### LEGEND

|  |                     |  |                  |  |                             |
|--|---------------------|--|------------------|--|-----------------------------|
|  | ELECTRIC BOX        |  | GROUT OR PLASTER |  | CENTERLINE                  |
|  | TELEPHONE BOX       |  | (E) BRICK        |  | PROPERTY/LEASE LINE         |
|  | LIGHT POLE          |  | (E) MASONRY      |  | GROUND CONDUCTOR            |
|  | FND. MONUMENT       |  | CONCRETE         |  | TELEPHONE CONDUIT           |
|  | SPOT ELEVATION      |  | EARTH            |  | ELECTRICAL & TELCO CONDUITS |
|  | SET POINT           |  | GRAVEL           |  | COAXIAL CABLE               |
|  | REVISION            |  | PLYWOOD          |  | OVERHEAD SERVICE CONDUCTORS |
|  | GRID REFERENCE      |  | SAND             |  | CHAIN LINK FENCING          |
|  | DETAIL REFERENCE    |  | WOOD CONTINUOUS  |  | WOOD FENCING                |
|  | ELEVATION REFERENCE |  | WOOD BLOCKING    |  |                             |
|  | SECTION REFERENCE   |  | STEEL            |  |                             |

### VICINITY MAP



BR004

PROJECT INFORMATION:

## INDOOR CULTIVATION

1630 LEWIS BROWN DRIVE  
VALLEJO, CA 94589

CURRENT ISSUE DATE:

09/29/2020

ISSUED FOR:

### ZONING

REV.: DATE: DESCRIPTION: BY:

|  |            |             |    |
|--|------------|-------------|----|
|  | 03/30/2020 | 90% ZD SET  | NS |
|  | 09/29/2020 | 100% ZD SET | NS |
|  |            |             |    |
|  |            |             |    |
|  |            |             |    |
|  |            |             |    |
|  |            |             |    |
|  |            |             |    |
|  |            |             |    |
|  |            |             |    |
|  |            |             |    |
|  |            |             |    |

PROJECT ARCHITECT/ENGINEER:



660 4TH STREET #255  
SAN FRANCISCO, CA. 94107  
PHONE: (415) 740-9974  
FAX: (415) 354-3502

CONSULTANT:

DRAWN BY: CHK.: APV.:

NS

NS

DE

LICENSER:

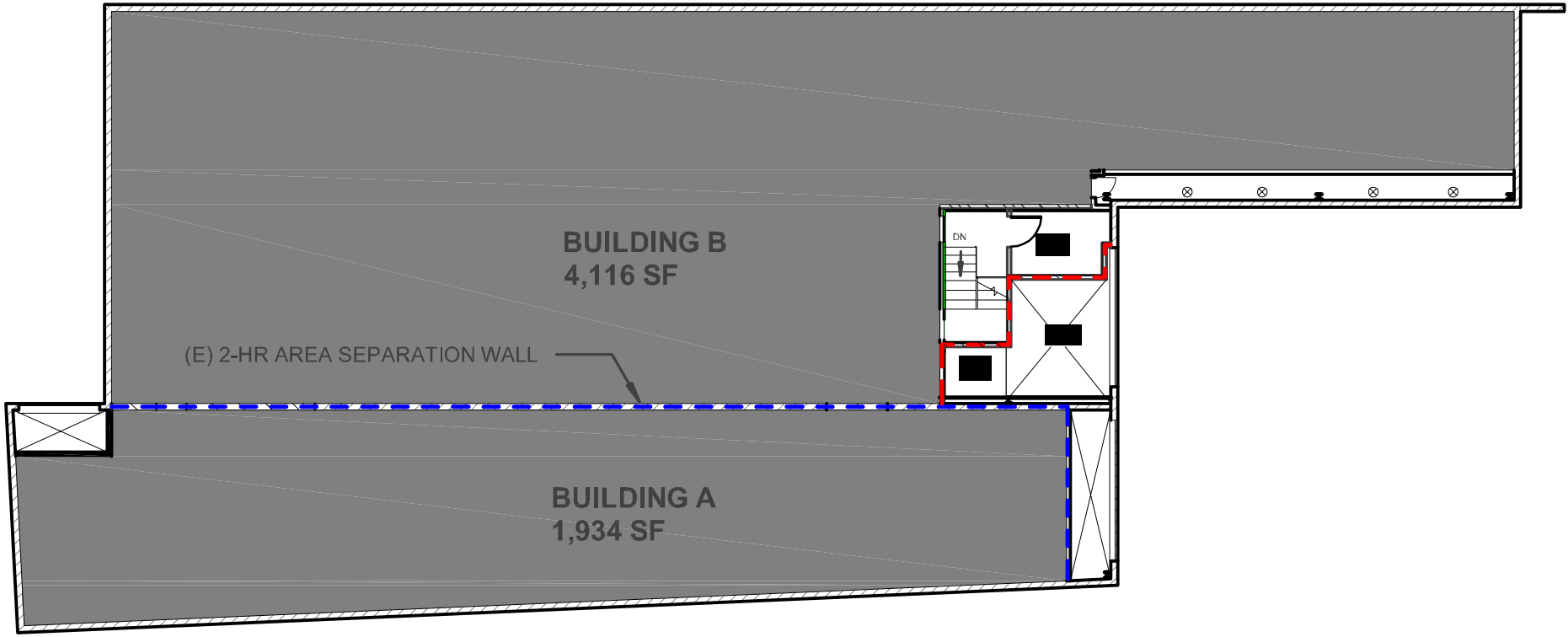
SHEET TITLE:

## TITLE SHEET

SHEET NUMBER:

T-1

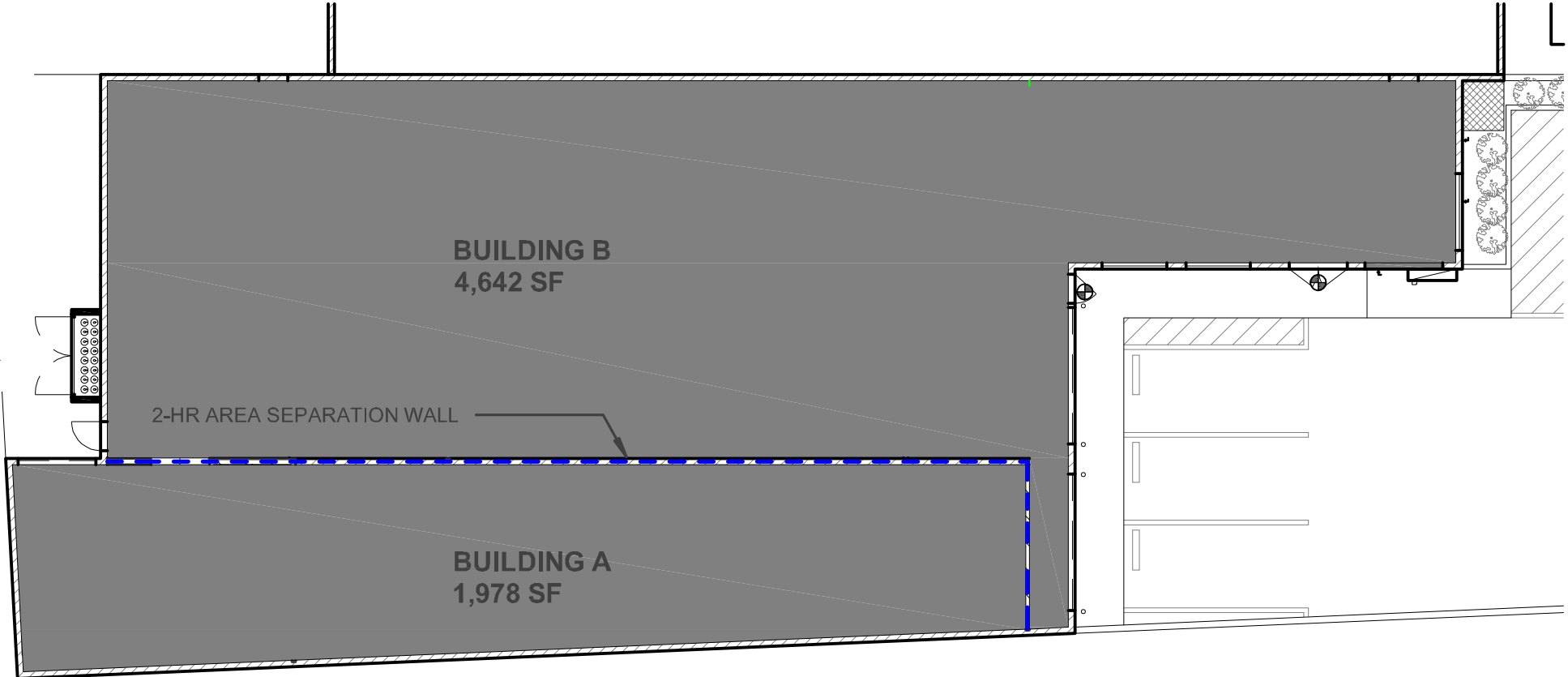




2ND FLOOR AREA DIAGRAM

1/16" = 1'-0"

TOTAL GROSS 2ND  
FLOOR AREA = 6,050 SF

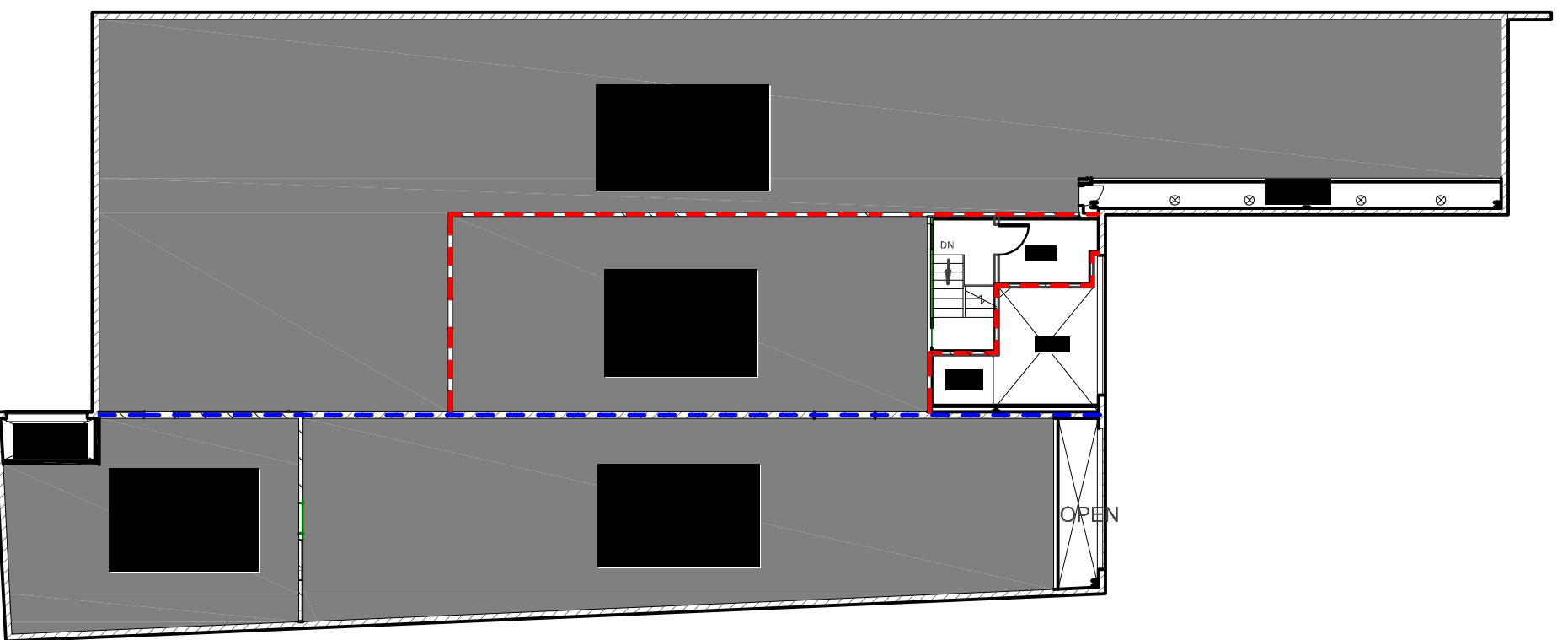


1ST FLOOR AREA DIAGRAM

1/16" = 1'-0"

