



AGENDA

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

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

VIA TELECONFERENCE

www.cityofvallejo.net

February 23, 2022

IMPORTANT NOTICE

Until further notice, meetings of the Planning Commission are being conducted via teleconference due to the current declaration of a local emergency and in accordance with Government Code Section 54953(e) and Resolution No. 22-021 N.C.. The live stream of the meeting may be viewed on television or online. Details may be found at www.cityofvallejo.net.

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

VIEW THE MEETING: There are three different ways you can view this public meeting:

- Watch Vallejo local channel 28
- Stream from the City website: www.cityofvallejo.net/Streaming
- Join the Zoom webinar: <https://zoomregular.cityofvallejo.net>

Want more City information? Members of the public can:

- Like us on Facebook (www.facebook.com/cityofvallejo)
- Sign up to receive City Communications via e-mail (www.cityofvallejo.net/living/connect)
- Sign up to receive City updates and get connected with your neighbors on Nextdoor (www.nextdoor.com)

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 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 five hundred feet or 1,000 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. CONSENT CALENDAR AND APPROVAL OF AGENDA

Upon motion of any Commissioner, all items placed upon the consent calendar may be acted upon collectively, and each shall be deemed to have received the action recommended by the Secretary or City Attorney; except that if any Commissioner objects to the placement of an item on the consent calendar, or if any member of the public wishes to address the Commission on any such item, the item shall be removed from the consent calendar and shall be heard and acted upon in its proper place on the agenda as designated by the Presiding Officer.

After making changes in the agenda, if any, as permitted under these rules of order and procedure, the Commission shall approve the agenda which shall constitute the agenda of business to be considered at the meeting. The motion offered to approve the agenda shall include the adoption of the consent calendar.

A. APPROVAL OF MINUTES

1. January 18, 2022 Meeting

B. OTHER CONSENT ITEMS

1. General Plan Annual Progress Report for 2021 with Attachments
 1. Resolution Recommending City Council Acceptance of APR
 2. Annual Progress Report

5. REPORT OF THE CITY COUNCIL LIAISON

The City Council Liaison, from time to time, may wish to make certain unagendized announcements, and report on items of activity that may be of interest to the Commission and the general public.

6. COMMUNITY FORUM

The Presiding Officer shall announce that members of the public have the opportunity to directly address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission and not on the current agenda. Fifteen (15) minutes shall be set aside for the community forum, and each speaker shall be allocated up to three (3) minutes, unless time is extended by the Presiding Officer with the Commission's consent. Items of business listed on the agenda shall not be further discussed under the community forum.

Due to the current declaration of a local emergency and in accordance with Government Code Section 54953(e) and Resolution No. 22-021 N.C., the City of Vallejo has opted to hold all 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#

7. PUBLIC HEARING

The Presiding Officer shall announce the commencement of the first public hearing. They will direct the order of the hearing, including the staff presentation, questions from Commissioners, presentation of the applicant, etc. After the presentations are completed, the Presiding Officer shall open the public comment period. Anyone desiring to address the Commission on the subject of the public hearing may indicate such interest in any of the three following ways: 1. Persons may submit

a written request to the Secretary in advance of the meeting. 2. If a virtual meeting, persons will be called on by the presiding officer within the platform procedures. 3. Persons may fill out a card that will be available at the start of all Planning Commission meetings, and submit the card to the Secretary during the meeting. 4. Persons may approach the podium to speak when the Presiding Officer opens the public hearing and indicates that persons wishing to address the Commission may do so at that time. The Presiding Officer shall allow up to three minutes per person for public comment.

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A. PROJECT TITLE: V- Town Farms

APPLICATION #: Major Use Permit (MJP) #21-0001

PROJECT APPLICANT: Charles Wesley
Kolaboration Vallejo, LLC

PROPERTY OWNER: RPJR, LLC and JRMVP, LLC

PROJECT DESCRIPTION:

Request to amend Major Use Permit (UP) #20-0008 conditions of approval for V-Town Farms as it pertains to required 60 percent storefront transparency improvements and \$600,000 annual charitable donations.

PROPOSED ENVIRONMENTAL
DETERMINATION:

The project is statutorily exempt pursuant to California: Environmental Quality Act (CEQA) Guidelines Section 15270 ("Projects Which Are Disapproved").

STAFF

RECOMMENDATION:

Hold a public hearing and consider the request to modify the conditions of approval for the Major Use Permit. Adopt a Resolution to DENY request to amend conditions of approval.

PROJECT PLANNER:

Jonathan Atkinson, Senior Planner
jonathanatkinson@cityofvallejo.net

8. ACTION ITEMS

Items before the Planning Commission for action but not subject to public noticing requirements as listed in State and local regulations.

9. WRITTEN COMMUNICATIONS

Written communications from the public will be received and filed. Written communications regarding items on the agenda will be noted at the time the item is considered.

10. REGULAR REPORTS

A. SECRETARY'S REPORT

The Secretary may, from time to time, report on items that may be of interest to the Commission and general public.

B. CITY ATTORNEY'S REPORT

The City Attorney may, from time to time, report on items that may be of interest to the Commission and general public.

C. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION

The Presiding Officer and any Commissioner may, from time to time, wish to make certain unagendized announcements, request information from staff, and to report on items of activity that may be of interest to the Commission and the general public.

D. REPORT OF THE SUBCOMMITTEES

11. OTHER AGENDA ITEMS

The Secretary, City Attorney, or the Presiding Officer may place items on the agenda of interest to the Commission and the general public or for action by the Commission.

A. FUTURE AGENDA ITEMS

12. ADJOURNMENT

I, Anthony Cook, Planning & Development Services Administrative Analyst, 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 5:00 p.m. Thursday, February 17, 2022

Dated February 17, 2022

Anthony Cook

Digitally signed by Anthony Cook
DN: cn=Anthony Cook, o=City of Vallejo, ou,
email=anthony.cook@cityofvallejo.net, c=US
Date: 2022.02.17 11:18:32 -08'00'

Anthony Cook

Consent

**CITY OF VALLEJO PLANNING COMMISSION
REGULAR MEETING MINUTES
COUNCIL CHAMBERS
January 18, 2022**

1. CALL TO ORDER

The meeting was called to order by Chairman Cohen-Thompson at 7:01 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Chair Cohen-Thompson, Commissioners Matulac, Palmares, Blind, Douglas

Absent: Vice-Chair Stamps, Bowman

Staff present: Planning Manager Kavanaugh-Lynch, Assistant City Attorney Zagaroli

4. APPROVAL OF MINUTES

A. December 6, 2021

Action: Moved by Commissioner Blind, second by Commissioner Matulac, the Commission approved the minutes with the following vote:

VOTE:

AYES: Chair Cohen-Thompson, Commissioners Matulac, Palmares, Blind, Douglas

NOES: None

ABSENT: Vice-Chair Stamps, Bowman

ABSTAIN: None

5. WRITTEN COMMUNICATION – None

6. REPORT OF THE SECRETARY

- a. Staff is expecting a Modification the Solano 360 Specific Plan within the next month.
Mixed use project-no description yet.

- b. The PC ROP is tentatively scheduled for February 8, 2022

7. CITY ATTORNEY REPORT – None

8. **REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION** - None
9. **REPORT OF THE CITY COUNCIL LIAISON** - None
10. **COMMUNITY FORUM**- No Speakers
11. **CONSENT CALENDER AND APPROVAL OF THE AGENDA**

Action: Moved by Commissioner Matulac, second by Commissioner Blind, the Commission approved the consent calendar and agenda with the following vote:

VOTE:

AYES: Chair Cohen-Thompson, Commissioners Matulac, Palmares, Blind, Douglas
NOES: None
ABSENT: Vice-Chair Stamps, Bowman
ABSTAIN: None

12. **PUBLIC HEARING** - None

13. **ACTION CALENDAR** - None

14. **OTHER**

- a. Laura Zagaroli presented the Brown Act to the Commission
- b. Commissioner Bowman joined the meeting at 7:19 pm

15. **ADJOURNMENT**

Action: Moved by Commissioner Douglas, second by Commissioner Blind, the Commission adjourned the meeting with the following vote:

VOTE:

AYES: Chair Cohen-Thompson, Commissioners Matulac, Palmares, Blind, Douglas and Bowman
NOES: None
ABSENT: Vice-Chair Stamps
ABSTAIN: None

Chair Cohen-Thompson adjourned the meeting at 8:24 p.m.

Peggy Cohen-Thompson, CHAIRPERSON

ATTEST:

Manager Kavanaugh-Lynch
SECRETARY

DRAFT

DATE: February 23, 2022
TO: Chair and Members of the Planning Commission
FROM: Cesar Orozco, Senior Planner
Margaret Kavanaugh-Lynch, Planning Manager
SUBJECT: **ADOPT RESOLUTION RECEIVING THE GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2021 AND RECOMMENDING THE CITY COUNCIL ACCEPT SAME AND DIRECTING SUBMITTAL TO THE STATE**

RECOMMENDATION

Adopt resolution receiving and recommending that the City Council accept the attached Annual Progress Report (APR) and directing staff to submit the APR to the California Department of Housing and Community Development (HCD) and the California Office of Planning and Research (OPR).

REASONS FOR RECOMMENDATION

State law requires that all cities (including Charter cities) provide APRs on the status of their General Plan and progress in its implementation, including their Housing Element. The City of Vallejo (City) will meet that requirement with submittal of the attached APR to HCD and OPR. In addition, submittal of the APR will help make the City more competitive in applying for State and regional grants.

BACKGROUND AND DISCUSSION

California Government Code Section 65400 requires cities and counties to adopt a General Plan for development within their boundaries that includes implementation strategies of the General Plan Goals.

State law also requires cities and counties to provide an annual report by April 1st to OPR and HCD on the on the progress of implementing its General Plan. In addition, a separate Report on the progress made in meeting the Housing Element goals is required, including progress on the Regional Housing Needs Allocation (RHNA), as well as local efforts to remove governmental constraints to the maintenance, improvement, and development of housing.

The City Council adopted the current Fifth Cycle Housing Element for the 2015-2023 period on May 26, 2015, and HCD subsequently certified its compliance. The Housing Element demonstrates how the City is addressing the regional housing needs based on progress on meeting our RHNA. While the Housing Element must address specific statutory requirements, it is also intended to reflect local community values and priorities.

This year, Government Code Section 65400(a)(2)(J) also requires that cities which have received a Local Government Planning Support Grant to note those awards and provide a basic list of information as part of their APR.

Staff has prepared the attached APR (see Exhibit A attached to the Resolution) for review by the Planning Commission, in compliance with State requirements. By complying with State law, the City will be eligible and/or more competitive for certain funding opportunities, including LEAP and REAP grants, Caltrans' recent Senate Bill 1 planning grants, and the Metropolitan Transportation Commission's One Bay Area Grant program.

FISCAL IMPACT

City Council acceptance of the APR and submission of the APR to HCD will have no direct or immediate fiscal impact on the City. However, these actions may benefit the City's finances in the future by making it eligible and/or more competitive for certain grants, and by supporting future development.

ENVIRONMENTAL REVIEW

This action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378, because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Attachments

1. Resolution Recommending City Council Acceptance of APR
2. Annual Progress Report

CONTACT

Margaret Kavanaugh-Lynch, Planning Manager, (707) 648-8604

Margare.kavanaugh-lynch@cityofvallejo.net

Cesar Orozco, Senior Planner, (707) 648-5436

Cesar.orozco@cityofvallejo.net

Approved as to form:



By: _____ *for*
Veronica A.F. Nebb
City Attorney

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC 22-XXXX

**ACCEPTING THE 2021 GENERAL PLAN ANNUAL
PROGRESS REPORT AND RECOMMENDING THE COUNCIL
ACCEPT THE REPORT AND DIRECT STAFF TO SUBMIT THE
REPORT TO THE CALIFORNIA OFFICE OF PLANNING AND
RESEARCH (OPR) AND THE CALIFORNIA DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT (HCD)**

WHEREAS, Government Code Section 65400 mandates that all cities and counties submit an annual report on the status of the General Plan and progress in its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the Housing and Community Development (HCD) by April 1 of each year; and

WHEREAS, Government Code Section 65400(a)(2) requires local planning agencies to provide by April 1st of each year an Annual Progress Report (APR) on the status of the Housing Element of the General Plan to the legislative body, the California Office of Planning and Research (OPR), and the California Department of Housing and Community Development (HCD); and

WHEREAS, On February 23, 2022, the Planning Commission received and reviewed the Annual Progress Report and attachments.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF VALLEJO DOES
HEREBY RESOLVE AS FOLLOWS:**

The Planning Commission of the City of Vallejo based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend the City Council receive and accept the Annual Progress Report attached and incorporated by reference herein, and authorize staff to forward the report to the Governor's Office of Planning and Research and the State Department of Housing and Community Development pursuant to Government Code Section 65400(a)(2).

I. VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 23rd of February, 2022 by the following vote to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

PEGGY COHEN-THOMPSON, CHAIRPERSON
City of Vallejo Planning Commission

MARGARET KAVANAUGH-LYNCH, SECRETARY
City of Vallejo Planning Commission

Attachments:

- Exhibit A: Annual Progress Report 2021



Annual Progress Report on the General Plan 2021

City of Vallejo
Planning and Development Services
555 Santa Clara Street
Vallejo, CA 94590

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1. INTRODUCTION

As required by Government Code Section 65400, the Planning Commission must submit an Annual Progress Report (APR) to the legislative body, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) on the implementation status of the City's General Plan. The APR must also include the city's progress in providing its required share of affordable housing pursuant to California Government Code Section 65584 and its efforts to remove governmental constraints for the maintenance, improvement and development of affordable housing.

This General Plan APR covers the period from January 1, 2021 to December 31, 2021.

The purpose of the APR is to: (i) assess how the General Plan is being implemented in accordance with adopted goals, policies and implementation measures; (ii) identify any necessary adjustments or modifications to the General Plan as a means to improve local implementation; (iii) provide a clear correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies and implementation measures contained in the General Plan; and (iv) provide information regarding the City's progress in meeting its share of regional housing needs.

2. BACKGROUND

On August 29, 2017, Vallejo's City Council adopted the City's current General Plan. The General Plan has 10 elements contained within four separate chapters: Community and People, Nature and the Built Environment, Economy, Education and Training and Mobility, Transportation and Connectivity. The General Plan contains the seven state-required elements including land use, circulation, housing¹, conservation, open space, safety and noise and three optional elements are healthy community, arts and culture, historic preservation and economic development.

The General Plan sets forth the City's policies regarding the types and locations of future land uses and activities. It describes the desired character and quality of Development as well as the process for how development should be proceed. Thus, in creating the current General Plan, the City of Vallejo went through a process that ascertained the community's values for future land uses and activities, and balanced these values with market factors, city revenues, environmental constraints, and private property rights.

The City of Vallejo General Plan reflects the aspiration and values of Vallejo's residents and their elected representatives. The City Council and Planning Commission use the Plan in consideration land use and planning-related decisions. City staff uses the Plan on a day-to-day basis to administer and regulate land use and development activity. Citizens can use the plan to understand the City's approach to regulating development, protecting resources, and upholding community values.

3. DATE OF ACCEPTANCE BY LOCAL LEGISLATION BODY

The 2021 General Plan annual update was taken before the Planning Commission for a recommendation to City Council on February 23, 2022. City Council directed staff to submit the General Plan and Housing annual update on March 22, 2022.

4. GENERAL PLAN IMPLEMENTATION

The following subsections represent the progress the City's Departments have made towards implementing the actions of their General Plan during the 2021 reporting period.

The single greatest contribution to the implementation of the General Plan in this reporting period was the adoption of a new Zoning Ordinance. This document was the results of several years of work and fulfills many of the General Plan's programs.

1. Planning Division

a. Community and People

- i. **Policy CP-1.1:** Retail Food Sources. Strive to ensure that all households in Vallejo have easy access to retail sources of affordable healthy food, including organic options, such as full-service grocery stores, ethnic food markets, produce markets and convenience stores.

- a. As a healthy food choice, the New Zoning Code (NZC) adds Community Gardens as a new land use type, provides use standards, and permits this use in mixed use and commercial zoning districts. To provide healthy food alternatives that may be more easily accessible, the NZC adds Farmers Market as a new land use type, permits this use in mixed use and commercial zoning districts. To encourage markets that provide fresh produce, the NZC adds Produce Markets as a new land use type and permits this use mixed use and commercial zoning districts.

- 1. Action CP-1.1B: Update City regulations and explore incentives to attract a full-service grocery store to South Vallejo and to any other identified "food deserts."

- a. The Sonoma Boulevard corridor from Magazine to Lemon Streets is zoned as Neighborhood Mixed (NMX), which would allow full-service grocery stores in the South Vallejo area.

- 2. Action CP-1.1D: Consider updating City regulations to limit the number of fast-food outlets and mobile vendors serving primarily unhealthy food near schools and parks and in areas with existing fast food outlets.

- a. Commercial quotas and formula business regulations are difficult to administer and are not included in the NZC. However, the requirement for a Major Use Permit (which requires a public hearing before the Planning Commission) for a drive-through quick service/fast-food restaurants is retained to ensure that the location of a new establishments is appropriate.

- ii. **Policy CP-1.2:** Locally Grown Food. Collaborate with community partners to support and expand Vallejo's community gardens, Community Supported Agriculture (CSA) programs, and urban agriculture.

- a. See response to CP-1.1 above.

- 2. Action CP-1.2A: Work with community garden programs, Vallejo City Unified School District (VCUSD), Solano Community College, residents,

and other local advocates, to establish a network of community gardens as sources of fresh produce, education, and social cohesion.

- a. See response to Policy CP-1.1 above.
 3. Action CP-1.2B: Work with GVRD, residents, colleges and universities, Solano Public Health, and other community partners to identify community garden opportunities in parks or appropriate properties and on City-owned property.
 - a. The NZC supports this policy based on the response to Policy CP-1.1 above.
 4. Action CP-1.2C: Consider leasing publicly owned, non-contaminated vacant land for agricultural use, and work with partners such as colleges and universities to identify potential sites.
 - a. The NZC supports this policy based on the response to Policy CP-1.1 above.
 5. Action CP-1.2D: Develop City regulations that encourage urban agriculture and farm stands, as appropriate.
 - a. See response to Policy CP-1.1 above.
 6. Action CP-1.2E: Publicize and promote the availability of food grown in Vallejo.
 - a. The NZC supports this policy based on the response to Policy CP-1.1 above. Also, see response to Policy CP-1.2 above.
- iii. **Policy CP-1.6:** Action CP-1.4C: Explore opportunities for providing access to safe places for recreational in-water activities, such as boating, kayaking, paddle boarding, and swimming.
- a. The NZC adds a requirement that any development within 100 feet of a waterway provide public access along the shoreline consistent with State and Bay Conservation and Development Commission requirements. An additional requirement will be included that such development shall also be consistent with the General Plan policies regarding waterfront and shoreline areas.
- iv. **Policy CP-1.6:** Active Transportation Network. Promote the health benefits of walking and bicycling by providing a convenient and safe network of bicycle paths and routes, sidewalks, pedestrian paths, and trails, including connections with major destinations such as civic facilities, educational institutions, employment centers, shopping, and recreation areas.
- a. The NZC retains the potential for granting a density bonus for projects within a Planned Development that provides interior pedestrian trails or bicycle paths connecting with designated city trails and paths.
2. Action CP-1.6D: Develop guidelines for public and private projects that promote safe, convenient, and attractive bike and pedestrian facilities, including amenities to enhance bike and pedestrian activity, such as bicycle racks, lockers, street trees, public art, and street furniture.

- a. The NZC adds the potential for granting a density bonus for projects providing a pedestrian and bicycle path that is a safe and convenient access to the transit centers.
 - b. The NZC adds a new section on bicycle storage requirements that promotes safe, convenient, and attractive bicycle facilities.
 - v. **Policy CP-1.10:** Tobacco Sales and Children. Protect children by restricting the location of tobacco sales.
 - a. The NZC retains the requirement that tobacco retailers may not be established within 1,000 of a childcare center or school.
 - 2. Action CP-1.10A: Amend City regulations to require use permit review to consider the potential negative impacts of uses proposing to sell tobacco in proximity to schools and other youth-serving facilities, and in areas with existing tobacco retailers.
 - a. The NZC retains the provision that a new tobacco retailer requires a Major Use Permit and may not be established within 1,000 of a childcare center, school or an existing tobacco retailer.
 - vi. **Policy CP-5.2:** Action CP-5.2B: Continue to support local community service agencies and organizations in the provision of social services to Vallejoans in need, including special needs services that foster independence for older adults, people with disabilities, and those facing physical or mental challenges.
 - a. The NZC supports this action by establishing Social Service Center as a new land use type that is permitted in mixed use and commercial zoning districts.
- b. Nature and Built Environment
 - i. **Policy NBE-1.1:** Natural Resources. Protect and enhance hillsides, waterways, wetlands, occurrences of special-status species and sensitive natural communities, and aquatic and important wildlife habitat through land use decisions that avoid and mitigate potential environmental impacts on these resources to the extent feasible.
 - a. The NZC retains and augments the Hillside Development Standards to protect and enhance Vallejo's hillsides.
 - b. The NZC retains the Resource Conservation (RCN) zoning district and protects and enhances the wetlands, sensitive natural communities, and important wildlife habitat by minimizing the development intensity allowed in RCN areas.
 - 2. Action NBE-1.1E: Protect the remaining woodlands and native tree resources and require replacement plantings where native trees must be removed.
 - a. The NZC supports this action by establishing requirements for tree replacement if protected trees are removed.
 - 3. Action NBE-1.1F: Require a biological assessment for new development proposed on sites that are determined to have some potential to contain sensitive biological and wetland resources. The assessment should be conducted by a qualified professional to determine the presence or absence of any sensitive resources, should evaluate potential adverse

effects, and should define measures for protecting the resources in compliance with State and federal laws. Detailed surveys are not necessary in locations where past and existing development have eliminated natural habitat and the potential for presence of sensitive biological resources.

- a. The NZC retains the requirement that projects must comply with the California Environmental Quality Act (CEQA) and includes the CEQA process procedures. Conducting biological assessments for new development will be required as deemed appropriate based a project-specific environmental review checklist.
 4. Action NBE-1.1G: Avoid potential impacts on jurisdictional wetlands and other waters as part of new development to the maximum extent feasible. This should include streams and associated riparian habitat and coastal salt marsh habitat along the Vallejo shoreline. Where complete avoidance is not possible, require that appropriate authorizations be secured from State and federal jurisdictional agencies and that adequate replacement mitigation be provided to ensure there is no net loss in habitat acreage or values.
 - a. Avoidance of potential impacts on jurisdictional wetlands and other waters, as well as compliance with State and federal requirements will be determined based on the project-specific environmental analysis.
- ii. **Policy NBE-1.2: Sensitive Resources.** Ensure that adverse impacts on sensitive biological resources, including special-status species, sensitive natural communities, and wetlands are avoided and mitigated to the greatest extent feasible as development takes place.
- a. The NZC retains the requirement that projects must comply with the California Environmental Quality Act (CEQA) and includes the CEQA process procedures. Conducting biological assessments for new development will be required as deemed appropriate based a project-specific environmental review checklist and mitigations will be imposed as needed.
2. Action NBE-1.2D: Continue to require environmental review of development applications pursuant to CEQA to assess the potential impacts on native species and habitat diversity. Require adequate mitigation measures for ensuring the protection of sensitive resources and achieving “no net loss” of sensitive habitat acreage, values, and functions and encourage early consultation with all trustee agencies and agencies with review authority pursuant to CEQA for projects in areas supporting special-status species, sensitive natural communities, or wetland that may be adversely affected by new development.
- a. The NZC retains the requirement that projects must comply with the California Environmental Quality Act (CEQA). Conducting assessments on the potential impact for new development will be required as deemed appropriate based a project-specific environmental review.
- iii. **Policy NBE-1.5: Scenic Vistas.** Protect and improve scenic vistas, including views from Interstate 80 and State Route 37 in Vallejo.

- a. The NZC supports this policy by establishing the Regional Commercial (RC) zoning district, which is mapped along the freeway. Development and Design standards for this zoning district improve the overall appearance of the freeway corridor.
- 2. Action NBE-1.5B: Update City regulations for development within view of freeways in Vallejo.
 - a. The NZC includes the establishment of the Regional Commercial (RC) zoning district that is mapped along the freeway and includes development and design standards that improve the overall appearance of the freeway corridor.
- 3. Action NBE-1.5C: Continue to administer the residential view district regulations intended to preserve panoramic views of the surrounding natural and human-made environment from residential neighborhoods located on hills.
 - a. The NZC retains the Residential View District and includes the district on the updated Zoning Map.
- iv. **Policy NBE-2.5:** Regional Retail and Entertainment. Support a thriving mix of regional retail and entertainment uses near Interstate 80.
 - a. The NZC includes the establishment of the Regional Commercial (RC) zoning district that is mapped along the freeway that permits a mix of retail entertainment uses.
- 2. Action NBE-2.5A: Work with property owners in the Northgate Area to retain and attract businesses that cater both to residents and regional shoppers, including through circulation and wayfinding improvements.
 - a. The NZC includes the establishment of the Regional Commercial (RC) zoning district that is mapped in the Northgate Area and permits a mix of uses for local and regional shoppers.
- v. **Policy NBE-3.1:** Action NBE-3.1B: Continue the use of residential density bonuses to incentivize or fund the construction of public benefits, such as plazas, open space, and public art.
 - a. The NZC adds a density bonus incentive that includes providing public plazas, parks and public art as public benefits.
- vi. **Policy NBE-3.4:** Local Art Scene. Promote arts and culture, and integrate public art and performances spaces into public and private development.
 - a. The NZC supports this policy by adding a density bonus incentive that includes providing public plazas, parks and public art as public benefits.
- vii. **Policy NBE-3.12:** Sonoma-Broadway District. Foster a mixed-use employment district well-served by transit in the area surrounding Kaiser Permanente and Soltrans properties.
 - a. The NZC supports this policy by adding a new Transit Oriented Development Chapter that identifies the nearby Sereno Transit Facility as a transit center where a mix of uses are permitted and development incentives are included to encourage mixed use development in the area.