TOTAL GROSS 1ST  
FLOOR AREA = 6,620 SF

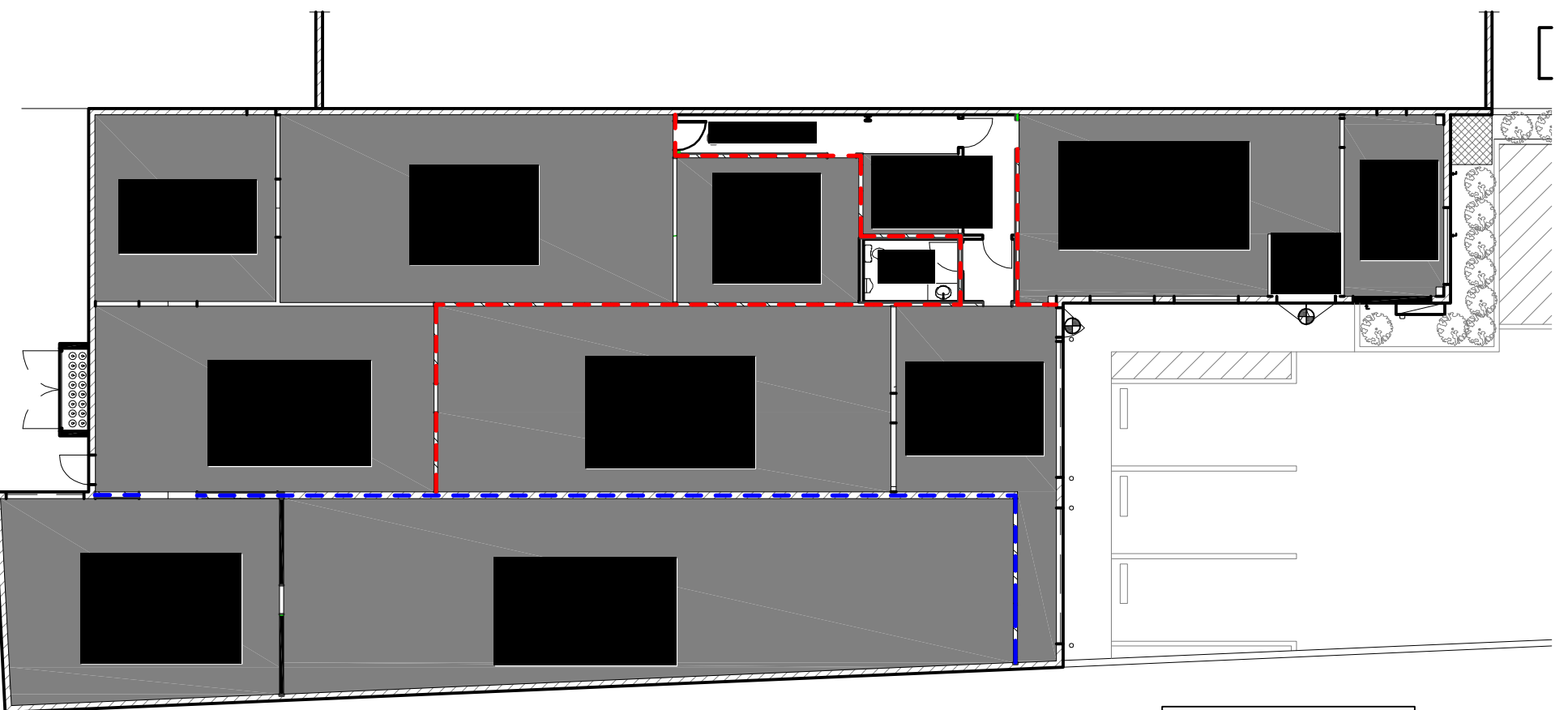
## AREA SEPARATION DIAGRAMS



2ND FLOOR OCCUPANCY DIAGRAM

1/16" = 1'-0"

TOTAL 2ND FLOOR  
OCCUPANT LOAD = 21



1ST FLOOR OCCUPANCY DIAGRAM

1/16" = 1'-0"

TOTAL 1ST FLOOR  
OCCUPANT LOAD = 26

## OCCUPANCT LOAD DIAGRAMS

### LIFE SAFETY ANALYSIS

**CODE:**  
2019 CALIFORNIA BUILDING CODE

**PROJECT:**  
TENANT IMPROVEMENT FOR CANNABIS CULTIVATION FACILITY

**CONSTRUCTION TYPE**  
EXISTING: TYPE II-B  
PROPOSED: TYPE II-B

**OCCUPANCY CLASSIFICATION(S)**  
GROUP F-1: LIGHT INDUSTRIAL

**SPRINKLER SYSTEM REQUIREMENT**  
EXISTING: NONE  
PROPOSED: NONE

**SPECIAL REQS BASED ON OCCUPANCY & USE**  
N/A: THE PROPOSED USES DO NOT TRIGGER SPECIAL REQS

**BUILDING HEIGHT LIMITATIONS**  
ALLOWED: NS = 2 STORIES/55 FT - SP = 3 STORIES/75 FT  
EXISTING: 2 STORIES - X FT  
PROPOSED: 2-STORIES - X FT

**BUILDING AREA LIMITATIONS**  
ALLOWED: F-1 OCCUPANCY - NS = 12,000 SF SP = 36,000  
FRONTAGE INCREASE: N/A

**BUILDING AREAS:**  
EXISTING:  
1ST FLOOR GROSS = 6,620 SF  
2ND FLOOR GROSS = 2,681 SF  
TOTAL 9,301 SF

PROPOSED:  
1ST FLOOR GROSS = 6,620 SF  
2ND FLOOR GROSS = 6,050 SF  
TOTAL 12,670 SF

**AREA SEPARATIONS**  
EXISTING 2-HR AREA SEPARATION WALL PROVIDING  
BUILDING A = 6,620 SF  
BUILDING B = 8,758 SF

**OCCUPANT LOADS:**  
occupant load factor = 300sf/occ  
1ST FLOOR = 26  
2ND FLOOR = 21  
TOTAL = 47

**NUMBER OF EXITS/STORY:**  
PROPOSED: 1ST FLR = 1 - 2ND FLR = 1  
(REFER TO EGRESS DIAGRAM)

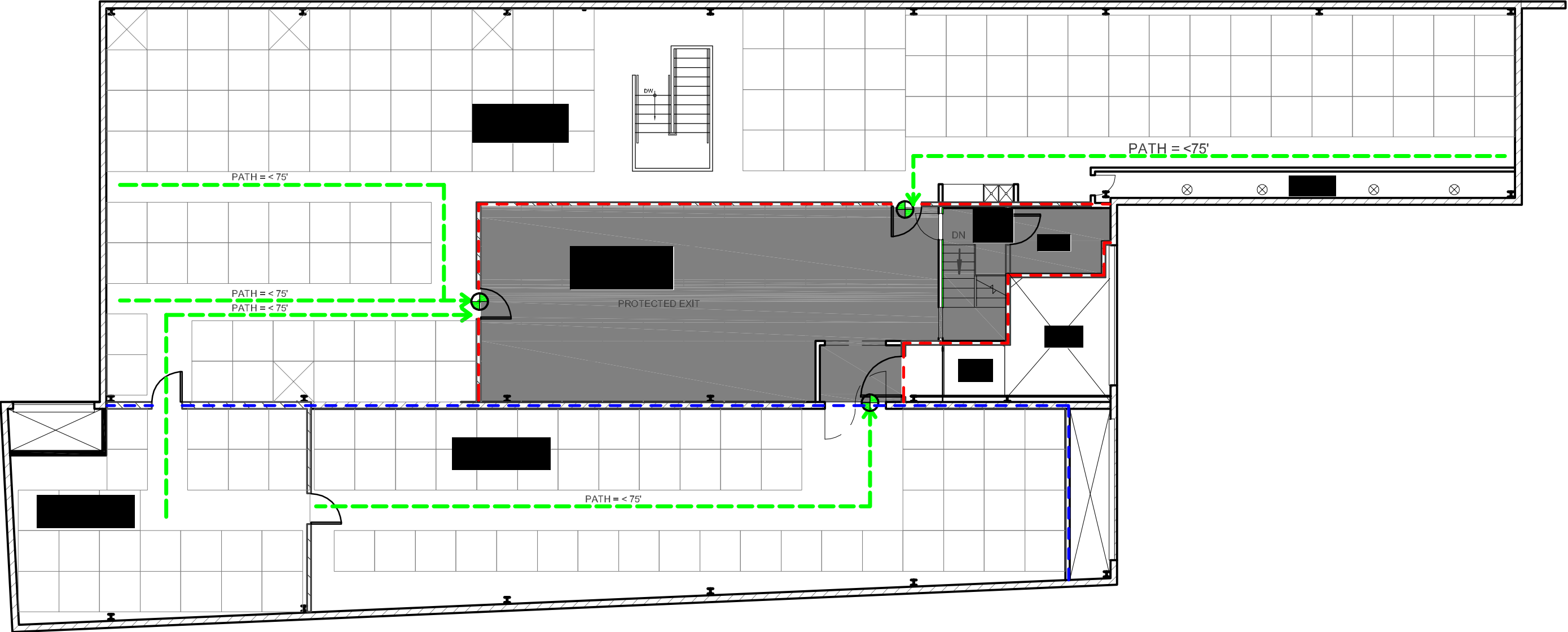
**STORY SINGLE EXIT LIMITATIONS:**

|                         | MAX OL | ACTUAL OL | MAX TRVL DIST | ACTUAL TRVL DIST |
|-------------------------|--------|-----------|---------------|------------------|
| Per table 1006.3.3      |        |           |               |                  |
| • 2ND STORY ABOVE GRADE | 29     | 21        | 75'           | <75'             |
| • 1ST FLR ABOVE GRADE   | 49     | 26        | 75'           | <75'             |