2. Action NBE-3.12A: Explore opportunities for transit-oriented development (i.e., Urban Village) near the Sereno Transit Center in collaboration with Soltrans and adjacent property owners.
 - a. See response to Policy NBE-3.12 above.
- viii. **Policy NBE-5.3:** Health and Safety Codes. Enforce development regulations and building code requirements to protect residents, businesses, and employees from flooding, liquefaction, earthquakes, fires, and other hazards.
 - a. The NZC retains the requirement that projects must comply with CEQA. CEQA compliance may require an assessment of environmental impacts of a proposed development project on residents, businesses, and employees.
- ix. **Policy NBE-5.11:** Risk Reduction. Reduce the risk of hazardous materials accidents, spills, and vapor releases, and minimize the effects of such incidents if they occur.
 - a. The NZC adds a new Hazardous Materials Handling and Storage Chapter for facilities involved in the handling or storage of hazardous materials and that includes measures to reduce the risks of accidents, spills and other related incidents.
2. Action NBE-5.11E: Continue to require that all facilities where hazardous materials are used, handled, or stored are designed and constructed to minimize the possibility of environmental contamination and off-site impacts.
 - a. See response to Policy NBE-5.11 above.
 3. Action NBE-5.11F: Collaborate with county, State, and federal agencies to ensure that facilities where hazardous materials are used, handled, or stored are regularly inspected and that applicable regulations are enforced.
 - a. The NZC adds a new Hazardous Materials Handling and Storage Chapter for facilities involved in the handling or storage of hazardous materials and requires compliance with all applicable federal and state regulations.
- x. **Policy NBE-5.14:** Vibration Control. Ensure that vibration does not affect quality of life in the community.
 - a. The NZC retains the requirement that no use shall be operated that produces vibrations that impact adjacent uses.
- xi. **Policy NBE-5.15:** Noise Compatibility Standards. Apply the General Plan noise and land use compatibility standards to all new residential, commercial, and mixed-use development and redevelopment.
 - a. The NZC includes the General Plan noise and land use compatibility standards for all new development.
2. Action NBE-5.15A: For new single-family residential projects, use a standard of 60 Ldn for exterior noise in private use areas, and require appropriate impact mitigation.

- a. The NZC retains the requirement that a new single-unit project that includes residential use has a noise limit of 65 Ldn for exterior noise in private areas.
 - 3. Action NBE-5.15B: For new multi-family residential projects, use a standard of 65 Ldn in outdoor areas, excluding balconies, and require appropriate impact mitigation.
 - a. The NZC adds a new requirement that new multiple- unit projects have a noise limit of 65 Ldn in outdoor areas.
 - 4. Action NBE-5.15C: For new mixed-use projects that include a residential component, use a standard of 65 Ldn in outdoor areas, excluding balconies, and require the design to minimize commercial noise intrusion into residential areas, including by separating residential areas from noise-generating sources such as mechanical equipment, entertainment facilities, gathering places, loading bays, parking lots, driveways, and trash enclosures to the extent reasonably feasible.
 - a. The NZC adds a new requirement that requires mixed-use projects that include a residential component has a noise limit of 65 Ldn.
 - 5. Action NBE-5.15F: Require acoustical studies with appropriate mitigation measures for projects that are likely to be exposed to noise levels that exceed the 'normally acceptable' standard and for any other projects that are likely to generate noise in excess of these standards.
 - a. The NZC adds a new requirement that the Director may require an acoustic study to assess noise levels for a project.
 - c. Economy, Training and Education
 - i. Policy EET-1.13: Data and Information Systems. Invest in data and mapping capabilities to realize sustainable economic development and evaluate potential environmental impacts.
 - a. Creating and implementing a new GIS Mapping tool to be used by the whole City and the Public.
 - ii. Policy EET-2.3: Customer Service. Maintain a customer-and-business friendly environment in Vallejo.
 - a. Continue to have an accessible customer service environment during the pandemic with limited City Hall hours and providing meetings via zoom. In addition a new permitting software is being implemented to help streamline planning and building permits.
2. Public Works Department
- a. Community and People
 - i. **Policy CP-1.7:** Green Space. Promote community physical and mental health through provision and preservation of the urban forest, natural areas, and “green” infrastructure (i.e. best practices water management).
 - 1. Proposed City projects include the rehabilitation of the welcome center at Hiddenbrooke Parkway, the removal and replacement of existing

landscaping and the updating of irrigation along the north and south side of Hiddenbrooke Parkway and Glen Cove Parkway (Project ID: PWL001, PWL002, PWL006).

- ii. **Policy CP-1.15:** Water Quality. Maintain and improve water quality in a way that provides public and environmental health benefits.
 - 1. Proposed City project to build trash enclosures at City Hall and the Ferry Building to keep public and waterways safe from trash (PW9409).

b. Nature and Built Environment

- i. **Policy NBE-1.7:** Green Infrastructure. Encourage the installation of green infrastructure, including tools such as permeable pavement, rain gardens, constructed wetlands, grassy swales, rain barrels and cisterns, and green roofs, to treat stormwater, attenuate floods, increase groundwater recharge, and reduce urban heat islands.
 - 1. Proposed City project to complete a citywide tree inventory and develop an Urban Forest Management Plan to establish a citywide commitment to a healthy, growing urban forest in the City of Vallejo (Project ID PW9428).
- ii. **Policy NBE-1.13:** Community Preservation. Encourage high standards of property maintained and rapid abatement of conditions contributing to blight.
 - 1. Proposed City project to reinforce a retaining wall with tiebacks to reduce risk to pedestrian safety at 602 Capitol Street, repair failing brick work of building 46A (Project ID PW9429).

c. Economy, Education and Training

- i. **Policy EET-1.3:** Visitor Destination: Make Vallejo an important visitor destination in the Bay Area.
 - 1. Proposed City project for the rehabilitation of the Mare Island Cemetery and the possible transfer of ownership back to the Federal Government (Project ID PW9418).
- ii. **Policy EET-1.9:** Municipal Services. Provide robust, high-quality municipal services and build revenue to achieve a self-sustaining model of funding.
 - 1. Proposed project includes performing work on facilities owned by the City (Project ID: PWC111)

d. Mobility, Transportation and Connectivity

- i. **Policy MTC-1.5:** Regional Trail Network. Continue to participate in efforts to complete the regional trail networks through Vallejo.
 - 1. Proposed Class 1 Vallejo Bluff Trail, would close gap in three major regional trails (San Francisco Bay Trail, The Bay Area Ridge Trail and California Delta Trail) (Project ID CE001)
- ii. **Policy MTC-2.1:** Safety First. Prioritize pedestrian, bicycle, and automobile safety over traffic flow, and **Policy MTC- 2.4:** Citywide Mobility. Maintain a transportation network that provides for all ages and abilities and for all areas of the community, **Policy MTC-2.6:** Pavement Condition. Improve street pavement condition in Vallejo, prioritizing neighborhood corridors and arterials, **Policy MTC-2.7:**

Complete Street. Increase accessibility for and use of streets by pedestrians, bicyclist and transit riders.

1. Proposed project to review which roadways in the City are good candidates for reducing number of lanes, reduce the number of travel lanes on Redwood Street, Sacramento Street, and reconstruction projects will consist of pavement rehabilitation, removal and replacement of non-compliant ADA curb ramps, sidewalks, curb and gutter (Project ID PW9731, PW9729, PW9703).
2. Additional funding allocated to street repair by the City Council on February 8, 2023.

3. Water Division

a. Community and People

i. **Policy CP-1.13:** Clean Water. Provide a safe, adequate water supply City Wide.

1. Proposals to replace and upgrade of the sedimentation and flocculation facilities at the Fleming Hill Water Treatment, replace water meters and meter reading technology, annual transfer to Finance Department to support new Enterprise Resource Planning Project, annual replacement of pipes, and rehab and/or replace the Gordon Valley Water Main (Project ID: WT7104, WT7105, WT7106, WT7107, WT7108, WT7109, WT7110, WT7111).

4. Fire Department

a. Community and People

i. **Policy CP-5.4:** Workforce Diversity. Promote diversity in the workplace, including equal opportunities for economically, physically, and socially disadvantaged people.

1. Secured SAFER grant for 12-Firefighters.

b. Nature and Built Environment

i. **Policy NBE-5.2:** Community Preparedness. Increase public awareness of City emergency preparedness programs and resources.

1. The Department published two emergency preparedness booklets that are available to the public.

5. Police Department

a. Community and People

i. **Policy CP-1.5:** Active Recreation Programming. Support and expand active recreation programs in Vallejo.

1. Hosted and participated in community events and outreach: 911 for Kids Program, Late-Night Basketball, Youth Reading Program, Kicks for Hope, School Attendance Incentive Campaign, K-9 trail and Shop with a Cop.

ii. **Policy CP-3.1:** High Quality Education. Foster high quality schools that enhance civic pride.

1. Grow youth opportunities by increased hourly for police cadets for competitiveness in local market and added significant updates to the cadet program in preparation for the police academy and participate in the Youth Intern program at the City during the summer and winter.

- iii. **Policy CP-5.4: Workforce Diversity.** Promote diversity in the workplace, including equal opportunities for economically, physically, and socially disadvantaged people.

- 1. New recruits hired to add additional police officers on the force.

- b. Economy, Training and Education

- i. **Policy EET-2.3: Customer Service.** Maintain a customer-and-business friendly environment in Vallejo.

- 1. Hired a new Public Information Officer to increase social media presence and enhance communication to community with cohesive messaging from department, launched six new neighborhood watch groups.

5. HOUSING ELEMENT ANNUAL PROGRESS REPORT

California Government Code Section 65400 requires cities and counties to adopt a General Plan for development within their boundaries that includes, among other things, a Housing Element. The Housing Element is a comprehensive statement of the jurisdiction's housing needs and proposed actions to meet those needs at all income levels.

The City Council adopted the current Fifth Cycle Housing Element for the 2015-2023 period on May 26, 2015, and HCD subsequently certified compliance of the Housing Element with State requirements. The Housing Element demonstrates how the City is addressing regional housing needs based on an allocation (RHNA). While the Housing Element must address specific statutory requirements, it is also intended to reflect local community values and priorities via community input.

Following is a summary of key information of the HCD Annual Progress Report:

Table A documents the number of housing units for which entitlement applications were submitted in 2021. The City received 95 housing applications in the last calendar year. The total number of proposed dwelling units in these applications was 853. While many of those projects were submitted in the last quarter of the year and are under review; 80 new dwelling units were entitled.

- 1. Table A2 documents the number of units receiving land use entitlements, building permits and certificates of occupancy. The City entitled 66 units, issued building permits for 37 units, and issued certificates of occupancy for 18 units. All the units were single-family dwellings, multi-family, or accessory dwelling units.
- 2. Table B documents the City's progress toward meeting its RHNA goals. Including the 37 building permits issued for dwelling units. The City has produced 288 units (26.82 percent) toward its total RHNA of 1,074 units. All of these units are in the Moderate or Above Moderate-Income category, which accounts for 288 units of the total RHNA.
- 3. Table C documents sites identified or rezoned to accommodate shortfall housing need. There were no such sites in 2021.
- 4. Table D describes the progress of the various programs and activities identified in the Housing Element. These are mostly executed by the City's Planning Division and the Vallejo Housing

Authority. As indicated in the Table, a substantial number of these programs were completed by the new Zoning Code, adopted in 2021. Many others are ongoing or in progress.

5. Table E documents projects receiving a commercial development bonus pursuant to Government Code Section 65915.7. There were no such projects in 2021.
6. Table F documents units rehabilitated, preserved and acquired for alternative adequate sites pursuant to Government Code section 65583.1(C)(2). There were no such sites in 2021.
7. Table G documents locally owned lands included in the Housing Element sites inventory that have been sold, leased, or otherwise disposed of. There were no such sites in 2021.
8. Table H documents Locally Owned Surplus Sites. There were no such sites in 2021.

6. GENERAL PLAN AMENDMENTS

On April 13, 2021, the City Council adopted a resolution to amend the General Plan Land Use map to facilitate the changes of land use designations for the following sites:

1. Waterfront PDMP: From Mix of Housing Types/Medium Density; parks, Recreation & Open Space, and Retail/Entertainment to District- Downtown/Waterfront and Retail/Entertainment.
2. Broadway South: From Primarily Single-family and Mix of Housing Types to Neighborhood Corridor.
3. Sutter/Tennessee: From Neighborhood Corridor to Mix of Housing types/ Medium Residential.
4. I-80/Georgia West: From Mix of Housing Types to Public Facilities
5. Amador/Solano: From Neighborhood Corridor to Mix of Housing types/ Medium Residential.
6. Vallejo Mobile Home Park: From Business/Limited Residential to Mix of Housing types/ Medium Residential.
7. Sonoma South: From Primarily Single-family to Neighborhood Corridor.