### LEGEND

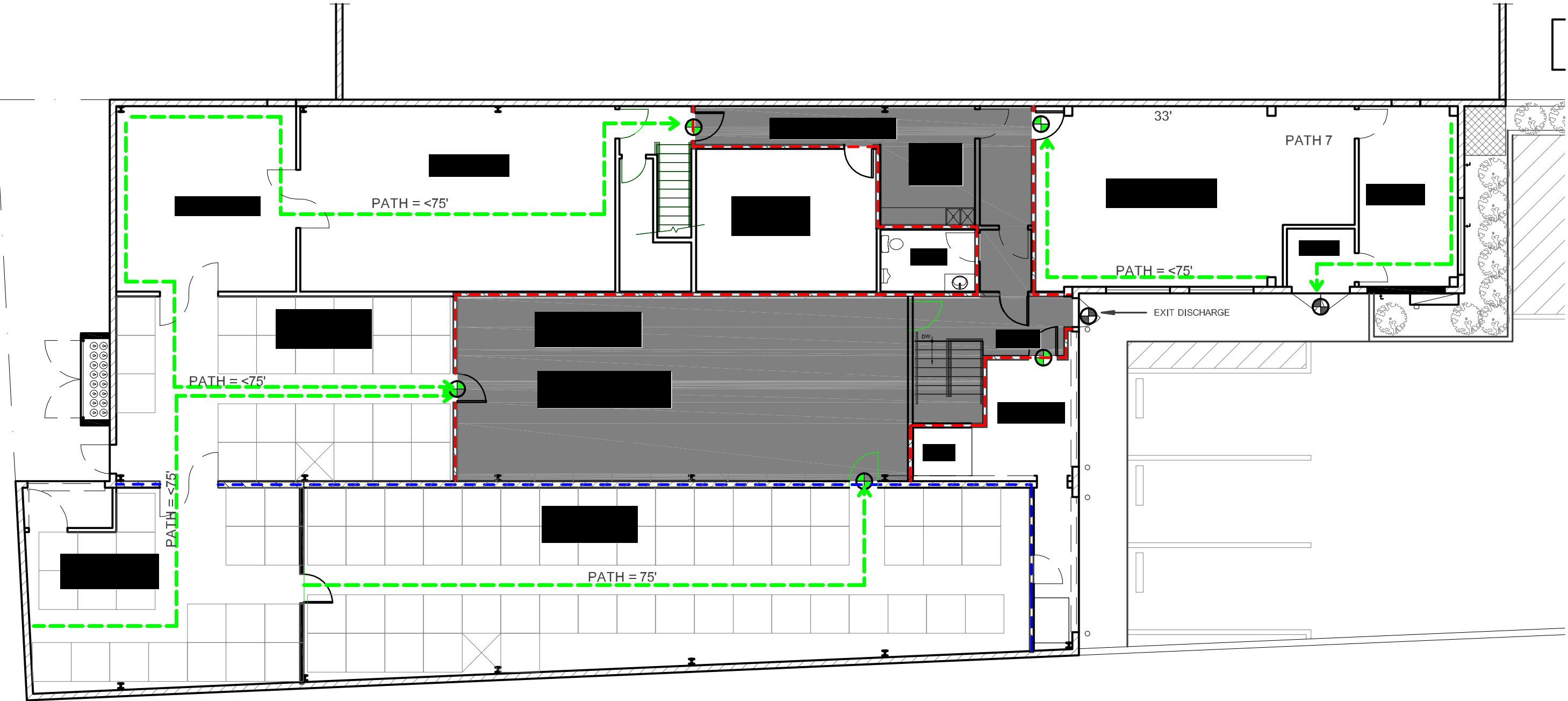
===== 1-HR WALL ASSEMBLY  
===== (E) 2-HR WALL ASSEMBLY  
-----> EGRESS PATH TO EXIT

Exit discharge  
Exit access



2ND FLOOR EGRESS DIAGRAM

3/32" = 1'-0"



1ST FLOOR EGRESS DIAGRAM

3/32" = 1'-0"

## EGRESS DIAGRAMS

BR004

PROJECT INFORMATION:

## INDOOR CULTIVATION

1630 LEWIS BROWN DRIVE  
VALLEJO, CA 94589

CURRENT ISSUE DATE:

09/29/2020

ISSUED FOR:

### ZONING

REV.: DATE: DESCRIPTION: BY:

|            |             |    |
|------------|-------------|----|
| 03/30/2020 | 90% ZD SET  | NS |
| 09/29/2020 | 100% ZD SET | NS |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |

PROJECT ARCHITECT/ENGINEER:

**ZON**  
ARCHITECTS  
SANTA BARBARA SAN FRANCISCO  
660 4TH STREET #255  
SAN FRANCISCO, CA. 94107  
PHONE: (415) 740-9974  
FAX: (415) 354-3502

CONSULTANT:

DRAWN BY: CHK.: APV.:  
NS NS DE

LICENSER:

SHEET TITLE:

### CODE ANALYSIS

SHEET NUMBER:

T-1.2



### PROJECT INFORMATION:

1630 LEWIS BROWN DRIVE  
VALLEJO, CA 94589

==CURRENT ISSUE DATE:==

ISSUED FOR:

REV.: DATE: DESCRIPTION: BY:

PROJECT ARCHITECT/ENGINEER: =

CONSULTANT:

DRAWN BY:====CHK.:====APV.:====

|    |    |    |
|----|----|----|
| NS | NS | DE |
|----|----|----|

```
=====LICENSE:=====
```

**SHEET TITLE:**

SHEET NUMBER:==

Page 1 of 12

Page 2 of 12

Building Division • 555 Santa Clara Street • Vallejo • CA • 94590 • 707.648.4374

The intent of this checklist is to provide a general guideline for the accessibility requirements for publicly and privately funded public accommodations and commercial facilities. This checklist may not include items related to all possible projects. This checklist may include more items than specific set of architectural plans may encompass.

Referenced Codes:

- 2013 California Building Code (CBC)

\* Code section referenced is CBC unless noted otherwise.

Page 1 of 12Page 4 of 12Page 3 of 12Page 6 of 12Page 5 of 12Page 5 of 12



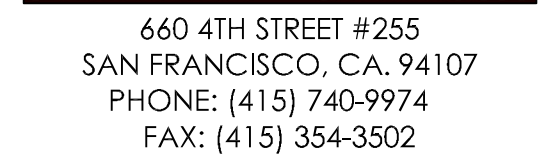
## PROJECT INFORMATION:

1630 LEWIS BROWN DRIVE  
VALLEJO, CA 94589

CURRENT ISSUE DATE:

ISSUED FOR:==

## REV.: DATE: DESCRIPTION: BY:

PROJECT ARCHITECT/ENGINEER: =

CONSULTANT:

DRAWN BY:====CHK.:====APV.:====

E-LICENSER: =

**SHEET TITLE:**

SHEET NUMBER: =

### SITE ACCESSIBILITY CHECKLIST (Cont'd)

Page 10 of 12**SITE ACCESSIBILITY CHECKLIST (Cont'd)**Page 8 of 12

### SITE ACCESSIBILITY CHECKLIST (Cont'd)

Page 11 of 12

### SITE ACCESSIBILITY CHECKLIST (Cont'd)

Page 9 of 12**SITE ACCESSIBILITY CHECKLIST (Cont'd)**Page 7 of 12



## INDOOR CULTIVATION

1630 LEWIS BROWN DRIVE  
VALLEJO, CA 94589

CURRENT ISSUE DATE:==

09/29/2020

ISSUED FOR:==

## ZONING

REV.: DATE: DESCRIPTION: BY:

[illegible]

PROJECT ARCHITECT/ENGINEER: ==



660 4TH STREET #255  
SAN FRANCISCO, CA. 94107  
PHONE: (415) 740-9974  
FAX: (415) 354-3502

CONSULTANT:==

DRAWN BY:====CHK.:====APV.:====

|    |    |    |
|----|----|----|
| NS | NS | DE |
|----|----|----|

ELICENSER: =

SHEET TITLE:==

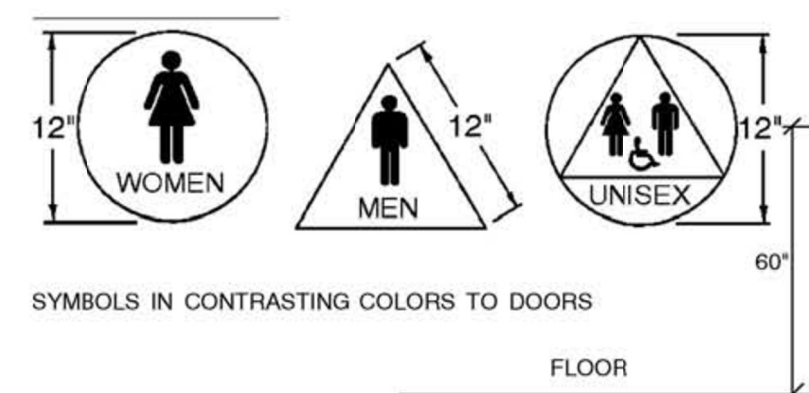
## ACCESSIBILITY REQUIREMENTS

SHEET NUMBER:==

# T-4

**AT TOILET FACILITIES:**

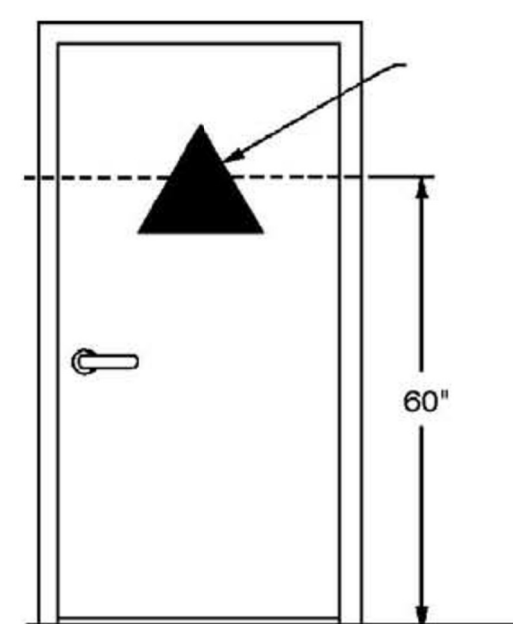
Doorways leading to toilet facilities shall have geometric signs centered on the door at a height of 60" above floor and their color and contrast shall be distinctly different from the color and contrast of the door. An additional sign pictogram shall be installed on the wall adjacent to the latch outside of the door at 60" above floor with raised letters & braille.



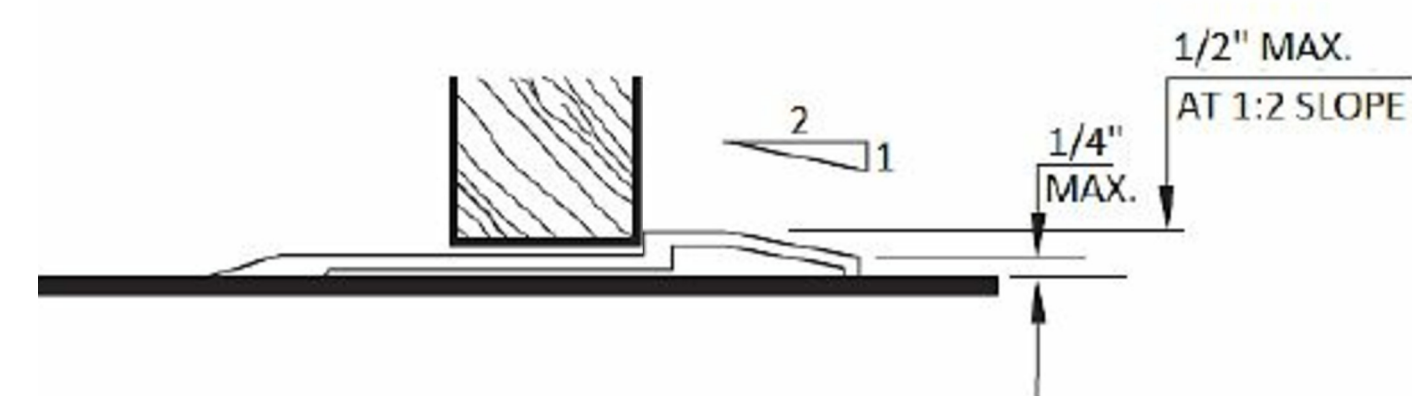
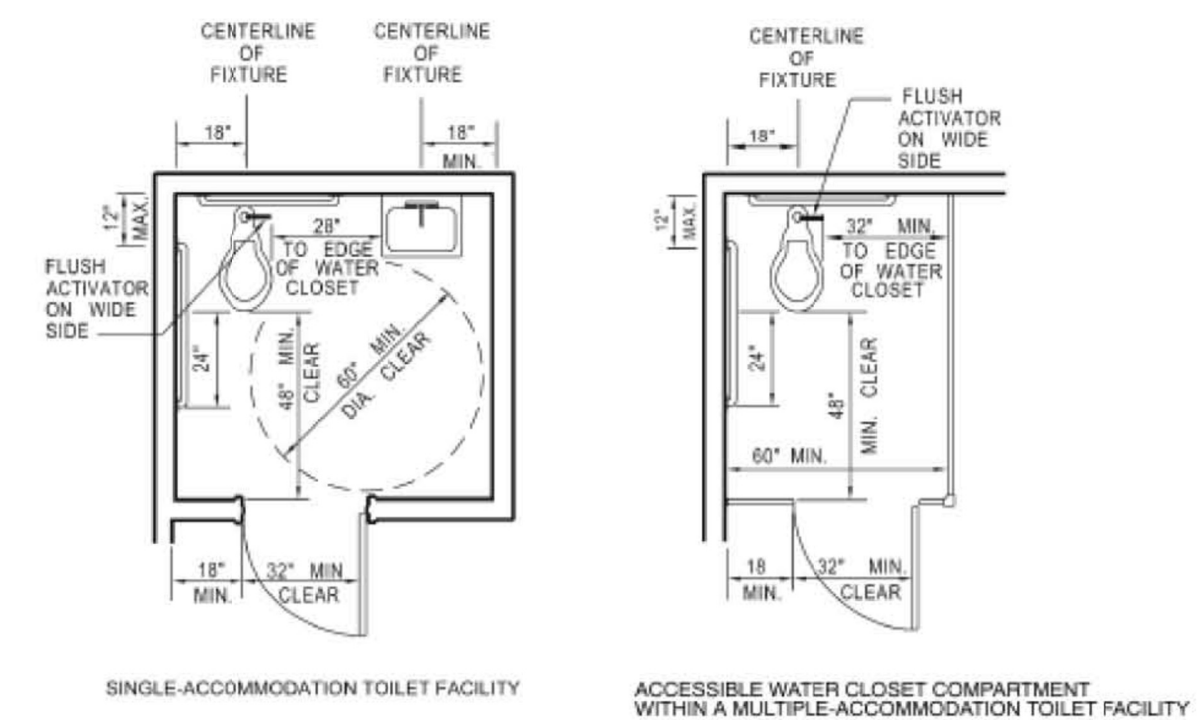
(DOOR SIGNS) GEOMETRIC