Additionally, land use designations definitions were amended as follows. Business/Limited Industrial (B/LI) was amended to allow live/work as a permitted use; District-North Gateway (D-NG), Central Corridor (CC), Neighborhood Corridor (NC), and Business/Limited Residential (B/LR) were amended to revise the maximum density from 30 dwelling units per acre, to a range of 16 dwelling units per acre up to 50 dwelling units per acre.

7. LOCAL GOVERNMENT PLANNING SUPPORT GRANTS

The City of Vallejo received a \$500,000 Local Early Action Planning (LEAP) Grant from the State of California. The purpose of the monies was threefold:

1. Sixth Cycle Housing Element: Development of Housing Element and Housing Policies. Approximate cost \$175,000.
2. General Plan Amendment to allow compliance with Senate Bill 743 Vehicle Miles Travelled (VMT): Approximate cost \$200,000.

3. Climate Adaptation Plan: To address the City of Vallejo's extensive range of climate change vulnerabilities in response to predicted Sea Level Rise and to streamline future development including housing production. Approximate cost \$200,000.

ATTACHMENTS

HCD – Housing Element Annual Report for 2021

Please Start Here

General Information	
Jurisdiction Name	Vallejo
Reporting Calendar Year	2021
Contact Information	
First Name	Cesar
Last Name	Orozco
Title	Senior Planner
Email	cesar.orozco@cityofvallejo.net
Phone	7076485436
Mailing Address	
Street Address	555 Santa Clara Street
City	Vallejo
Zipcode	94590

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated. If a project is no longer has any reportable activity, you may delete the project by selecting a cell in the row and typing ctrl + d.

v 1_11_2022

Jurisdiction	Vallejo	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

(CCR Title 25 §6202)

Table A

Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes								Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus Applications		Application Status	Notes
1					2	3	4	5						6	7	8	9	10		11	12	
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted+ (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)	Was a Density Bonus requested for this housing development?	Was a Density Bonus approved for this housing development?	Please indicate the status of the application.	Notes*
Summary Row: Start Data Entry Below								0	0	5	0	11	0	837	853	80	0					
	0081392030	225 MASONIC DRIVE		SU21-0001	ADU	R	01/08/2021							1	1	1		No	No	No	Approved	
	0069150280	118 HALABUK COURT		SU21-0002	ADU	R	01/25/2021							1	1	1		No	No	No	Approved	
	0054152340	268 FAIRMONT AVENUE		SU21-0003	ADU	R	01/26/2021							1	1	1		No	No	No	Approved	
	0056101110	532 OHIO STREET		SU21-0004	ADU	R	01/27/2021							1	1	1		No	No	No	Approved	
	0054032020	2347 ALAMEDA STREET		SU21-0005	ADU	R	02/09/2021							1	1	1		No	No	No	Approved	
	0056235010	807 YORK STREET		SU21-0006	ADU	R	02/11/2021							1	1	1		No	No	No	Approved	
	0068303120	490 CHRISTOPHER WAY		SU21-0007	ADU	R	02/16/2021							1	1	1		No	No	No	Approved	
	0069282090	124 SKYLINE COURT		SU21-0008	ADU	R	02/18/2021							1	1			No	No	No	Pending	Under Review or Deemed Ir
	0054182140	214 TEXAS STREET A		SU21-0009	ADU	R	02/25/2021							1	1	1		No	No	No	Approved	
	0061074030	611 SHERIDAN STREET		SU21-0010	ADU	R	03/08/2021							1	1			No	No	No	Pending	Under Review or Deemed Ir
	0068391090	471 MCGRUE CIRCLE		SU21-0011	ADU	R	03/15/2021							1	1	1		No	No	No	Approved	
	0069062170	460 CLARK DRIVE		SU21-0012	ADU	R	03/15/2021							1	1	1		No	No	No	Approved	
	0069062130	456 CLARK DRIVE		SU21-0013	ADU	R	03/16/2021							1	1	1		No	No	No	Approved	
	0067085170	110 IMELDA STREET		SU21-0014	ADU	R	03/16/2021							1	1	1		No	No	No	Approved	
	0082263160	129 FLEET STREET		SU21-0015	ADU	R	03/24/2021							1	1	1		No	No	No	Approved	
	0051234040	3005 SONOMA BOULEVARD		SU21-0016	ADU	R	03/24/2021							1	1	1		No	No	No	Approved	
	0069164090	101 REVERE STREET		SU21-0017	ADU	R	03/04/2021							1	1	1		No	No	No	Approved	
	0057101290	1420 OHIO STREET		SU21-0018	ADU	R	03/29/2021							1	1	1		No	No	No	Approved	
	0053112050	320 HERMOSA AVENUE		SU21-0019	ADU	R	03/25/2021							1	1	1		No	No	No	Approved	
	0068155200	712 GATEWAY DRIVE		SU21-0020	ADU	R	03/30/2021							1	1	1		No	No	No	Approved	
	0057124020	1909 LOUISIANA STREET		SU21-0021	ADU	R	03/31/2021							1	1	1		No	No	No	Approved	
	0057113230	527 SPRINGS ROAD		SU21-0022	ADU	R	03/31/2021							1	1	1		No	No	No	Approved	
	0071145090	2933 IRWIN STREET		SU21-0023	ADU	R	04/07/2021							1	1	1		No	No	No	Approved	
	0071018040	521 SHELDON AVENUE		SU21-0024	ADU	R	04/07/2021							1	1	1		No	No	No	Approved	
	0067101090	225 RINALDO DRIVE		SU21-0025	ADU	R	04/12/2021							1	1	1		No	No	No	Approved	
	0054071370	120 GREENFIELD AVENUE		SU21-0026	ADU	R	04/08/2021							1	1	1		No	No	No	Approved	
	0054045070	53 NORTH CAMINO ALTO		SU21-0027	ADU	R	04/01/2021							1	1	1		No	No	No	Approved	
	0057081040	1745 TENNESSEE STREET		SU21-0028	ADU	R	05/04/2021							1	1	1		No	No	No	Approved	
	0071131530	738 STEFFAN STREET		SU21-0029	ADU	R	05/04/2021							1	1	1		No	No	No	Approved	
	0057155140	2012 FLORIDA STREET		SU21-0030	ADU	R	05/25/2021							1	1	1		No	No	No	Approved	
	0068072190	204 FALCON DRIVE		SU21-0031	ADU	R	05/26/2021							1	1	1		No	No	No	Approved	
	0057121070	1837 LOUISIANA STREET		SU21-0032	ADU	R	06/09/2021							1	1	1		No	No	No	Approved	
	0074103100	307 ALHAMBRA AVENUE		SU21-0033	ADU	R	04/14/2021							1	1	1		No	No	No	Approved	
	0074103100	307 ALHAMBRA AVENUE		SU21-0034	ADU	R	04/14/2021							1	1	1		No	No	No	Approved	
	0051173330	29 FREY PLACE		SU21-0035	ADU	R	05/04/2021							1	1	1		No	No	No	Approved	
	0055121020	211 FLORIDA STREET		SU21-0036	ADU	R	06/15/2021							1	1	1		No	No	No	Approved	
	0074042320	393 IDORA AVENUE		SU21-0037	ADU	R	06/22/2021							1	1	11		No	No	No	Approved	
	0061033220	403 FIFTH STREET		SU21-0038	ADU	R	06/23/2021							1	1	1		No	No	No	Approved	
	0057117070	1739 LOUISIANA STREET		SU21-0039	ADU	R	06/28/2021							1	1	1		No	No	No	Approved	
	0057122050	1935 OHIO STREET		SU21-0040	ADU	R	06/28/2021							1	1	1		No	No	No	Approved	
	0082053180	823 KNIGHTS CIRCLE		SU21-0041	ADU	R	06/28/2021							1	1	1		No	No	No	Approved	
	0052262090	1754 SERENO DRIVE		SU21-0042	ADU	R	06/29/2021							1	1			No	No	No	Pending	Under Review or Deemed Ir
	0057102080	1445 OHIO STREET		SU21-0043	ADU	R	07/28/2021							1	1	1		No	No	No	Approved	
	0068503080	105 ARABIAN COURT		SU21-0044	ADU	R	08/04/2021							1	1	1		No	No	No	Approved	
	0052381070	111 SOMERSET COURT		SU21-0045	ADU	R	08/09/2021							1	1	1		No	No	No	Approved	
	0056192050	341 GEORGIA ST 303		SU21-0046	ADU	R	08/19/2021							1	1	1		No	No	No	Approved	
	0056192050	341 GEORGIA ST 303		SU21-0047	ADU	R	08/19/2021							1	1	1		No	No	No	Approved	
	0071151410	3021 GEORGIA STREET		SU21-0048	ADU	R	08/27/2021							1	1	1		No	No	No	Approved	
	0055123080	729 SANTA CLARA STREET		SD21-0001	SFD	O	01/04/2021							1	1	1		No	No	No	Approved	
	0061043090	551 PORTER STREET		SD21-0006	MH	O	02/16/2021							1	1			No	No	No	Pending	Under Review or Deemed Ir
	0069282090	124 SKYLINE COURT		SD21-0007	SFD	O	02/18/2021							1	1			No	No	No	Pending	Under Review or Deemed Ir
	0057191270	304 MAYO AVENUE		SD21-0010	2 to 4	O	03/10/2021							2	2			No	No	No	Pending	Under Review or Deemed Ir
	0054033550	440 WASHINGTON STREET		SD21-0014	SFD	O	04/08/2021							1	1			No	No	No	Pending	Under Review or Deemed Ir
	0071062320	1035 CASTLEWOOD DRIVE		SD21-0018	2 to 4	O	04/20/2021							2	2			No	No	No	Pending	Under Review or Deemed Ir
	0071062310	1039 CASTLEWOOD DRIVE		SD21-0019	SFD	O	04/20/2021							1	1			No	No	No	Pending	Under Review or Deemed Ir
	0057113280	640 TUOLUMNE ST		SD21-0020	2 to 4	R	04/20/2021							3	3	3		No	No	No	Approved	
	0053162220	1535 BROADWAY		SD21-0021	5+	R	05/04/2021							30	30			No	No	No	Pending	Under Review or Deemed Ir
	0056195020	507 VIRGINIA STREET		SD21-0022	2 to 4	R	06/09/2021							4	4			No	No	No	Pending	Under Review or Deemed Ir
	0182020010	N/A		PD21-0001	5+	R	01/06/2021							264	264			No	No	No	Pending	Under Review or Deemed Ir
	0182060770	N/A		PD21-0004	SFD	O	06/01/2021							1	1			No	No	No	Pending	Under Review or Deemed Ir
	0182204050	1797 DURROW COURT		PD21-0002	SFD	O	05/04/2021							1	1			No	No	No	Pending	Under Review or Deemed Ir
	0055126260	N/A		DVR21-0005	2 to 4	O	09/20/2021															