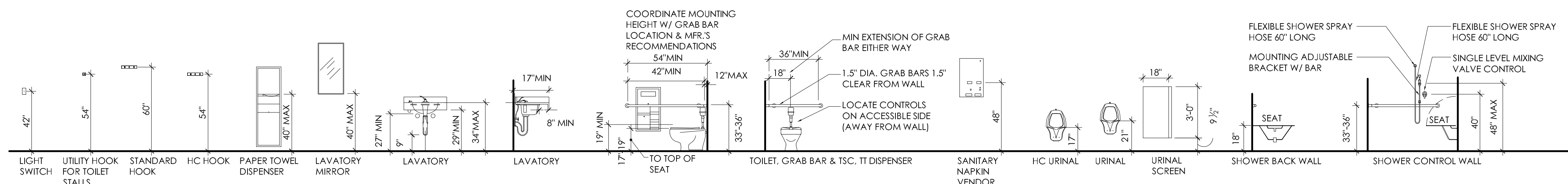
### WALL SIGNS (PICTOGRAM)



## TOILET ROOM SIGNAGE



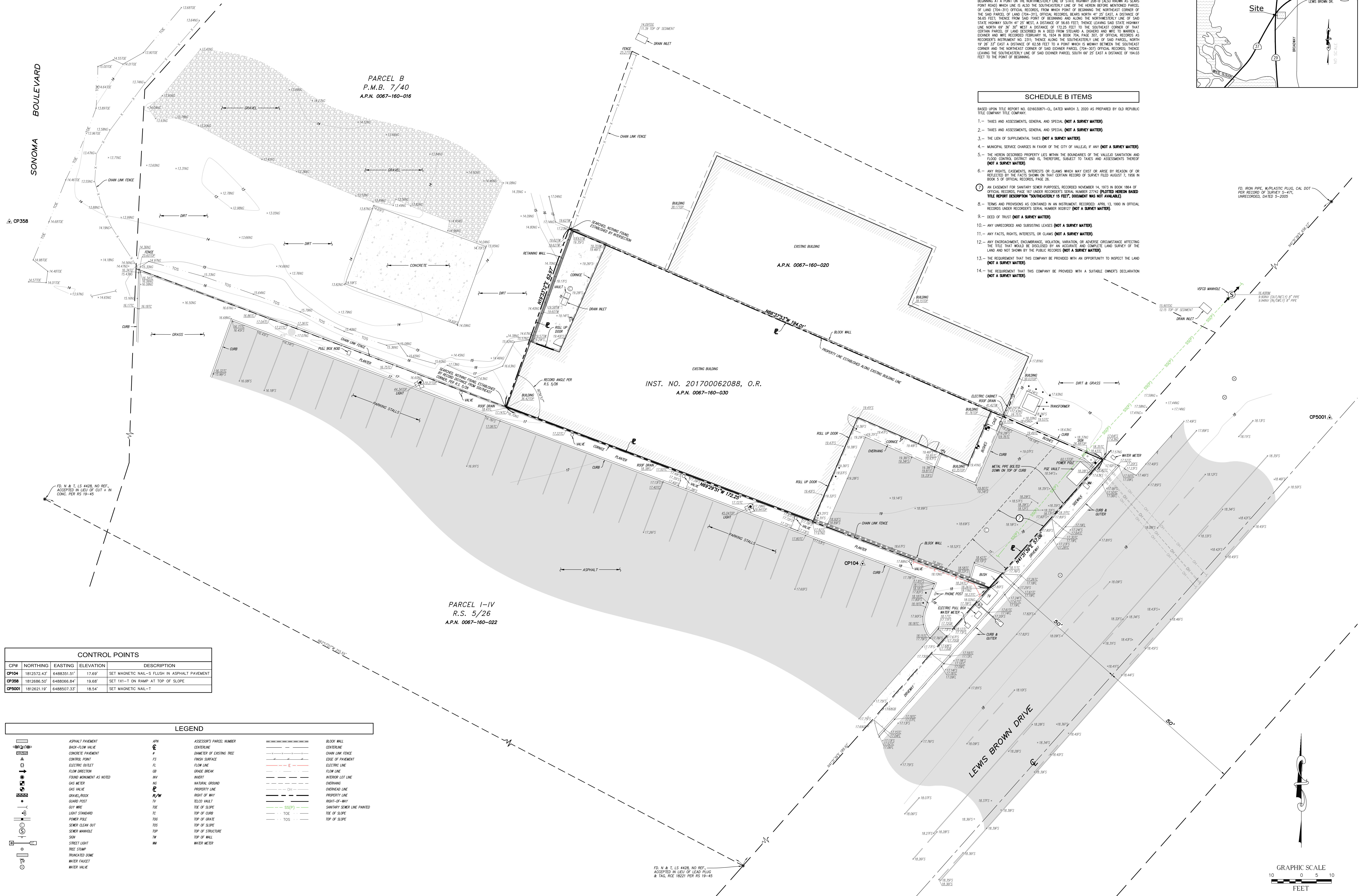
**FIGURE 11A-8I**  
**THRESHOLDS**





# TOPOGRAPHIC SURVEY

## 1630 LEWIS BROWN DRIVE, VALLEJO, CA



| CONTROL POINTS |            |            |           |                                               |
|----------------|------------|------------|-----------|-----------------------------------------------|
| CP#            | NORTHING   | EASTING    | ELEVATION | DESCRIPTION                                   |
| CP104          | 1812572.43 | 6488351.51 | 17.69     | SET MAGNETIC NAIL-S FLUSH IN ASPHALT PAVEMENT |
| CP358          | 1812686.50 | 6488066.84 | 19.68     | SET 1X1-T ON RAMP AT TOP OF SLOPE             |
| CP5001         | 1812621.19 | 6488507.33 | 18.54     | SET MAGNETIC NAIL-T                           |

| LEGEND |                          |  |                           |
|--------|--------------------------|--|---------------------------|
|        | ASPHALT PAVEMENT         |  | ASSESSOR'S PARCEL NUMBER  |
|        | BACK-FLOW VALVE          |  | CENTERLINE                |
|        | CONCRETE PAVEMENT        |  | DIAMETER OF EXISTING TREE |
|        | CONTROL POINT            |  | FINISH SURFACE            |
|        | ELECTRIC OUTLET          |  | FLOW LINE                 |
|        | FLOW DIRECTION           |  | GRADE BREAK               |
|        | GROUND MONUMENT AS NOTED |  | INVERT                    |
|        | GAS METER                |  | NATURAL GROUND            |
|        | GAS VALVE                |  | PROPERTY LINE             |
|        | GRAVEL/ROCK              |  | RIGHT OF WAY              |
|        | GUARD POST               |  | TELED VAULT               |
|        | OUT WIRE                 |  | TOP OF SLOPE              |
|        | LIGHT STANDARD           |  | TOP OF CURB               |
|        | POWER POLE               |  | TOP OF GRATE              |
|        | SEWER CLEAN OUT          |  | TOP OF SLOPE              |
|        | SEWER MANHOLE            |  | TOP OF STRUCTURE          |
|        | SIGN                     |  | TOP OF WALL               |
|        | STREET LIGHT             |  | WATER METER               |
|        | TREE STAMP               |  |                           |
|        | UNEXCAVATED ZONE         |  |                           |
|        | WATER FAUCET             |  |                           |
|        | WATER VALVE              |  |                           |

| REVISIONS |          |           |    |
|-----------|----------|-----------|----|
| NO.       | DATE     | REVISIONS | BY |
| 0         | 09/18/20 | SUBMITTAL | DM |

| UTILITY STATEMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| SHOWN UTILITIES AND/OR PRELIMINARIES SHOWN HEREON ARE PER FIELD AND APPROPRIATE SURFACE EVIDENCE, RECORD DRAWINGS OF THE CONTRIBUTED UTILITY LINES OBTAINED FROM AVAILABLE AND RESPONSIBLE SOURCES NOT CONNECTED WITH CALVADA SURVEYING, INC. OR MARKINGS PROVIDED BY AN INDEPENDENT LOCATING CONTRACTOR. NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION. IF MORE ACCURATE LOCATIONS OF UNDERGROUND UTILITIES OR PIPE LINES ARE REQUIRED, THE UTILITY OR PIPELINE WILL HAVE TO BE VERIFIED BY FIELD PHOTOGRAPHY, CALVADA SURVEYING, INC. AND THE SURVEYOR OF RECORD SHALL NOT BE HELD LIABLE FOR THE LOCATION OF OR THE FAILURE TO MARK THE LOCATION OF NON-VISIBLE UTILITIES OR PIPELINES. |  |  |  |
| Call: TOLL FREE 1-800-227-2600 TWO WORKING DAYS BEFORE YOU DIG                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |  |

| PREPARED FOR        |                         |
|---------------------|-------------------------|
| ZON ARCHITECTS      | 1-800-227-2600          |
| 660 4TH STREET #250 | SAN FRANCISCO, CA 94107 |

| BASIS OF BEARINGS                                                                                                                                                                                                                                                                                        |                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| THE BEARINGS SHOWN HEREON ARE BASED UPON THE CALIFORNIA COORDINATE SYSTEM OF 1983, CCGS, ZONE 2, (201750) IN ACCORDANCE TO THE CALIFORNIA PUBLIC RESOURCES CODE SECTIONS 9801-9810. SAID BEARINGS ARE DETERMINED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING CALIFORNIA SPATIAL REFERENCE NETWORK: |                                              |
| C.S.R.C. DRUM                                                                                                                                                                                                                                                                                            | NORTHING = 1754213.33' EASTING = 6483004.65' |
| C.S.R.C. TIER                                                                                                                                                                                                                                                                                            | NORTHING = 1722383.36' EASTING = 6432480.45' |

| BENCHMARK                                                                              |  |
|----------------------------------------------------------------------------------------|--|
| THE CALIFORNIA SPATIAL REFERENCE CENTER C.O.R.S. 104N, ELEVATION 105.62 FEET (NAD 83). |  |

| SITE INFORMATION                                  |  |
|---------------------------------------------------|--|
| SITE ADDRESS: 1630 LEWIS BROWN DRIVE, VALLEJO, CA |  |

| SURVEYOR OF RECORD                          |  |
|---------------------------------------------|--|
|                                             |  |
| <b>CALVADA SURVEYING, INC.</b>              |  |
| 411 Jenks Cir., Suite 205, Corona, CA 92880 |  |
| Phone: 951-280-9960 Fax: 951-280-9746       |  |
| Toll Free: 800-CALVADA www.calvada.com      |  |
| EST. 1989 JOB NO. 20845                     |  |