	0074042160	110 CEDAR STREET		DVR21-0019	SFD	O	12/20/2021								1	1			No	No	No	Pending	Under Review or Deemed Ir
	0069034010	113 PAJARO WAY		DVR21-0009	SFD	O	12/07/2021								1	1			No	No	No	Pending	Under Review or Deemed Ir
	0054183080	1903 EL DORADO STREET		DVR21-0012	2 to 4	O	11/23/2021								2	2			No	No	No	Pending	Under Review or Deemed Ir
	0057122030	1921 OHIO STREET		DVR21-0010	2 to 4	O	11/15/2021								3	3			No	No	No	Pending	Under Review or Deemed Ir
	0067150280	5180 SONOMA BLVD 100		DVR21-0021	5+	R	12/21/2021								418	418			No	No	No	Pending	Under Review or Deemed Ir
	0061051010	759 SONOMA BOULEVARD		DVR21-0001	5+	R	08/12/2021			5		11				16		Yes-But no action taken	No	No	No	Pending	SB35 Review
	0071061540	78 SPRINGS ROAD		DVR21-0008	5+	R	10/19/2021								24	24			No	No	No	Pending	Under Review or Deemed Ir
	0056063140	1015 INDIANA STREET		ZC21-0034	ADU	R	11/24/2021								1	1			No	No	No	Pending	Under Review or Deemed Ir
	0054233110	1036 HIGHLAND AVENUE		ZC21-0006	ADU	R	09/16/2021								1	1	1		No	No	No	Approved	
	0074043320	109 MAPLE AVENUE		ZC21-0012	ADU	R	10/06/2021								1	1	1		No	No	No	Approved	
	0074042160	110 CEDAR STREET		ZC21-0041	ADU	R	12/20/2021								1	1			No	No	No	Pending	Under Review or Deemed Ir
	0062052270	112 ORANGE STREET		ZC21-0036	ADU	R	12/06/2021								1	1	1		No	No	No	Approved	
	0056041020	117 ILLINOIS STREET		ZC21-0040	ADU	R	12/20/2021								1	1	1		No	No	No	Approved	
	0054195080	1235 TUOLUMNE STREET		ZC21-0017	ADU	R	10/14/2021								1	1	1		No	No	No	Approved	
	0057022170	1256 ARKANSAS STREET		ZC21-0033	ADU	R	11/29/2021								1	1	1		No	No	No	Approved	
	0059046200	1337 RYDER STREET		ZC21-0003	ADU	R	09/20/2021								1	1	1		No	No	No	Approved	
	0054154250	139 CLAREMONT AVENUE		ZC21-0004	ADU	R	09/22/2021								1	1	1		No	No	No	Approved	
	0068392100	140 GINA COURT		ZC21-0013	ADU	R	10/06/2021								1	1	1		No	No	No	Approved	
	0057136350	1427 FLORIDA STREET		ZC21-0019	ADU	R	10/19/2021								1	1	1		No	No	No	Approved	
	0074182220	176 DENTON COURT		ZC21-0011	ADU	R	10/04/2021								1	1	1		No	No	No	Approved	
	0057151050	1841 L ELLENBURG STREET		ZC21-0009	ADU	R	09/28/2021								1	1	1		No	No	No	Approved	
	0074033430	226 REIS AVENUE		ZC21-0030	ADU	R	11/16/2021								1	1	1		No	No	No	Approved	
	0071062080	27 ROCKWOOD COURT		ZC21-0007	ADU	R	09/23/2021								1	1	1		No	No	No	Approved	
	0071062040	28 ROCKWOOD COURT		ZC21-0008	ADU	R	09/23/2021								1	1	1		No	No	No	Approved	
	0082174100	30 BRUNSWICK COURT		ZC21-0020	ADU	R	10/26/2021								1	1			No	No	No	Pending	Under Review or Deemed Ir
	0057191030	421 PHELAN AVENUE		ZC21-0038	ADU	R	12/07/2021								1	1	1		No	No	No	Approved	
	0074051080	468 IDORA AVENUE		ZC21-0032	ADU	R	11/29/2021								1	1	1		No	No	No	Approved	
	0059055110	508 CENTRAL AVENUE		ZC21-0018	ADU	R	10/14/2021								1	1	1		No	No	No	Approved	
	0071016140	520 GRENNAN AVENUE		ZC21-0035	ADU	R	11/30/2021								1	1	1		No	No	No	Approved	
	0061121130	742 PORTER STREET		ZC21-0028	ADU	R	11/10/2021								1	1	1		No	No	No	Approved	
	0061190020	946 PINE STREET		ZC21-0031	ADU	R	11/22/2021								1	1	1		No	No	No	Approved	
																0							

Jurisdiction	Vallejo	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

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(CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.

Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2									3	4
Income Level		RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	283	-	-	-	-	-	-	-	-	-	-	283
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-		
Low	Deed Restricted	178	-	-	-	-	-	-	-	-	-	-	178
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-		
Moderate	Deed Restricted	211	-	-	-	-	-	-	-	-	-	-	211
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-		
Above Moderate		690	-	47	44	55	64	41	37	-	-	288	402
Total RHNA		1,362											
Total Units			-	47	44	55	64	41	37	-	-	288	1,074

Note: units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will include units that were permitted since the start of the planning period.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

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Jurisdiction		Vallejo	
Reporting Year		2021	
D_1_Name		D_2_Objective	
		D_3_Time	
		D_4_Status	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program A 1.1.1: Housing Element Annual Review	Prepare an annual analysis of the City's progress in implementing the Housing Element, for submittal to City Council and HCD. Expand inventory of available sites to accommodate unmet need, as necessary	Annual	2016 annual review analysis submitted 2017 annual review analysis submitted 2018 annual review analysis submitted 2019 annual review analysis submitted 2020 annual review analysis submitted 2021 Annual Review Analysis Submitted
Program A 1.1.2: Vacant Land Inventory and RHNA Monitoring	Maintain a vacant land inventory for residential, commercial, and industrially zoned parcels, and update inventory (site information) as projects are approved through the Planning Division. Annually review inventory to ensure enough land to meet the City's RHNA allocation through the 5th cycle planning period.	Ongoing (2023) and Annual	Vacant Land Inventory monitoring is ongoing since last Housing Element update. Vacant land inventory and housing priority are being discussed in the new kick off of the Housing Element update .
Program A 1.1.3: Mixed-Use Development	Encourage and facilitate residential development in mixed-use zones, particularly units affordable to extremely low-, low- and very low-income households. With General Plan update, Sonoma Blvd Specific Plan, and Zoning Code update, consider providing more flexibility for mixed-use development with residential units on the ground floor of certain commercial areas (except for storefronts abutting the public sidewalk) or under certain conditions. Facilitate the construction of residences in mixed-use developments and high density by: 1) discouraging the development of exclusively commercial projects in areas designated for mixed-use; 2) providing marketing materials on the City's website that delineate site opportunities for mixed- use and provide technical assistance for developers; 3) providing developers a predicable path to entitlement of mixed- use projects; 4) encouraging lot consolidation for mixed-use developments; and 5) establishing a protocol to monitor development interest and progress toward mixed-use development.	Genereal Plan, Specific Plan adopted in 2017: Zoning Code adopted in 2021	General Plan 2040 and Sonoma Blvd. Specific Plan was adopted August 2017. With the adoption of the new zoning code, the following zoning districts all mixed-use or fully residential projects: - Neighborhood Mixed Use - Downtown Mixed Use - Waterfront Mixed Use -Neighborhood Commercial - Waterfront Commercial - Central Corridor - Regional Commercial Staff has created a entitlment flow chart that provides developers a predicable path to entitlement of projects.
Program A 1.1.4: High Density	As part of the General Plan update and Zoning Code update, increase density of high density residential from 27 to 30 units per acre.	Zoning Code adopted in 2021	With the adoption of the zoning code, the General Plan Land Use Designations were amended from a minimum of 30 units to a maximum of 50 units per acre, down to a minimum of 16 units to a maximum of 50 units per acre to allow the increase of residential. In the Zoning Code Residential High Density now allows a maximum of 40 units per acre.
Program A 2.1.1: Underutilized Commercial Land Conversion Program	With General Plan and Zoning Code update, expand opportunities for residential and mixed-use development. With Zoning Code update, offer regulatory incentives, such as expedited permit processing, for projects that contain an affordable housing component. Promote the availability of both underutilized sites and regulatory incentives through the City's website, during pre-application meetings, and during other relevant community outreach workshops/meetings. Monitor the supply of underutilized sites and evaluate whether the incentives are providing the necessary catalyst to ensure that development is occurring consistent with the RHNA needs. Make changes to this program to ensure that infill development remains a realistic and viable development strategy.	Study, site inventory 2015; General Plan 2017; Zoning 2021; Other ongoing.	With the adoption of the new zoning code, the following zoning mixed use districts allow opportunites for residential and mixed use development: - Neighborhood Mixed Use - Downtown Mixed Use - Waterfront Mixed Use -Neighborhood Commercial - Waterfront Commercial - Central Corridor - Regional Commercial Phase II of the Zoning Code update will include regulatory incentives.
Program A 3.1.1: Removal of Governmental Constraints	With Zoning Code update, review local regulations to remove or mitigate constraints on the production of housing, where possible, including: a) remove regulations requiring a major conditional use permit for multi-family housing; b) allow licensed group home and other residential facilities with 6 or fewer residents by right in residential areas accordance with State law; c) encourage housing suitable for extremely low-income households.	Zoning Code adopted in 2021	With the adoption of the new zoning code, new multi-family projects do not require a major use permit. Depending on the proposed number of units, a development review and design review entitlements are triggered. 2-10 units permitted subject to Director decision. 11-49 units permitted subject to Director decision with Design Review board recommendation. 50 or more units requires Design Review board recommendation and Planning Commission decision. If project complies with state Gov. Code sec. 65589.4, project is exempt from Design Review board and Planning Commission review. b. Definition of group home of 6 or fewer now permitted by right, and, c. the streamlining of new housing will encourage all forms of new dwellings.
Program A 3.1.2: Density Bonus Amendment	With Zoning Code update, incentivize the development of affordable housing, including increased density allowances and reduced parking standards in compliance with State law.	Zoning Code adopted in 2021	The zoning code reduced the number of parking spaces from two per unit to one per unit. Parking is not required for JADUs or ADUs that are within 1/2 a mile from an active transit stop.
Program A 4.1.1: Housing Marketing and Promotion	Facilitate the development of housing that is affordable to households with a wide range of incomes, particularly in the downtown area, by updating land use policies and regulations and marketing and branding the City as an investment opportunity for moderate and above moderate income households.	Zoning Code adopted in 2021	The zoning code removed the requirement of a Major Use Permit for residential projects. All new commercial and mixed-use zoning districts allow residential uses.
Program B 1.1.1: Section 8 Rental Subsidy Program (Tenant-Based)	Apply to HUD for vouchers, if available, for extremely low-, very low-, and low-income households, making extremely low-income households a priority. (VHA) Continue owner outreach efforts, including the Family Self-Sufficiency Program, a property manager meetings, regular presentations to the Solano Board of Realtors, and participation in the Napa/Solano Advisory Chapter of the California Apartment Association. (VHA) Continue to contract with gosection8.com, an online landlord listing service to attract new landlords. (VHA)	Ongoing	The City Council approved an increase of the Tenant Based Rental Assistance vouchers. The City Council also adopted housing strategy, which prioritized the establishment of a Self-Sufficiency Program to promote economic growth.
Program B 2.1.1: Below-Market-Rate Financing Program (New Construction)	Explore the feasibility of adopting a Housing Impact Fee that would assist in meeting Vallejo's "fair share" of Regional Housing Needs Allocations.	Annually Apply for affordable housing funds; ongoing	Applied for affordable funds for four of the City's pipeline projects. Ongoing.
Program B 2.1.2: Housing Impact Fee	Explore the feasibility of adopting a Housing Impact Fee that would assist in meeting Vallejo's "fair share" of Regional Housing Needs Allocations.	Ongoing (2023)	Established a housing strategy in 2020 to create a framework to establish policies that will create housing for an array of different income levels. Exploration/feasibility of HIA under consideration.
Program B 2.1.3: Commercial Linkage Fee	Explore the feasibility of a Commercial Linkage Fee that would provide an additional source of funding for affordable housing (i.e. jobs/housing nexus study).	Conducted in 2017	In progress.
Program B.2.1.4 Low-Moderate Income Housing Funds	Support very low- and extremely low- income housing development with RDA Successor Agency funds. Seek new funding sources for the development of affordable housing.	Ongoing	Ongoing.
Program B.2.1.5: Explore Additional Funding Opportunities	Seek additional funding for extremely low income rental housing from State and Federal resources, such as funding from the national Housing Trust Funds when funding becomes available, HOME funds, and CDBG.	Ongoing; Apply as funding becomes available	Applied for Homekey and NPLH funds in 2021.
Program C 1.1.1: Conversion Monitoring and Response Program	If City receives notice by owners of planned conversion of units to market rate, contact qualified and interested nonprofit organizations to begin developing plans to preserve, acquire, or replace the affordable units and notify tenants of affected properties of their rights, potential date of conversion, and options. Consider additional outreach such as hosting workshops and distributing updated information on the web. Contact owners at least two years prior to expiration date to determine best approach to keep the units affordable. Investigate the status of Ascension Arms to ascertain the risk of conversion to market rate, and take immediate action to prevent conversion.	Ongoing (2023)	Ongoing. Ascension Arms renewed affordability period with HUD for all units through March 1, 2027.
Program C 1.1.2: Below-Market-Rate Financing Program (Preservation)	Utilize available tax-exempt bond financing, CDBG, HOME funds, and Housing Authority reserves to assist housing operators to acquire and preserve as affordable units at risk of converting to market rates.	Ongoing (2023)	Ongoing.
Program C 2.1.1 Condominium Conversion Ordinance	With Zoning Code update, review the current condominium conversion regulations to consider their effectiveness to mitigate potential displacement of affordable units and to address complexes with approved condominium maps that are vet to be converted.	Zoning Code adopted in 2021	Zoning code update has adopted a condominium converion ordinance of existing buildings.

Program D 1.1.1: First-Time Homebuyer Program	Continue the City's first-Time Homebuyer Program, with an intention to provide homeownership opportunities to 5 or more potential homeowners for households at or below 120 percent of the area median income. Consider establishing a program to give priority criteria to homes located in older neighborhoods to increase ownership investment in those areas.	Ongoing (2023)	Ongoing. CHDC selected in 2020 to provide homebuyer counseling and downpayment assistance.
Program D 1.1.2: Sweat-Equity Program for Homeownership	Consider implementing a program to provide financial subsidies to prospective homeowners in exchange for investing sweat equity in rehabilitating an existing home that is in need of significant repair.Consider targeting the program to foreclosed or blighted dwellings and working with a nonprofit organization such as Habitat for Humanity, which specializes in sweat-equity programs.	2017. In 2019 identify an affordable work force project for teachers working in local schools.	Council authorized staff to negotiate the acquisition of a site to construct workforce housing project.
Program D 1.1.3: Section 8 Homebuyer Assistance Program	Reinstate and administer a program offering homebuyer classes and financial assistance, assuming available HUD financing, to Section 8 recipients to help in the purchase of a home.	Ongoing (2023)	Online Educational Program, ongoing. Selected CHDC to provide homebuyer courses.
Program D 1.1.4: Family Self-Sufficiency Program	Administer the Family Self-Sufficiency Program, with a maximum number of participants set at 50.	Ongoing (2023)	Ongoing. City Council approved a housing strategy framework, prioritizing a Self-Sufficiency Program to increase economic growth for residents.
Program D 1.1.5: Mobile Home Permitting	With the Zoning Code update, clarify that a single mobile home or a manufactured house on a permanent foundation will be processed and permitted the same as conventional single family homes in all zoning districts.	Zoning Code adopted in 2021	In progress. In 2019 launched an outreach campaign to increase FSS Program to an additional 23 eligible applicants. New zoning code treats single mobile home or a manufactured house on a permanent foundation will be processed and permitted the same as conventional single family homes
Program E 1.1.1: Section 8 Rental Subsidy Program (Tenant Based, Special Needs)	Meet with service providers on an annual basis to discuss opportunities to expand supportive housing, affordable housing that provides on-site services to people who may need support to live independently, for special needs populations, e.g., formerly homeless individuals and families, people with HIV/AIDS or physical disabilities, and young people aging out of foster care.	Ongoing (2023); annual.	Service providers, developers, and landlord policy working group established recurring meetings.
Program E 1.1.2: Senior Housing Needs	Identify the existing and future housing needs of senior citizens and identify annual funding opportunities. Apply for funding to complete a senior needs survey annually and/or as Notice of Funding Available (NOFAS) are released. Meet with affordable housing/senior housing developers, senior stakeholder groups, and other senior housing advocates such as the Legal Services of Northern California on an annual basis to discuss available sites and senior needs in the community. With Zoning Code update, provide incentives to developers to provide housing, care choices, and age in place options for seniors of all income levels.	Ongoing. Meet regularly with developers	Programs under consideration. City Staff will evaluate opportunities to remove constraints and streamline housing project approvals.
Program E 1.1.3: Homeless Needs	To identify the number of homeless persons, complete a Point in Time count to augment the HUD Continuum of Care Report 2013. Partner with agencies and other community organizations to pursue funding from available sources for homeless services. Annually apply for grants where appropriate or encourage/partner with local and regional nonprofit organizations that wish to apply for such grants.	Ongoing (2023).	Conduct Point in Time (PIT) in January. Last unsheltered PIT count, Jan 23, 2019. Jan 2021 PIT Count postpone due to COVID19, until Jan 2022. Applied for grants to operate Project Roomkey program. Worked county to establish a hotel voucher program.
Program E 1.1.4: Community Action Partnership of Solano County	Continue to be an active member on the Community Action Partnership of Solano County Board (CAP Solano), a joint powers authority, to coordinate homeless services and develop a regional response to homeless needs.	Ongoing (2023)	Ongoing. Working with local and county service providers.
Program E 1.1.5: Reasonable Accommodations	As part of the Zoning Code update, and as required by both the federal Fair Housing Act and the California Fair Employment and Housing Act, establish a procedure for allowing reasonable accommodation requests made by persons with disabilities for exceptions or modifications and other special considerations during the planning and building permit review process.	Zoning Code adopted in 2021	Reasonable accommodation procedure included in Zoning Code
Program E 1.1.6: Universal Design	Inform homebuilders regarding Universal Design features that can be incorporated into new houses, condominiums, and townhomes, including on the Planning Division's website, at the Planning Division's information counter, and at the Building Division's permit counters	Ongoing (2023)	Ongoing.
Program E 1.1.7: Support for Persons with Developmental Disabilities	Explore successful models implemented in other Bay Area cities that encourage the creation of housing for persons with developmental disabilities. Seek outside funding sources for housing construction and rehabilitation specifically targeted for housing for persons with disabilities.	Ongoing	Ongoing
Program E 1.1.8: Employee Housing	With Zoning Code update, ensure local zoning, development standards and permitting processes comply with California Health and Safety Code Sections 17021.5 and 17021.6. Section 17021.5 for Employee Housing.	Zoning Code adopted in 2021	Employee housing definitions included in Zoning Code
Program F 1.1.1: Housing Discrimination Monitoring and Referral Program	Publicize fair housing requirements and the availability of assistance (VHA). For Section 8 participants, accept and investigate complaints of housing discrimination and works with Fair Housing Napa Valley regarding the incidence of housing discrimination complaints on other cases (VHA).	Ongoing (2023)	Ongoing. Added a second legal aid provider to the local Resource Guide to expand the availability of this service. Developing a new framework to mediate just cause evictions.
Program F 1.1.2: Analysis of Impediments	Coordinate efforts to further fair housing and equal opportunity through an update and revision of the local Analysis of Impediments to Fair Housing document (AI), as required by the U.S. Department of Housing and Urban Development (HUD). (VHA).	Ongoing (2021)	Updating Analysis of Impediments June 2021.
Program G 1.1.1: Housing Rehabilitation Program	Provide funds to assist very low-, low-, and moderate-income households to undertake repairs to their homes to bring them into a good state of repair and maintain them as viable units in the local housing stock. (VHA)	Annually	Released and RFP in 2020 to hire an operator to administer an owner occupied rehab program.
Program G 1.1.2: Neighborhood Amenities	Evaluate proposals for higher density residential development to determine what, if any, project-serving retail or services could be incorporated into the project or concurrently developed adjacent to the project which would offer residents the ability to meet their everyday needs easily and efficiently.	Ongoing (2023).	Ongoing.
Program G 2.1.1: Code Enforcement Program	Continue to aggressively enforce existing codes through its Code Enforcement Program, utilizing all available authorities to compel property owners to correct code violations.	Ongoing (2023).	Ongoing. Continuing code enforcement and neighborhood law program.
Program: G 3.1.1: Capital Improvement Program	When updating capital improvement projects, collaborate with Vallejo Flood and Wastewater District to allocate resources to rehabilitate and/or replace infrastructure in older neighborhoods whose infrastructure is approaching obsolescence. (VPW).	CIP Update Annually	Meet quarterly; CIP update accordingly.
Program G 4.1.1: Rental Property Inspection Program	Present a resolution of intention to the City Council regarding a rental property inspection program.	Implement program by late 2015.	After conducting a cost study, this program for market rate units was determined to be financially infeasible. An alternate inspection model is being explored with the Housing Authority, Fire Department and Building Division, recommend 2023.
Program G 4.1.2: Crime Prevention Program (Crime Free-Multi-Housing Program)	Continue the crime-free rental housing program to target and help rehabilitate existing and new multi-family complexes. Work with the Police Department to evaluate multi-family complexes and provide rehabilitation and surveillance recommendations to address crime and safety and to promote the implementation of Crime Prevention through Environmental Design (CPTED) strategies.	Reinstate existing program end of 2015.	Program suspended in 2020, and transitioning from the Crime Free Multi-Housing Program (CFMHP) to the Vallejo Community Public Safety Program (VCPS) that will lead public safety information meetings, share crime data, crime prevention practices, and other public safety information with local neighbors within each specified district.
Program G 5.1.1 Mills Act Program	Promote the use of Mills Act contracts to ensure the rehabilitation, maintenance, and preservation of historic resources through information located on the City's website.	Review as projects submitted	Ongoing.
Program H 1.1.1: Neighborhood Park Access Program	Encourage the development of public neighborhood or pocket parks for new subdivisions.As part of the Zoning Code update and other means, require that developers proposing to build parks and park facilities will do so concurrently with residential construction to ensure these amenities are available to existing and new residents within a reasonable amount of time from project approval.	As subdivisions are submitted or multi-family project; Zoning Code adopted in 2021	Zoning Code adopted in 2021 requires common and private open space for all multi-family projects.
Program H 1.1.2: Neighborhood Services	Evaluate, and if appropriate, encourage the development of services, such as child-care centers, within or adjacent to neighborhoods that will allow residents to minimize vehicle trips and access services close to home. Incorporate neighborhood serving uses into the Zoning Code update.	Zoning Code adopted in 2021	Zoning Code permits child care and early education facilities within the rural residential zoning district a minor use permit in Residential Low, Medium, and High density.
Program H 2.1.2: Downtown Vallejo Specific Plan and Sonoma Boulevard Specific	Implement the Downtown Vallejo and Sonoma Boulevard Specific Plans to introduce high-density mixed-use housing while revitalizing existing retail and commercial areas. Encourage the development of affordable housing units to implement residential development as part of the Specific Plan goals.	Zoning Code adopted in 2021	The Downtown Mixed Use zoning district permits a minimum of 30 units to a maximum of 50 units per acre. The Central Corridor zoning district permits a minimum of 16 units to 50 units per acre.

Program H 2.1.3: Live/Work Ordinance	Continue to permit live/work unit applications with an administrative review process to facilitate the development of live/work units.	Zoning Code adopted in 2021	Zoning Code now permits Live/Work units with zoning compliance review.
Program H 2.1.4: Transit-Oriented Development (TOD)	Implement the goals of the Mare Island Specific Plan, Waterfront Planned Development Master Plan, and Sonoma Boulevard Specific Plan to implement transit-oriented development.Rezone underutilized areas near transit stops or along major transit corridors as mixed-use and offer regulatory incentives, such as relaxed development standards, building setbacks, height, FARs, and parking, to encourage transit-oriented development.	Zoning Code adopted in 2021	The zoning code implementa the goals of the Mare Island Specific Plan, Waterfront Planned Development Master Plan, and Sonoma Boulevard Specific Plan to implement transit-oriented development
Program H 3.1.1: Design Review	With the Zoning Code update, establish design review criteria, or rely on form-based code in FBC areas, to use in determining whether proposed infill projects are compatible with the existing neighborhoods in which they are proposed.	Zoning Code adopted in 2021	New Design findings added to Code.
Program H 3.1.2: Design Guidelines for Housing Quality	Establish residential design guidelines, or rely on form-based code in FBC areas, to ensure residential development projects are consistent with the goals of this Housing Element, produce better housing and neighborhoods, and improve the quality of life for existing and future Vallejo residents.	Annually	Design Guidelines will be part of a future phase.
Program I 1.1.1: Energy Conservation Partnership Program	Continue and establish partnerships with local utility providers and other organizations to promote participation in available energy efficiency programs (e.g. BayREN, HERO and California Frist, PACE, Rising Sun's California Youth Energy Services (CYES); PG&E Comfort Home Program; rebates for energy-efficient appliances). (VBD).	Annually	In progress.
Program I 1.1.2: Green Building Code	Enforce the Green Building Code (Cal-Green) to facilitate the implementation of green building features in new housing units, including possible developing a brochure which would provide developers with a range of green building design features to choose from that will satisfy the requirements of the ordinance. (VBD).	Completed and Ongoing	Cal Green enforced. Educational brochures on going
Program I 1.1.3: Incentives for Green Building	Provide incentives, such as project expediting and a study of fee reductions, to encourage the implementation of features that exceed Cal-Green standards. (VBD, VPD)	Annually	In progress.

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Planning Period	5th Cycle	01/31/2015 - 01/31/2023

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Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table E									
Commercial Development Bonus Approved pursuant to GC Section 65915.7									
Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

Jurisdiction	Vallejo	
Reporting Period	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

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Cells in grey contain auto-calculation formulas

Table F									
Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)									
Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.									
Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 ⁺
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Residential Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Vallejo	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		37
Total Units		37

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	0	0	0
SFD	2	1	3
2 to 4	9	0	0
5 +	0	0	0
ADU	55	36	15
MH	0	0	0
Total	66	37	18

Housing Applications Summary	
Total Housing Applications Submitted:	95
Number of Proposed Units in All Applications Received:	853
Total Housing Units Approved:	80
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

Item 7 A.