FIELD COMPLETION DATE: SEPTEMBER 04, 2020



**BR004**

---

PROJECT INFORMATION:

**INDOOR  
CULTIVATION**

1630 LEWIS BROWN DRIVE  
VALLEJO, CA 94589

CURRENT ISSUE DATE: \_\_\_\_\_

09/29/2020

ISSUED FOR: \_\_\_\_\_

## ZONING

REV.: DATE: DESCRIPTION: BY:

[illegible]

PROJECT ARCHITECT/ENGINEER. \_\_\_\_\_



CONSULTANT. \_\_\_\_\_

DRAWN BY:====CHK.:====APV.:====

|    |    |    |
|----|----|----|
| NS | NS | DE |
|----|----|----|

-LICENSER. \_\_\_\_\_

SHEET TITLE. \_\_\_\_\_

## OVERALL SITE PLAN

SHEET NUMBER. \_\_\_\_\_

**A-1**

The map is a technical site plan. At the top, 'HIGHWAY 37' is labeled. On the left, 'SONOMA BLVD.' is written vertically. A dashed rectangular boundary encloses the central area. Inside this boundary, a building is labeled 'APN: 0067-160-030'. To its left, a text box contains '1630 LEWIS BROWN DRIVE' and 'VALLEJO, CA 94589'. Below this, a circular marker contains '1' over 'A-2'. To the right of the central building is an 'ADJACENT PARKING' area. Several other buildings are labeled 'ADJACENT BUILDING' around the perimeter. At the bottom, 'LEWIS BROWN DR.' is labeled. The map uses various line styles (solid, dashed, dotted) to represent different types of boundaries and features.

The map is a technical site plan. At the top, a road is labeled 'SONOMA BLVD.' and 'HIGHWAY 37'. A dashed line outlines a specific property area. Inside this area, a building is labeled '1630 LEWIS BROWN DRIVE VALLEJO, CA 94589' and 'APN: 0067-160-030'. Other labels within the dashed area include 'ADJACENT BUILDING' and 'ADJACENT PARKING'. A circular marker with '1' and 'A-2' is located near the top left of the dashed area. To the right of the dashed area, a road is labeled 'LEWIS BROWN DR.'. Further right, several more buildings are labeled 'ADJACENT BUILDING'. The map uses various line styles (solid, dashed, dotted) to represent different types of boundaries and features.

The map is a technical site plan. At the top, a road is labeled 'HIGHWAY 37'. On the left, a road is labeled 'SONOMA BLVD.'. A dashed line outlines a specific property area. Inside this area, a building is labeled '1630 LEWIS BROWN DRIVE VALLEJO, CA 94589'. Below this building, a rectangular area is labeled 'APN: 0067-160-030'. To the right of the main building, there is a 'PARKING' area. Several other buildings are shown around the perimeter, each labeled 'ADJACENT BUILDING'. A circular marker with the number '1' and the text 'A-2' is located near the top left of the dashed boundary. The bottom of the map shows 'LEWIS BROWN DR.' and various utility lines and easements indicated by thin lines and labels like 'H/D', 'H/V', and 'H/W'.

The map is a technical site plan. At the top, a road is labeled 'HIGHWAY 37'. On the left, a road is labeled 'SONOMA BLVD.'. A dashed line outlines a specific property area. Inside this area, a building is labeled '1630 LEWIS BROWN DRIVE VALLEJO, CA 94589'. Below this building, a rectangular area is labeled 'APN: 0067-160-030'. To the right of the main building, there is a 'PARKING' area. Several other buildings are shown around the perimeter, each labeled 'ADJACENT BUILDING'. A circular marker with the number '1' and the text 'A-2' is located near the top left of the dashed boundary. The bottom of the map shows 'LEWIS BROWN DR.' and various utility lines and easements indicated by thin lines and labels like 'H/D', 'H/V', and 'H/W'.

The map is a technical site plan. At the top, a road is labeled 'HIGHWAY 37'. On the left, a road is labeled 'SONOMA BLVD.'. A dashed line outlines a specific property area. Inside this area, a building is labeled '1630 LEWIS BROWN DRIVE VALLEJO, CA 94589'. Below this building, a rectangular area is labeled 'APN: 0067-160-030'. To the right of the main building, there is a 'PARKING' area. Several other buildings are shown around the perimeter, each labeled 'ADJACENT BUILDING'. A circular marker with the number '1' and the text 'A-2' is located near the top left of the dashed boundary. The bottom of the map shows 'LEWIS BROWN DR.' and various utility lines and easements indicated by thin lines and labels like 'H/D', 'H/V', and 'H/W'.

The map is a technical site plan showing a property at 1630 Lewis Brown Drive, Vallejo, CA 94589. The property is outlined with a dashed line and labeled with its APN, 0067-160-030. It is situated at the intersection of Lewis Brown Drive and Sonoma Blvd. Highway 37 is shown to the north. The property is surrounded by several adjacent buildings and a parking area. A circular marker labeled '1 A-2' is located near the property. The map includes various labels for buildings, parking, and roads, as well as a scale bar and a north arrow.

The map is a technical site plan. At the top, 'HIGHWAY 37' is labeled. On the left, 'SONOMA BLVD.' is written vertically. A dashed rectangular boundary encloses the central area. Inside this boundary, a specific building is highlighted with diagonal hatching and labeled 'APN: 0067-160-030'. To its left, a text box contains the address '1630 LEWIS BROWN DRIVE VALLEJO, CA 94589'. Above this address box is a circular marker containing the number '1' and the code 'A-2'. Below the hatched building is an area labeled 'ADJACENT PARKING'. Several other rectangular shapes are scattered around the central area, each labeled 'ADJACENT BUILDING'. At the bottom, 'LEWIS BROWN DR.' is labeled. The map uses various line styles: solid for property lines, dashed for the boundary, and hatching for the subject property.

The map is a technical site plan. At the top, 'HIGHWAY 37' is labeled. On the left, 'SONOMA BLVD.' is written vertically. A dashed rectangular boundary encloses the central area. Inside this boundary, a specific building is highlighted with diagonal hatching and labeled 'APN: 0067-160-030'. To its left, a text box contains the address '1630 LEWIS BROWN DRIVE VALLEJO, CA 94589'. Above this address box is a circular marker containing the number '1' and the code 'A-2'. Below the hatched building is an area labeled 'ADJACENT PARKING'. Several other rectangular shapes are scattered around the central area, each labeled 'ADJACENT BUILDING'. At the bottom, 'LEWIS BROWN DR.' is labeled. The map uses various line styles: solid for property lines, dashed for the boundary, and hatching for the subject property.

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The map is a technical site plan. At the top, a road is labeled 'SONOMA BLVD.' and 'HIGHWAY 37'. A dashed line outlines a specific property area. Inside this area, a building is labeled '1630 LEWIS BROWN DRIVE VALLEJO, CA 94589' and 'APN: 0067-160-030'. Other buildings within the dashed area are labeled 'ADJACENT BUILDING' and 'ADJACENT PARKING'. A circular marker with '1' and 'A-2' is located near the top of the dashed area. To the right of the dashed area, a road is labeled 'LEWIS BROWN DR.'. Further right, several more buildings are labeled 'ADJACENT BUILDING'. The map uses various line styles (solid, dashed, dotted) to represent different types of boundaries and features.

The map is a technical site plan for a property located at 1630 Lewis Brown Drive, Vallejo, CA 94589. The property is highlighted with a dashed rectangular boundary. Inside this boundary, there is a building labeled 'APN: 0067-160-030' and an adjacent parking area. Surrounding the property are several other buildings, each labeled 'ADJACENT BUILDING'. The map also shows the intersection of Sonoma Blvd. and Highway 37 to the northwest, and Lewis Brown Dr. running along the southeast. A circular marker with the number '1' and the code 'A-2' is located near the property. The map includes various street names, building footprints, and parking spaces, providing a detailed view of the site and its surroundings.

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OVERALL SITE PLAN

SCALE: 1/32" = 1'-0"

0 12' 24' 48'

1



OVERALL SITE PLAN

SCALE: 1/32" = 1'-0"

0 12' 24' 48'

1



OVERALL SITE PLAN

SCALE: 1/32" = 1'-0"

0 12' 24' 48'

1



PROJECT INFORMATION:==

1630 LEWIS BROWN DRIVE  
VALLEJO, CA 94589

CURRENT ISSUE DATE:==

ISSUED FOR:==

## REV.: DATE: DESCRIPTION: BY:

PROJECT ARCHITECT/ENGINEER: ==

660 4TH STREET #255  
SAN FRANCISCO, CA. 94107  
PHONE: (415) 740-9974  
FAX: (415) 354-3502

CONSULTANT:==

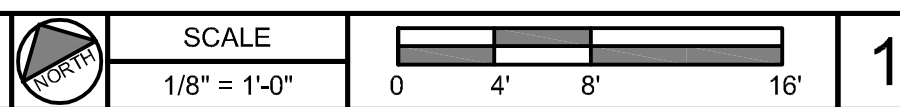
DRAWN BY:====CHK.:====APV.:====

|    |    |    |
|----|----|----|
| NS | NS | DE |
|----|----|----|

E-LICENSER: =

SHEET TITLE:==

## SHEET NUMBER:==





# A-3

1



BR004

PROJECT INFORMATION:

INDOOR CULTIVATION

1630 LEWIS BROWN DRIVE  
VALLEJO, CA 94589

CURRENT ISSUE DATE:

09/29/2020

ISSUED FOR:

ZONING

REV.: DATE: DESCRIPTION: BY:

|            |             |    |
|------------|-------------|----|
| 03/30/2020 | 90% ZD SET  | NS |
| 09/29/2020 | 100% ZD SET | NS |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |
|            |             |    |

PROJECT ARCHITECT/ENGINEER:

ZŌN

ARCHITECTS

SANTA BARBARA    SAN FRANCISCO

660 4TH STREET #255  
SAN FRANCISCO, CA. 94107  
PHONE: (415) 740-9974  
FAX: (415) 354-3502

CONSULTANT:

DRAWN BY: CHK.: APV.:

NS NS DE

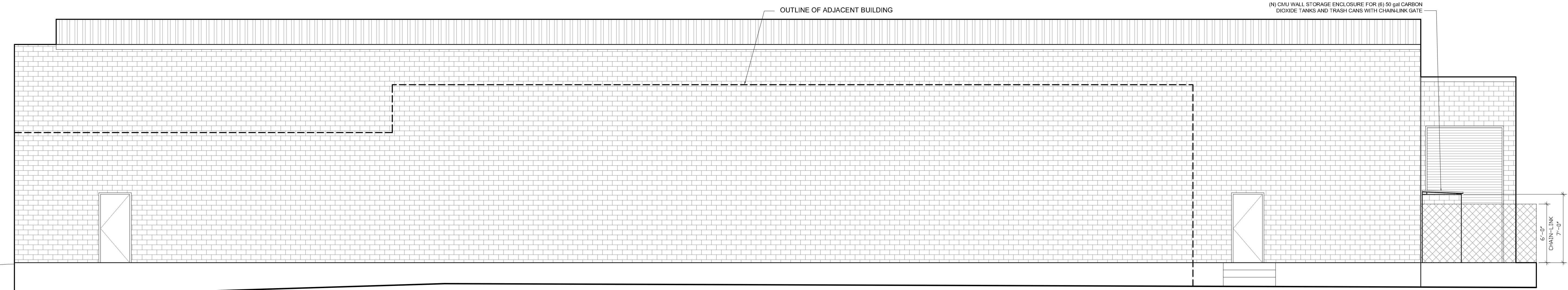
LICENSER:

SHEET TITLE:

ELEVATIONS

SHEET NUMBER:

A-4



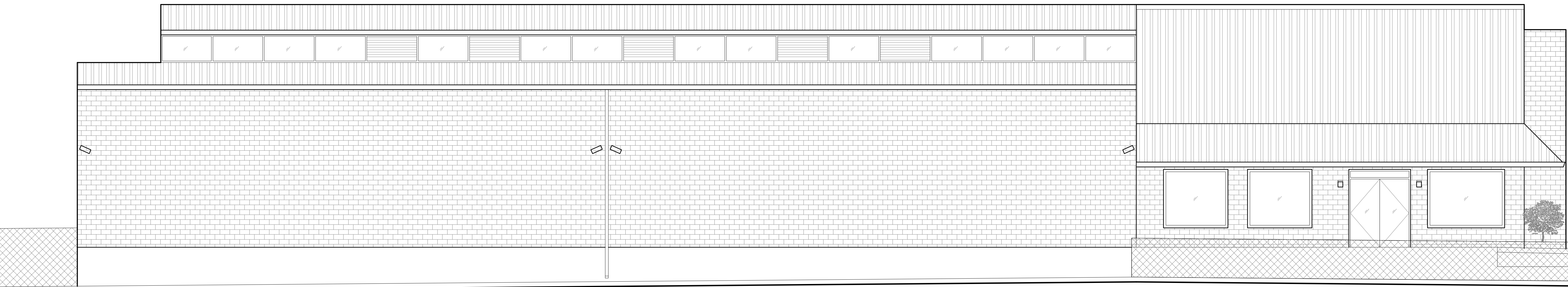
(E) NORTH ELEVATION (NO MODIFICATIONS TO ELEVATION)

SCALE

3/16" = 1'-0"

0 2.5' 5' 10'

4



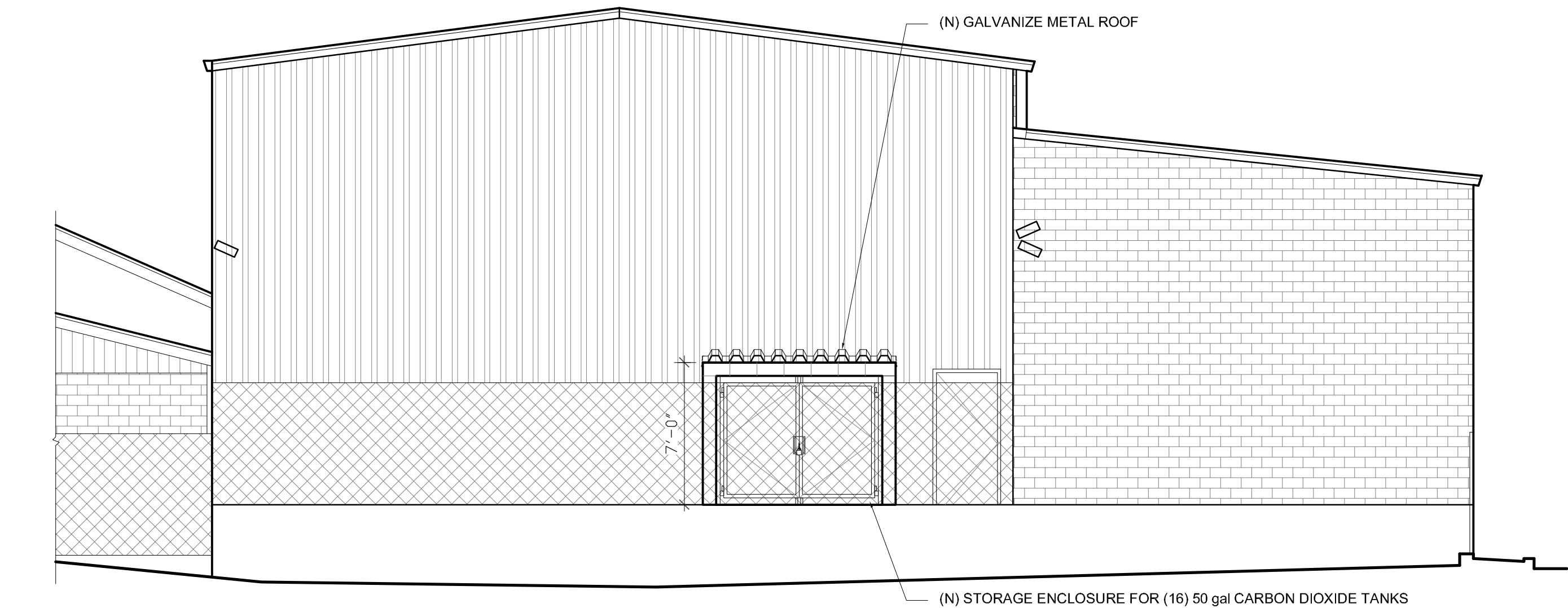
(E) SOUTH ELEVATION (NO MODIFICATIONS TO ELEVATION)

SCALE

3/16" = 1'-0"

0 2.5' 5' 10'

3



(N) WEST ELEVATION

SCALE

3/16" = 1'-0"

0 2.5' 5' 10'

2



ELEVATION AT LEWIS BROWN DRIVE

(E) EAST ELEVATION - (NO MODIFICATIONS TO ELEVATION)

SCALE

3/16" = 1'-0"

0 2.5' 5' 10'

1



BR004

PROJECT INFORMATION:

INDOOR CULTIVATION

1630 LEWIS BROWN DRIVE  
VALLEJO, CA 94589

CURRENT ISSUE DATE:

09/29/2020

ISSUED FOR:

ZONING

REV.: DATE: DESCRIPTION: BY:

|            |             |    |
|------------|-------------|----|
| 03/30/2020 | 90% ZD SET  | NS |
| 09/29/2020 | 100% ZD SET | NS |
|            |             |    |
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|            |             |    |
|            |             |    |
|            |             |    |

PROJECT ARCHITECT/ENGINEER:



CONSULTANT:

DRAWN BY: NS    CHK.: NS    APV.: DE

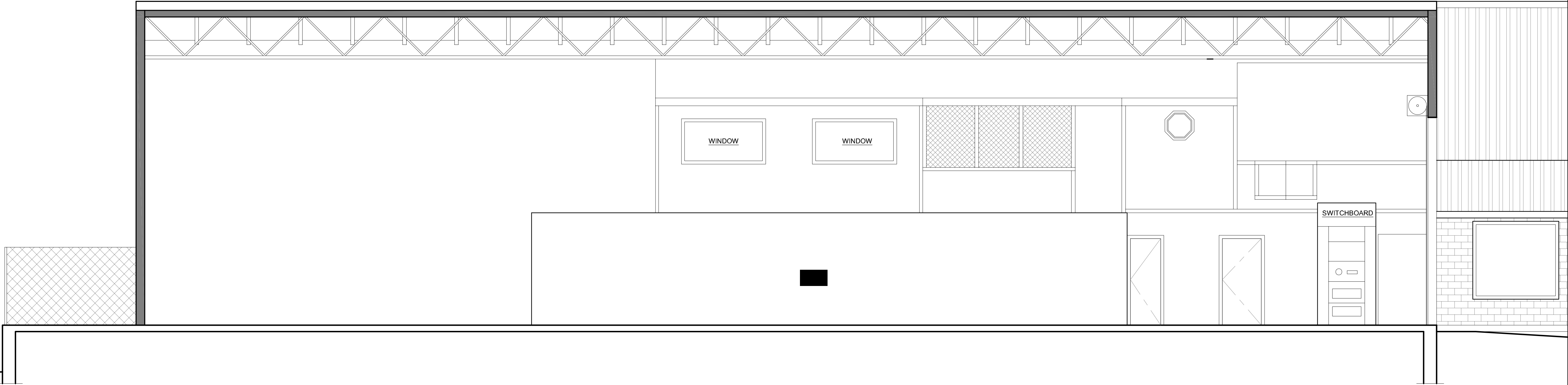
LICENSER:

SHEET TITLE:

EXISTING BUILDING SECTIONS

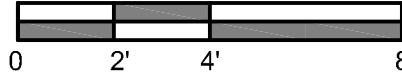
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A-5

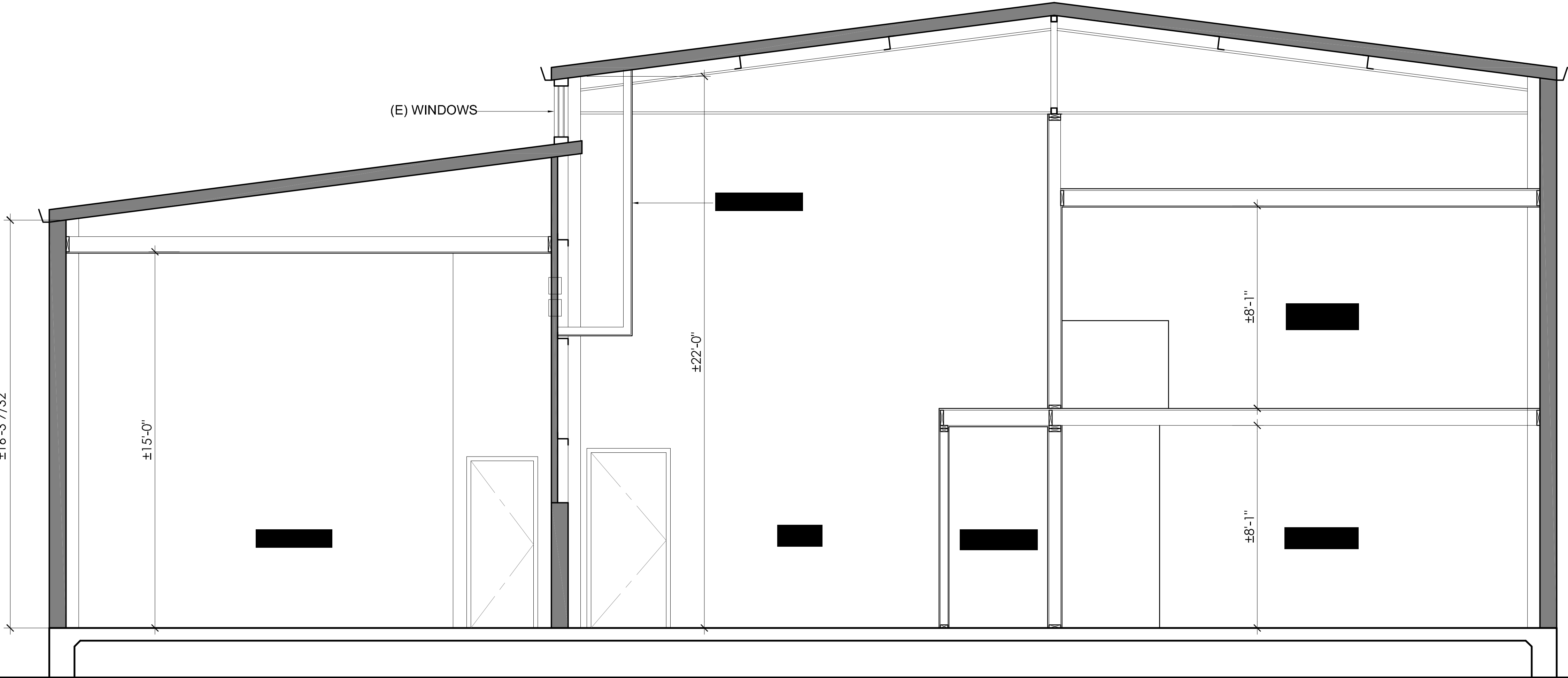


EXISTING BUILDING SECTION

SCALE  
1/4" = 1'-0"



2



EXISTING BUILDING SECTION

SCALE  
3/8" = 1'-0"



1

















Ammericann Development LLC  
Capital Office 1122 S Street, Suite 101 Sacramento, CA 95811  
District Office 1339 Esplanade, Second Floor Chico, CA 95926  
530.487.7036 Office 916.333.2938 Direct ammericann.com

March 31, 2021

VIA EMAIL

**Attn: Vallejo Planning Division; Mr. Jonathan Atkinson**  
**Re: 1630 Lewis Brown Drive; APN 0067-160-030**  
**Minor Use Permit (MUP) #20-0012; Minor Exception (ME) #21-0004**

Dear Vallejo Planning Division:

I am writing you today on behalf of California Collective Care, a cannabis retail business located at 1639 Lewis Brown Drive in the City of Vallejo. My client, California Collective Care, opposes the project at 1630 Lewis Brown Drive. This letter serves as our “opposition” to the project.