**STAFF REPORT
CITY OF VALLEJO
PLANNING COMMISSION**

I. PROJECT INFORMATION

DATE OF MEETING:	February 23, 2022	Item No. 7-A
PREPARED BY:	Jonathan Atkinson, Senior Planner	
PROJECT LOCATION:	5184 Sonoma Boulevard: Suite 300 (APN: 0067-150-300)	
PROJECT NUMBER:	Major Use Permit (UP) #20-0008	
REQUESTED APPROVAL:	Amendment to Major Use Permit (VMC Section 16.606.02.E.2)	
PROJECT SUMMARY:	Request to amend Major Use Permit (UP) #20-0008 conditions of approval for V-Town Farms as it pertains to required 60 percent storefront transparency improvements and \$600,000 annual charitable donations.	
ENVIRONMENTAL DETERMINATION:	Pursuant to California Environmental Quality Act (Public Resources Code Sections 21000, et seq. ("CEQA")), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.) Section 15270, a project that is denied or rejected is exempt from the requirements of CEQA.	
RECOMMENDATION:	Hold a public hearing and consider the request to modify the conditions of approval for the Major Use Permit. Adopt a Resolution to DENY request to amend conditions of approval.	
PROJECT DATA SUMMARY:		
Applicant:	Charles Wesley Kolaboration Vallejo, LLC 183 Main Street Rio Vista, CA 94571	
Property Owner:	RPJR, LLC and JRMVP, LLC 10100 Santa Monica Boulevard Los Angeles, CA 90067	
General Plan Designation:	District – North Gateway (D-N/G)	
Specific Plan:	None	

Zoning District:	Central Corridor (CC) District
Existing Use:	Retail Cannabis Business/Vacant Building Space
Surrounding Land Uses:	North: Vacant Land South: Vacant Building East: Broadway Street/Railroad West: Sonoma Boulevard (Highway 29)
Lot Area:	4.29 acres
Total Floor Area:	49,871 square feet (19,035 square feet occupied)

II. PROJECT DESCRIPTION

A. Background

V-Town Farms is one of 11 existing cannabis businesses permitted to operate in the City of Vallejo ("City"). V-Town Farms currently operates a cannabis business with retail sales, and cannabis manufacturing and cannabis distribution as accessory uses, within a portion of the building space at 5184 Sonoma Boulevard: Suite 300.

On March 15, 2021, Charles Wesley of Kolaboration Vallejo, LLC obtained Planning Commission approval of Major Use Permit (UP) #20-0008 for V-Town Farms by a 5-1 vote. The Planning Commission hearing video can be accessed [HERE](#).

On March 25, 2021, Max Del Real of Ammericann Development filed Appeal (APP) #21-0004 on behalf of California Collective Care, an existing retail cannabis at 1639 Lewis Brown Drive (Vallejo, CA), requesting that the City Council overturn the Planning Commission approval of Major Use Permit (UP) #20-0008.

On May 25, 2021, the City Council held a public hearing in consideration of Appeal (APP) #21-0004. The City Council directed City staff by a 6-0 vote to return on June 7, 2021, with revised conditions of approval addressing issues and concerns that were raised during the public hearing. Councilmember Hakeem Brown recused himself and did not participate in the public hearing due to a conflict of interest. The City Council hearing video can be accessed [HERE](#).

On June 7, 2021, the City Council denied Appeal (APP) #21-0004 and approved Major Use Permit (UP) #20-0008 for V-Town Farms by a 4-2 vote. The City Council hearing video can be accessed [HERE](#).

This City Council action included the following conditions of approval that are the amendment request:

- **Condition 14:** As offered by the Applicant, Applicant shall donate a minimum of \$600,000 annually to local non-profit agencies or schools of its choosing for the benefit

of Vallejo residents, primarily those residing in District 2. Said donation shall be adjusted annually for inflation in accordance with the Consumer Price Index for All Urban Consumers (CPI-U), San Francisco-Oakland-Hayward, CA.

- **Condition 40.b:** Storefronts shall maintain transparent windows that allow visibility into the store, with a minimum of 60 percent transparency on the street frontage at the ground level and allow visibility into the building at a minimum of four feet above the ground.

The existing City Council District map can be accessed for reference purposes [HERE](#).

On July 2, 2021, the City's Building Division issued Building Permit (BP-2021-0468) permitting the operators of V-Town Farms to begin making tenant improvements for the conversion of the building space into a cannabis business. The issuance of the building permit was contingent upon the operators of V-Town Farms making a subsequent submittal to address an outstanding development requirement to create a storefront with 60 percent transparency in accordance with the condition of approval above.

This transparency requirement was in the Zoning Code in effect at the time V-Town Farms had a complete application (VMC Section 16.82.060.V.3.e). This is intended to not only allow visibility into the business, but to enhance the aesthetic of the structure. As the Planning Commission may recall, and as evidenced in the Planning Commission and City Council recordings, this was a particularly contentious issue at the hearings, and was discussed thoroughly. Both the Planning Commission and the City Council approved the application with the condition that the façade be altered to have 60 percent transparency.

When the new Zoning Code was adopted, a cut and paste error resulted in this requirement and others not being included in the new Zoning Code. Staff will be bringing this correction, as well as other minor edits to the Planning Commission in the next few months. Nevertheless, the application was approved under standards that required it, as well as being a condition of approval.

On July 30, 2021, V-Town Farms received a Temporary Certificate of Occupancy (TCOO) and commenced business operations. The applicant had requested the TCOO to allow them to open to the public while waiting for windows, which were delayed due to COVID-19 supply chain issues. The Director, allowed the applicant 16 weeks from the issuance of the TCOO to install additional windows to achieve the 60 percent transparency requirement.

On October 25, 2021, the applicant sent an email detailing that he wanted to amend both the transparency condition and the charitable donation condition.

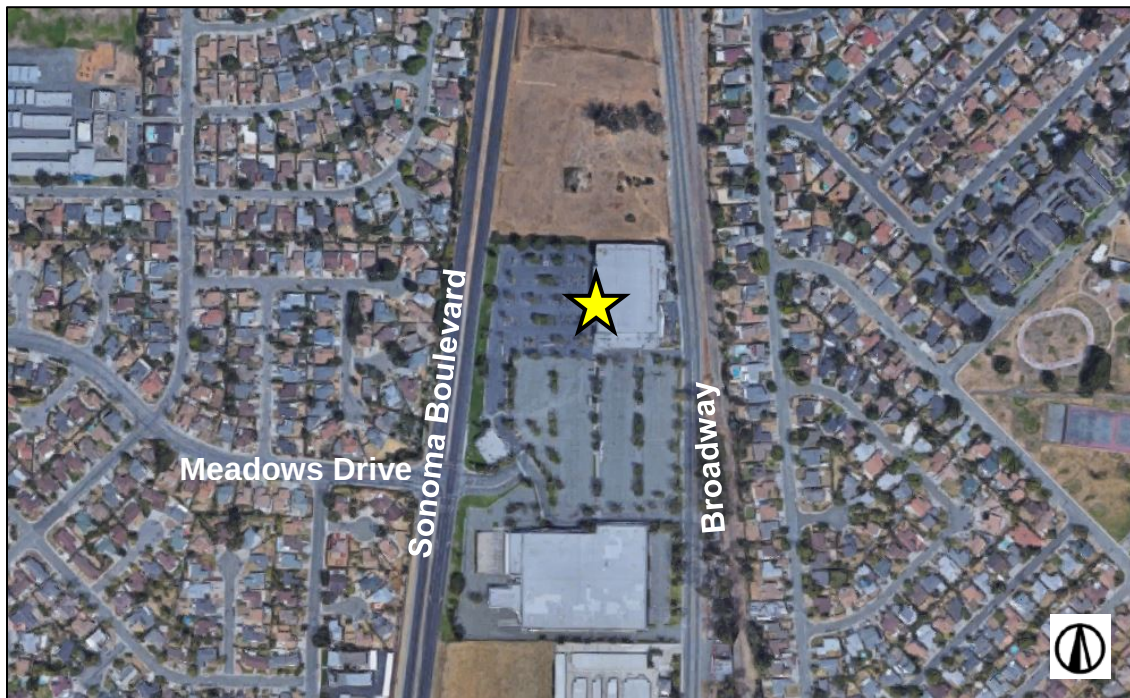
On October 29, 2021, the TCOO expired. Staff continued to work with the applicant on explaining the process and the correct application and fees to be submitted for an amendment request.

On November 23, 2021, applicant filed an application requesting a formal amendment of the conditions of approval for Major Use Permit (UP) #20-0008.

B. Location and Land Use Context

The project site is one of three parcels that comprise Meadows Plaza, a commercial shopping center located on approximately 17.75 acres of land in North Vallejo. The following existing developments and land uses surround the project site: undeveloped land is located to the north; Broadway Street is located to the east with a railroad and single-family residences on the other side of the street; two vacant buildings that are part of Meadows Plaza are located to the south; and Sonoma Boulevard (Highway 29) is located to the west. The 4.29-acre project site is characterized by one commercial building with multiple tenant spaces, a surface parking lot, and mature landscaping. Meadows Plaza was formerly home to Walmart (closed in 2007) and Food 4 Less (closed in 2016) and had been largely vacant until V-Town Farms commenced business operations there in 2021.

Figure 1 – Vicinity Map



V-Town Farms is a cannabis business with retail sales, and cannabis manufacturing and cannabis distribution as accessory uses. The cannabis business occupies a 19,035 square foot portion of the existing 49,871 square foot building space. The remaining 30,836 square feet of the building space is vacant and not permitted to be accessed for any part of the cannabis business operation. Table 2 provides a breakdown of the floor area by use. The primary use is the retail sale of cannabis products. Cannabis manufacturing involves non-volatile processes to manufacture infused pre-rolls, flowers, and cannabis beverages. Cannabis distribution involves the packaging and shipment of cannabis products, including those manufactured on the premises. Cannabis cultivation is not part of the business operation, nor is it permitted at this location. The permitted hours of operation are 6:00 A.M. to 10:00 P.M., seven days a week.

Table 2 – Breakdown of Building Space Floor Area

Use	Area
Retail Cannabis Sales Area	7,965 square feet
Retail Cannabis Storage	4,455 square feet
Cannabis Manufacturing	494 square feet
Cannabis Distribution	1,485 square feet
Customer Check-In	810 square feet
Employee Break Area	3,016 square feet
Office and Restroom Areas	810 square feet
Unoccupied Space	30,836 square feet

C. Request for Amendment

The applicant is requesting to amend the following conditions of approval:

- **Condition 14:** *As offered by the Applicant, Applicant shall donate a minimum of \$600,000 annually to local non-profit agencies or schools of its choosing for the benefit of Vallejo residents, primarily those residing in District 2. Said donation shall be adjusted annually for inflation in accordance with the Consumer Price Index for All Urban Consumers (CPI-U), San Francisco-Oakland-Hayward, CA.*
- **Condition 40.b:** *Storefronts shall maintain transparent windows that allow visibility into the store, with a minimum of 60 percent transparency on the street frontage at the ground level and allow visibility into the building at a minimum of four feet above the ground.*

The applicant's proposed amendments are as follows:

- **Proposed Condition 14:** *The Applicant shall donate a minimum of 1% of revenue annually to local non-profit agencies and schools of its choosing for the benefit of Vallejo residents; primarily those residing in District 2.*

The applicant is proposing the “revenue” be defined as the total collections less City and State sales and excise taxes.

- **Proposed Condition 40.b:** *As long as the Applicant maintains at least two, armed, security guards on the premises 24 hours a day and seven days per week, the Applicant shall not be required to meet the 60% Transparency Requirement; whether or not the requirement is reinstated in the Code.*

The applicant cites a collection of reasons as rationale for the amendments in a written request (attached to this staff report for reference).

The reasons are summarized below:

\$600,000 Annual Charitable Donation Condition

- The Applicant spent \$65,000 in litigation defending the City.

- The cannabis market has changed since V-Town Farms agreed to pay the \$600,000 annually and sales revenue does not financially justify a charitable donation of this amount.
- No other cannabis operators in Vallejo are required to make charitable donations; putting V-Town Farms at a disadvantage.
- One percent of sales revenue as a charitable donation is V-Town Farms' practice in Rio Vista (Rio Vista Farms) and Antioch (Coco Farms).

60 Percent Transparency Requirement

- Requiring V-Town Farms to make additional storefront improvements to achieve 60 percent transparency creates security risks.
- There is no aesthetic value to achieving 60 percent transparency at V-Town Farms.
- The costs to make additional storefront improvements for 60 percent window transparency would result in employee furloughs.
- The 60 percent transparency requirement for retail cannabis businesses is no longer in the zoning code and existing transparency requirements do not apply to the existing building space.

In response, staff notes that every applicant of a discretionary permit is required to indemnify the City in the event there is legal action resulting from the decision. Staff notes that Mr. Wesley volunteered to contribute \$600,000 annually to the community during the appeal hearing, which the offer was accepted by the City Council.

The 60 percent transparency requirement was discussed at length at the Planning Commission and the City Council meetings. The storefront transparency requirement is imposed not only for safety, but to enhance the aesthetic of the existing building. Staff believes the threat of employee furloughs related to the cost of required building improvements is a specious argument.

D. Discussion

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. The project site is a building space that is partially occupied by V-Town Farms and located in the Meadows Plaza shopping center. The cannabis business is principally retail in operation and is compatible with uses typical of a shopping center, such as commercial shops, services, offices, and restaurants. The cannabis business is subject to Vallejo Municipal Code and State requirements as well as Use Permit conditions added to ensure that the operation does not result in an adverse effect on the surrounding area.