Since 2008, my team has served as a leading lobbying and consulting firm for the cannabis industry in California. I have worked with dozens of municipalities throughout the state on the issue of cannabis business regulations and the industry’s “best practices.” In my profession, I have been recognized as a “cannabis business expert” by the California Legislature and the California Superior Courts.

My client understands that the Applicant, Life Enhancement Services, wants to establish a cannabis cultivation, manufacturing, and distribution center at this property. We have serious concerns about this project and its proposal for the following reasons:

- **This area is known for loitering, crime, and homelessness. A new cannabis facility in this area will invite more loitering and crime.**
- **The project proposes a 9,400 square foot cannabis cultivation facility. Did the Applicant submit an Odor Control Plan? A cannabis cultivation facility will emit “bad smells” from the property and also “cannabis odors,” which will attract crime.**
- **The City’s General Plan 2040 identifies 1630 Lewis Brown Drive and its surrounding neighborhood as a Business/Limited Residential Zone (B/LR). Currently, the area includes a Jack in the Box, a Shell gas station, and a furniture store. A commercial cannabis cultivation facility does not fit in this area today nor does it fit in the City’s General Plan 2040.**

My client, California Collective Care, has been a long-standing, permitted cannabis dispensary at 1639 Lewis Brown Drive in Vallejo. My client owns his building and enjoys “strong relationships” with his neighbors and surrounding business owners. My client visited local businesses in the area and collected additional “Opposition Letters” to the 1630 Lewis Brown Drive Project. We have attached an additional fourteen opposition letters herein from the community. (See Attachment)

My client, California Collective Care, restfully asks that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive in Vallejo.

Thank you for your work and leadership in the City of Vallejo.

Signed,



M. Max Del Real  
*President & CEO*



**AMERICAN  
DEVELOPMENT**

March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

To Whom It May Concern:

I am writing this letter as a concerned neighbor and/or local business owner in the City of Vallejo. My concern is in regards to the proposed cannabis project at 1630 Lewis Brown Drive, or Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004.

I understand that the Applicant, Life Enhancement Services, wants to establish a cannabis cultivation, manufacturing, and distribution center at this property. I have serious concerns about this project and its proposal for the following reasons:

- This area is known for loitering, crime, and homelessness. A new cannabis facility in this area will invite more loitering and crime.
- The project proposes a 9,400 square foot cannabis cultivation facility. Did the Applicant submit an Odor Control Plan? A cannabis cultivation facility will emit "bad smells" from the property and also "cannabis odors," which will attract crime.
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I respectfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME: ANTHONY BROWN  
ADDRESS: 1660 LEWIS BROWN DR  
PHONE:   
BUSINESS: R+L CARRIES  
TITLE: TERMINAL MANAGER

---

March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

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I respectfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME: MIKE ENGLEBRECHT  
ADDRESS: 1627 LEWIS  
PHONE:   
BUSINESS: TBW Company  
TITLE: OWNER



March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

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**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

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I respectfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME: DAVID BEST  
ADDRESS: 1615 LEWIS BROWN  
PHONE: [REDACTED]  
BUSINESS: NED'S AUTOBODY SUPPLY  
TITLE: MANAGER

---



March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

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NAME: Gino Scolari Jr / Gino Scolari SR.  
ADDRESS: 1633 Lewis Brown Dr [REDACTED] owner  
PHONE: [REDACTED]  
BUSINESS: Scolari Marble and Granite  
TITLE: Foreman

---

March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

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I respectfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME:

GERARDO BUJO

ADDRESS:

210 COMMERCIAL ST VALLEJO

PHONE:

[REDACTED]

BUSINESS:

Auto Body Shop Bujo Auto Body

TITLE:

Owner

March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

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I respectfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME:

Will Tichenor

ADDRESS:

200 Commercial St. Vallejo

PHONE:

[REDACTED]

BUSINESS:

Community Playgrounds

TITLE:

Estimator



March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

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I restfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME: JORGE LOPEZ  
ADDRESS: 209 Commercial St. Vallejo CA 94589  
PHONE: [REDACTED]  
BUSINESS: Golden Piston Auto Center  
TITLE: OWNER.

---

March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

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I respectfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME: ANTHONY MEDINA  
ADDRESS: 225 COMMERCIAL ST  
PHONE: [REDACTED]  
BUSINESS: HYBRIDWORKS COLLISION  
TITLE: OWNER

---



March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

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I respectfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME: Yanet Parra  
ADDRESS: 1610 W Lewis Brown  
PHONE: [REDACTED]  
BUSINESS: Jack in the box  
TITLE: Manager

---

March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
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I respectfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME: Sorana Aguilera  
ADDRESS: 1625 Lewis Brown Dr.  
PHONE: [REDACTED]  
BUSINESS: America west  
TITLE: NEMT

I will be afraid to be out at night being that I am a medical transporter in the early morning hours.

---

March 29, 2021

City of Vallejo  
Attn: Planning Division  
555 Santa Clara Street  
Vallejo, CA 94590

**Attn: City of Vallejo; Planning Division; Mr. Jonathan Atkinson**  
**Re: Life Enhancement Services; 1630 Lewis Brown Drive**

To Whom It May Concern:

I am writing this letter as a concerned neighbor and/or local business owner in the City of Vallejo. My concern is in regards to the proposed cannabis project at 1630 Lewis Brown Drive, or Minor Use Permit (MUP) #20-0012 and Minor Exception (ME) #21-0004.

I understand that the Applicant, Life Enhancement Services, wants to establish a cannabis cultivation, manufacturing, and distribution center at this property. I have serious concerns about this project and its proposal for the following reasons:

- This area is known for loitering, crime, and homelessness. A new cannabis facility in this area will invite more loitering and crime.
- The project proposes a 9,400 square foot cannabis cultivation facility. Did the Applicant submit an Odor Control Plan? A cannabis cultivation facility will emit "bad smells" from the property and also "cannabis odors," which will attract crime.
- The City's General Plan 2040 identifies 1630 Lewis Brown Drive and its surrounding neighborhood as a Business/Limited Residential Zone (B/LR). Currently, the area includes a Jack in the Box, a Shell gas station, and a furniture store. A commercial cannabis cultivation facility does not fit in this area today nor does it fit in the City's General Plan 2040.

I respectfully ask that the Vallejo Planning Division deny a Minor Use Permit and Minor Exception to the project and its Applicant at 1630 Lewis Brown Drive. Thank you.

NAME: Scott Cooke  
ADDRESS: 219 Commercial St  
PHONE:   
BUSINESS: Engineer / MFG  
TITLE: Engineer/owner

---



March 29, 2021

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Attn: Planning Division  
555 Santa Clara Street  
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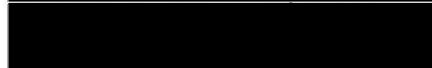
NAME:



ADDRESS:



PHONE:



BUSINESS:

RECKNAGEL ENTERPRISES LLC

TITLE:

MANAGING PARTNER

RECKNAGEL ENTERPRISES LLC OWNS SEVERAL  
PROPERTIES ON COMMERCIAL STREET IN VALLEJO

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NAME:

Luz Calhoun

ADDRESS:

1604 Marin World

PHONE:

[REDACTED]

BUSINESS:

Shell Gas Station

TITLE:

#1 Manager



March 29, 2021

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555 Santa Clara Street  
Vallejo, CA 94590

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NAME: MIKE ENGLEBRECHT  
ADDRESS: 1687 LEWIS BROWN DR.  
PHONE:   
BUSINESS: AFTER HOURS COCKTAILS  
TITLE: OWNER

---

**From:** [Gillian Hayes](#)  
**To:** [Christina Ratcliffe](#); [Jonathan Atkinson](#); [Margaret Kavanaugh-Lynch](#); [Veronica Nebb](#)  
**Subject:** FW: Please uphold appeal on permit: do not approve Hakeem Brown for cannabis cultivation  
**Date:** Monday, June 21, 2021 10:40:51 PM  
**Attachments:** [image002.png](#)

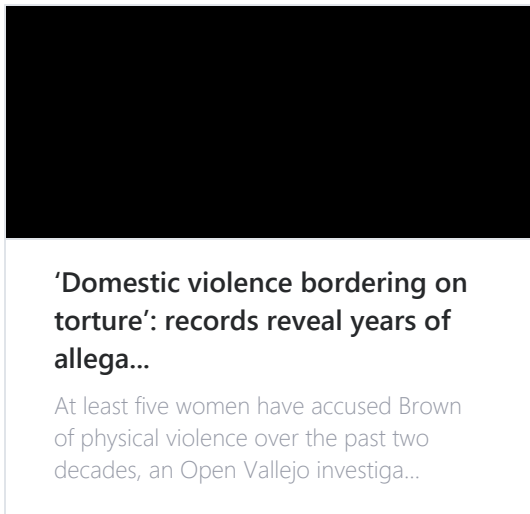
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FYI

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**From:** Anne Carr [REDACTED]  
**Sent:** Monday, June 21, 2021 3:13 PM  
**To:** Kathleen DiohepPC <Kathleen.DiohepPC@cityofvallejo.net>; JR Matulac <JR.Matulac@cityofvallejo.net>; Charles Palmares <Charles.Palmares@cityofvallejo.net>; Jamar Stamps <Jamar.Stamps@cityofvallejo.net>; Melissa Bowman <Melissa.Bowman@cityofvallejo.net>; Peggy Cohen-Thompson <Peggy.Cohen-Thompson@cityofvallejo.net>; Donald Douglass <Donald.Douglass@cityofvallejo.net>  
**Cc:** Gillian Hayes <Gillian.Hayes@cityofvallejo.net>; Katy Miessner <Katy.Miessner@cityofvallejo.net>  
**Subject:** Please uphold appeal on permit: do not approve Hakeem Brown for cannabis cultivation

[‘Domestic violence bordering on torture’: records reveal years of allegations against Vallejo councilmember](#)



Dear Planning Commissioners,

I urge you to uphold the appeal of a permit application being considered in tonight's Planning Commission meeting. The issue is whether Hakeem Brown should be given approval to cultivate cannabis at the Lewis Brown location. In the interests of neighborhood stability and crime prevention in Vallejo, I urge you to vote "No" on his application.

As you know, the cannabis industry still has a large unregulated black market -- in fact, there are estimates that as much as 80% of the cannabis in the market is illegally cultivated and sold. Vallejo's resources for verifying the legality of its cannabis businesses relies on two factors:

- (a) oversight by local authorities, and
- (b) the trustworthiness of individual cannabis business owners.

We are all familiar with the limits of Vallejo's administrative and police department staff for maintaining law and order in town. Vallejo's meager resources simply do not allow us to hire enough administrative staff nor enough police officers to meet community needs.

Thus, maintaining the legality of cannabis business in Vallejo largely falls to individual business owners. In this respect, Hakeem Brown is imminently *\*not\** qualified, nor is he trustworthy.

I remind Commissioners of the exhaustive expose produced by the investigative journalists at Open Vallejo. With over 1500 pages of documentation of court records, police accounts and the sworn depositions of witnesses, Open Vallejo revealed the appalling criminal and violent history of Hakeem Brown, one which he hid during his campaigns for local office. Some highlights include:

\* "Hakeem Brown has been accused of domestic violence or related crimes in at least nine different incidents, including five cases that resulted in criminal charges, of which he was convicted in three.

...At least five women have accused Brown of physical violence over the past two decades. He has faced more than a dozen charges involving domestic violence, and was convicted of at least three, two of them felonies. Brown spent more than four years in prison for assaulting his then-pregnant wife.

A self-described multimillionaire who regularly excoriates Vallejo's [failure to invest](#) in the city's youth, Brown has child support judgments against him for three of his four children, and has been accused in court papers of failing to support his youngest son. Brown has been charged with injuring the mothers of two of his children while they were pregnant or nursing, court records show, and was convicted in one of those cases. One allegedly was left with chipped teeth and may have [partially lost her hearing](#) due to his blows. Another lost her unborn child after being punched repeatedly in the stomach."

' Charges of domestic violence by 5 separate women, including charges that led to conviction and his ultimate prison time. The accounts of violence were extreme, and despite Brown's denial of this violent and criminal history, the most recent charges had occurred within 2 years of his first run for office. There is no indication of remorse on his part, nor is there evidence of some sort of reformation. Instead, Brown tried to attack the journalists, and to diminish his repeated domestic abuse as a domestic "squabbles." When asked by the SF Chronicle why he did not admit to this criminal and violent past during the campaign, Brown admitted that he would not have been elected had people known. He thus simultaneously admitted that it was a huge problem, AND that he had actively tried to cover it up. Does anyone think for one minute that we can trust Hakeem Brown to be honest and forthright?

\* Deadbeat dad for 4 children who nonetheless campaigned that he was "for the kids" -- the Open Vallejo expose revealed that Brown faced court judgments for back child support for 3 of his 4 children -- and also had not paid any child support on the 4th child. Between neglecting his own children, and then hypocritically campaigning on how he "was for the kids," Brown revealed that he was willing to say anything in the interests of his campaign, even if it was the most blatant of lies.

\* Bigamy, and deliberate public fraud -- Brown was married to two women at the same time, and then conducted a very showy public wedding to third woman during his first campaign for office. Despite hosting a publicized wedding to the third woman, complete with a wedding registry and honeymoon, Mr Brown later admitted that they had not officially gotten married -- yet the photos were featured prominently in Brown's campaign materials online. In addition to the moral and ethical questions about being married to multiple women, hosting the third publicized wedding has all the marks of a campaign fraud.

One might say that Brown's criminal history is regrettable, but a matter of the past. However, if you see the repeated patterns, you see someone who is willing to say and do anything, whether it's unethical or even illegal. There is an issue of moral turpitude, not to mention the practical matter that Brown has a documented history of lying, evasion and fraud. He cannot be trusted to run a legal cannabis business. For the good of Vallejo, I urge you to decline his permit, and to uphold the appeal against the permit application.

Sincerely,  
Anne Carr

\*\*\*\*\* This is an EXTERNAL EMAIL. Stop and think before clicking links or opening attachments.  
\*\*\*\*\*

## 1. An inability to follow rules, or being unfit for the business.

The inability to follow rules doesn't just refer to selling marijuana during the time period that it was illegal in California. The State of California usually, for many types of professional licenses, wants to protect consumers. That means that they look especially seriously at "crimes of moral turpitude". A crime of moral turpitude, from the point of view of the state, means that you might be more likely to be dishonest. Those crimes may include the following types of convictions:

- Convictions for fraud;
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- Convictions for the types of crimes that are serious enough to be "shocking" to the reasonable person, such as the following: *murder, voluntary manslaughter, kidnapping, robbery, and aggravated assault.*

## 2. An avoidance of taxes or an inability to follow the rules

The State of California is highly interested in not only regulating this new industry but also in the tax income it is expected to bring. As a result, any indication that you are behind on filing taxes or paying taxes, or any efforts to avoid taxation, are looked at as especially seriously by California's license issuing authorities.

## Can you get a cannabis license with a DUI?

A DUI is not a crime of moral turpitude like the above and does not involve taxes due to California.



**From:** [Jonathan Atkinson](#)  
**To:** [Jonathan Atkinson](#)  
**Subject:** FW: Please uphold appeal on permit: do not approve Hakeem Brown for cannabis cultivation -- ADDITIONAL  
**Date:** Wednesday, June 23, 2021 8:23:26 AM  
**Attachments:** [CannabisMoralTurpitude.png](#)  
[image008.png](#)

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**From:** Anne Carr [REDACTED]  
**Sent:** Tuesday, June 22, 2021 9:11 AM  
**To:** Kathleen DiohepPC <[Kathleen.DiohepPC@cityofvallejo.net](mailto:Kathleen.DiohepPC@cityofvallejo.net)>; JR Matulac <[JR.Matulac@cityofvallejo.net](mailto:JR.Matulac@cityofvallejo.net)>; Charles Palmares <[Charles.Palmares@cityofvallejo.net](mailto:Charles.Palmares@cityofvallejo.net)>; Jamar Stamps <[Jamar.Stamps@cityofvallejo.net](mailto:Jamar.Stamps@cityofvallejo.net)>; Melissa Bowman <[Melissa.Bowman@cityofvallejo.net](mailto:Melissa.Bowman@cityofvallejo.net)>; Peggy Cohen-Thompson <[Peggy.Cohen-Thompson@cityofvallejo.net](mailto:Peggy.Cohen-Thompson@cityofvallejo.net)>; Donald Douglass <[Donald.Douglass@cityofvallejo.net](mailto:Donald.Douglass@cityofvallejo.net)>  
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**Subject:** Re: Please uphold appeal on permit: do not approve Hakeem Brown for cannabis cultivation -- ADDITIONAL

Dear Planning Commissioners,

Turns out the appeal regarding the permit for cannabis cultivation will be heard on July 7th. It gives you more time to review the expose on Hakeem Brown (if you haven't read it yet), and also to think things through.

One additional aspect of this issue is how necessary it is for Vallejo to think through its resources for oversight. Vallejo already had trouble with the cannabis industry when it had first approved medical marijuana, but neglected at that time to have regulations in place to limit its scope. For those people who were not here then, what happened is that we soon had approximately 40 dispensaries in town, only 11 of which had sought a permit and were paying taxes. It was a total cowboy market, and it took years for Vallejo to then develop the regulations for limiting and controlling the cannabis industry, and to close down the illegal operators. Even today, Vallejo has a higher number of dispensaries per capita in part because it didn't think to limit the number of permits from the start -- and once the City had accepted permit fees and taxes, it seemed unfair to deny people the ability to operate their businesses.

With cannabis cultivation, and the other aspects of packaging and production, Vallejo should be careful to not get ahead of its own ability to monitor and regulate the business. In short, **a regulation is only as strong as the City's ability to enforce it**, so if you have an operator who has already demonstrated a laxness with respect to following the law, it should give you pause. By the way, this also applies to the newly-approved cannabis dispensary at the old Food for Less. They do not have an actual criminal history, nor the public hypocrisy that Brown has, but the fact that they did not get a construction permit before they started working is a red flag when it comes to trusting them for the unused 30,000 square feet of their facility. I sincerely hope that Vallejo does not become a center for illegal cannabis cultivation and production. It would increase a dangerous and unwanted criminal element in our city.

Not incidentally, even the state regulations for cannabis recognize that moral turpitude could be a cause for denying a business or professional license. In case you're not able to access the link, I enclose a screen shot below. Highlight:

"A crime of moral turpitude, from the point of view of the state, means that you might be more likely to be dishonest."

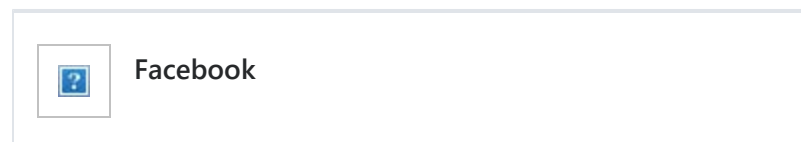
If you look at someone who had felony convictions for extreme domestic violence, and prison time -- and hid that record; who is a bigamist who then stage a public wedding to a third woman; who has court judgments for back child support on 3 out of 4 children, and ignored the 4th child until the mother had been murdered (and who he himself had threatened if she did not rescind charges of domestic violence) - this is not the profile of someone you can reasonably expect to be honest, forthright and law-abiding.

Having a cannabis business in Vallejo is a privilege, not a right, and it's one where Vallejo has to be in partnership with operators it can trust. We cannot afford to empower operators who bend the rules and flat-out break laws. Hakeem Brown has a long and well-documented record of operating outside the law in both his business and personal affairs. Frankly even his business permit for a retail dispensary does not meet the standard we ought to enforce.

Please uphold the appeal of his permit to run cannabis cultivation. Deny the permit.

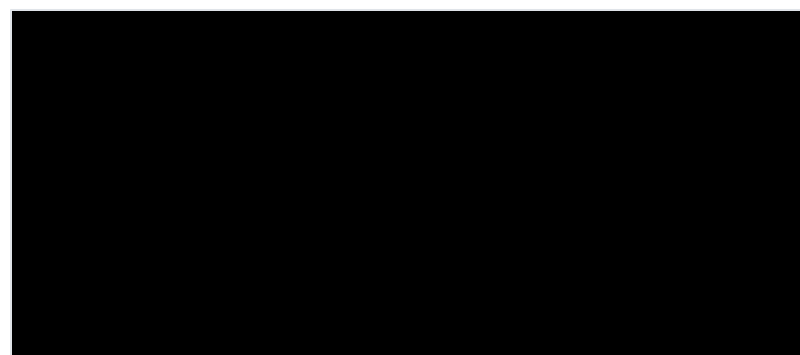
Sincerely,  
Anne Carr

[Facebook](#)



On Monday, June 21, 2021, 3:13:00 PM PDT, Anne Carr [REDACTED] wrote:

[‘Domestic violence bordering on torture’: records reveal years of allegations against Vallejo councilmember](#)



**‘Domestic violence bordering on torture’:  
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At least five women have accused Brown of physical violence over the past two decades, an Open Vallejo investiga...

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Memos



**MEMORANDUM  
PLANNING DIVISION**

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**DATE:** July 7, 2021  
**TO:** Planning Commission  
**FROM:** Christina Ratcliffe, AICP, Interim Planning and Development Services Director  
**SUBJECT:** Phase 2 Project List

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Below is the draft list of the Phase 2 Tasks for Planning Commission consideration. This list is in addition to any “clean- up” errors that come to Staff’s attention as the Code is put into use.

1. Inclusionary Housing: Council directed priority
2. Design Guidelines: commercial and possibly historic buildings
3. Short-term Rental Ordinance
4. Development Incentives
5. Specific Plan Updates Citywide for New Zoning Code Consistency
6. General Plan Amendments for consistency
7. Vallejo Municipal Code Amendments for consistency
8. Consideration of Housing in the Retail/Commercial Entertainment Areas
9. Consideration of Minimum Height for Development Along the Corridors
10. Re-zoning of Sperry Mills property and property at corner of Magazine and Sonoma.
11. Extend Georgia corridor –banning adult uses (Mayor request)
12. Lighting standards

**RECOMMENDATION**

Staff recommends the Planning Commission:

Review Phase 2 tasks and provide feedback to staff as to priorities and overall content of the list, including any addition, deletions or corrections.