The purpose of this amendment request is to amend two of the original conditions of approval for Major Use Permit (UP) #20-0008: (1) required charitable donations to nonprofits and schools in District 2 of one percent of annual revenue instead of \$600,000 annually; and (2) the posting of two onsite security guards 24 hours a day, seven days a week instead of making storefront improvements to achieve 60 percent transparency.

Charitable Donations

No other Vallejo cannabis businesses are subject to this condition. However, the operators of V-Town Farms offered to pay \$600,000 annually, and this fact was taken into consideration when the City Council heard public testimony, evaluated the application and chose to deny the Appeal and grant the Major Use Permit for V-Town Farms. Staff does not believe that modifying this condition of approval would be in keeping with the intent of the City Council's action.

Windows on 60 percent of Front Façade Condition

The requirement to achieve 60 percent transparency was not only a condition of the Major Use Permit but a zoning code requirement for retail sales of cannabis uses under VMC Section 16.82.060.V.3.e in effect at the time of the approval. After the Major Use Permit was granted, the applicant requested a TCOO to move into the building space before installing the windows due to supply chain delays. Staff is aware that COVID-19-related supply chain delays have greatly increased the wait time for windows for many of our applicants, and in an effort to work with the applicant, the Director approved a TCOO for 16 weeks.

After moving into the building space, the applicant raised the issue that the building space would not structurally support the added storefront improvements, which in fact was disputed by the structural engineer's report. The applicant is now contesting that compliance with this requirement would be cost-prohibitive and result in employee furloughs. Cost concerns with development and personnel matters for a private business are inappropriate considerations for determination of a land use entitlement.

Other Conditions of Approval Issues

The City Council added as Condition 10 to the Use Permit the requirement to engage in robust community outreach. Staff secured a consultant for this work but the applicant did not provide the funding despite numerous written requests until February 15, 2022; hence this condition of approval has not yet been met. Staff will work with the applicant and consultant to begin the required outreach by March 15, 2022.

III. ENVIRONMENTAL REVIEW

Pursuant to California Environmental Quality Act (Public Resources Code Sections 2000, et seq. ("CEQA")), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.) Section 15270, a project that is denied or rejected is exempt from the requirements of CEQA.

IV. NOTICING AND PUBLIC COMMENTS

The Planning Division provided the following notifications in accordance with Vallejo Municipal Code Section 16.602.08 on February 9, 2022: Published a public notice in the Times Herald newspaper. Mailed notices to every property owner and neighborhood group within 500 feet of the project site and applicant through the United States Postal Service. The Casa Del Monte Homeowners Association is the only identified neighborhood group within 500 feet of the project site for the purposes of project notifications. Posted a notice on the front elevation of the cannabis business. Emailed a PDF copy of the notice to the Planning Commission on

February 9, 2022. Staff has not received any communications in regard to the application as of writing this staff report.

V. CONCLUSION / STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt a Resolution to **DENY** the requested amendments to (UP) #20-0008 based on the analysis contained in this staff report and findings provided in the attached Resolution. A denial would mean that the business would continue to be subject to the original conditions of approval imposed by the City Council. These include (1) \$600,000 in annual charitable donations and (2) the required 60 percent transparency of the storefront as conditioned by the City Council.

Should the Planning Commission wish to approve the applicant's request to amend Major Use Permit (UP) #20-0008, staff requests that the Planning Commission provide direction to assist in the drafting of findings for approval. Staff would then return with a Resolution and conditions of approval

VI. 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 **\$1,328** 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.

Under VMC Section 16.602.14.E, a member of the City Council may also call the decision of the Planning Commission for review within the appeal period. The call for review shall be processed in the same manner as an appeal by any other person. Such action shall stay all proceedings in the same manner as the filing of an appeal. Such action shall not require any statement of reasons and shall not represent opposition to or support of an application or appeal.

ATTACHMENTS

1. Resolution
2. Request for Amendment
3. City Council Resolution No. 21-059
 - Exhibit A: Major Use Permit (UP) #20-0008 Conditions of Approval
4. Approved Plans
5. VMC Development Standards (Cannabis)
6. Written Communications (City Staff and Applicant)

Approved as to form:

By:  for
Veronica A.F. Nebb
City Attorney

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION

**A RESOLUTION DENYING THE REQUEST TO AMEND MAJOR USE PERMIT (UP)
#20-0008 ISSUED TO V-TOWN FARMS, AN EXISTING CANNABIS BUSINESS,
WITHIN AN EXISTING BUILDING SPACE IN MEADOWS PLAZA
MAJOR USE PERMIT (UP) #20-0008
5184 SONOMA BOULEVARD: SUITE 300
APN #0067-150-300**

WHEREAS, on June 7, 2021, the City Council of the City of Vallejo ("City") approved Major Use Permit (UP) #20-0008, which established retail cannabis sales with cannabis manufacturing and cannabis distribution, as accessory uses within an existing building space on property located at 5184 Sonoma Boulevard: Suite 300; and

WHEREAS, on November 23, 2021, Chuck Wesley ("the applicant") of Kolaboration Vallejo, LLC, filed an application to amend conditions of approval for Major Use Permit (UP) #20-0008 (the "project"); and

WHEREAS, on February 23, 2022, after giving all public notices required by State law and the City of Vallejo Municipal Code, the City of Vallejo Planning Commission conducted a duly noticed public hearing to consider the project; and

WHEREAS, the record of proceedings ("record") upon which the Planning Commission bases its decision on the project at issue herein, includes, but is not limited to: (1) the environmental determination (statutory exemption) for the project; (2) the staff reports, City files and records and other documents, prepared for and/or submitted to the City relating to 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 project; (7) all documentary and oral evidence received at public workshops, meetings, and hearings regarding 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

NOW THEREFORE, based on the record, the Planning Commission hereby makes the following findings:

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to California Environmental Quality Act (Public Resources Code Sections 2000, et seq. ("CEQA")), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.) Section 15270, a project that is denied or rejected is exempt from the requirements of CEQA.

II. FINDINGS RELEVANT TO THE DENIAL OF A REQUEST TO AMEND MAJOR USE PERMIT (UP) #20-0008:

A. The applicant offered to pay the \$600,000 community benefit annually. The City Council added it as a condition of approval, to which the applicant agreed. This monetary benefit to the City was taken into consideration when the City Council chose to grant the Major Use Permit for V-Town Farms.

B. The required storefront improvements to achieve 60 percent transparency was not only made a condition of the Major Use Permit but was a zoning code requirement for retail sales of cannabis uses under VMC Section 16.82.060.V.3.e in effect at the time of approval. The applicant requested a Temporary Certificate of Occupancy to move into the building space without installing the additional windows to allow more time to order and receive the windows.

COVID-19-related supply chain delays have greatly increased the wait time for windows for many applicants, as staff is aware. In an effort to work with the applicant, the Director approved a Temporary Certificate of Occupancy for 16 weeks to allow the applicant to open for business while working on ordering the windows. The applicant then decided that he did not want to install windows and wanted to remove that condition of approval.

C. The transparency requirement is not exclusively for safety, but to enhance the aesthetics of the existing building. The façade of the existing building is concrete masonry with minimal fenestration. Both the Planning Commission, and later the City Council on appeal, chose to grant the Major Use Permit with the understanding that the building would undergo façade enhancements through the installation of additional storefront windows.

III. RESOLUTION DENYING A REQUEST TO AMEND MAJOR USE PERMIT (UP) #20-0008 FOR V-TOWN FARMS AT 5184 SONOMA BOULEVARD: SUITE 300:

NOW, THEREFORE, BE RESOLVED that the Planning Commission hereby DENIES the request to amend Major Use Permit (UP) #20-0008 for V-Town Farms, a retail cannabis sales use with cannabis manufacturing and cannabis distribution, as accessory uses, based on the findings contained herein.

IV. VOTE:

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 23rd day of February 2022 by the following vote to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

PEGGY COHEN-THOMPSON, CHAIRPERSON
City of Vallejo Planning Commission

Attest:

MARGARET KAVANAUGH-LYNCH, SECRETARY
City of Vallejo Planning Commission

Doing The Right Things

November 11, 2021

A Request for Two Changes to the Use Permit Conditions for V-Town Farms

Major Use Permit #20-0008

What We Are Requesting

- Planning Division Condition # 40b. That the Condition that we meet the 60% Transparency Requirement be stricken and replaced with the requirement that we have two armed guards on the Premises 24 hours per day and seven days per week. During the Dispensary hours of operation, one of these guards will be stationed just inside the Dispensary.
- Planning Division Condition # 14. That the Condition that we donate \$600,000 per year be modified to read "one percent of Revenue."

Compelling support and rationale is provided below for both Requests.

First... How Are We Doing?

- Since opening on July 30th, we have served over 11,000 different Customers. As promised, only 31% of these Customers come from Vallejo Zip Codes. The vast majority of our Customers are from outside Vallejo.
- We now serve over 3,200 customers every week, and this continues to improve.
- We are not growing as quickly as we expected. By this time, Antioch was already delivering \$100K per day in Collections. We are doing about \$31,000. Some of this has to do with general market conditions; which are off 20% state-wide.
- We hope to be near \$50K per day in Collections sometime between Thanksgiving and New Years Day.
- At this point, the daily Revenue goal of \$165K is no longer a viable goal. If Collections are eventually \$100K per day, then daily Revenue will be only \$73K. Half of the original plan.
- Employment... We have 73 employees. We are overstaffed by 10 employees. We are continuing to carry these employees to honor their trust in us as their employer. Had the business ramped up as Antioch did, we would now be staffed just right. But it didn't and we aren't. We are overstaffed by 10, and this is \$10,000 per week that we are losing.
- To-date, for July and August and September, we have remitted \$96,475.23 in City Cannabis Taxes and are now at a rate to remit at least \$60,000 monthly; or \$720K per

year. As we reach \$100K per day in collections, this will increase to \$150K per month; or \$1.8 Million annually.

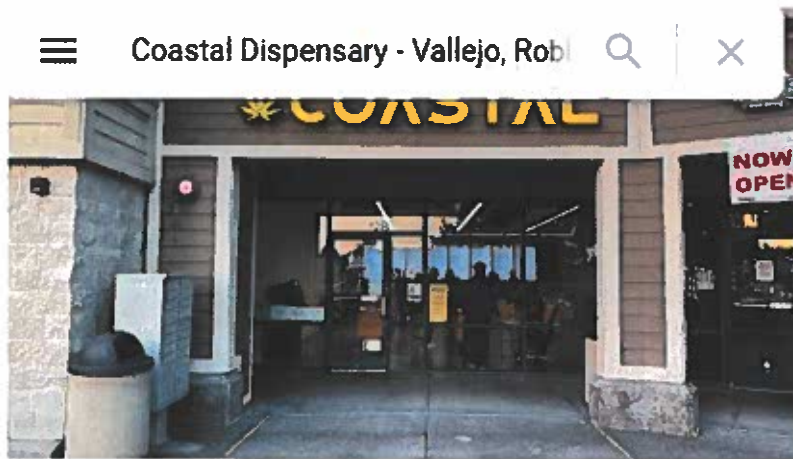
- The 800 Complaint Number... This is Planning Condition #11. In 80 days of operation, there has not been even one call to the 800 number.

A Recap of Our Doing The Right Thing

- In August of 2020, we cleaned up and beautified Meadows Plaza at great expense. We then spent \$20,000 per month for 24 x7 Security to keep it clean and safe.
- Our actions preserved the three established businesses, which were all pending failure. Their customers no longer felt safe at their establishments.
- In June 2021, the HTP Group closed in anticipation of the immediate transfer of its Use Permit to V-Town Farms. There was a two-month delay in transferring the permit. However, V-Town Farms hired all of the HTP employees with wages and benefits greater than what they had received at HTP. V-Town Farms was not yet open, but carried these employees for two months.
- At a cost of \$65,000 V-Town Farms defended the City against the California Care Collective, and prevailed.
- Finally, V-Town Farms opened on July 30th, 2021. We expected volumes 2x what they actually are. And so, as noted above, we continue to be overstaffed by 10 employees. However, we are intent on Doing the Right Thing and retaining these employees so that they are here when the business completes its ramp up in the next few months.

Now We Need Your Help With the 60% Transparency Requirement

- Planning Division Condition # 40b requires that the V-Town Farms storefront “shall maintain transparent windows that allow visibility into the store, with a minimum of 60 percent transparency on the street frontage at the ground level and allow visibility into the building at a minimum of four feet above ground.”
- The purpose of the 60% Transparency Requirement is to provide “Safety and Security”.
- There is no empirical evidence to support this stated purpose. In fact, adding more glass to the front of the store only adds to the challenge to prevent breaches into the store. **On November 11th (just days ago), a car crashed through the glass storefront at the Coastal Dispensary in Vallejo and robbed the store.** This occurred sometime between closing on Wednesday and opening on Thursday. Here is a picture of the storefront...



- Also... Witness the Summer of 2020... While Antioch Police were managing the looters at the large box stores with glass storefronts, we protected ourselves with Armed Security Guards. The looters organized on social media and came for us. When they saw the guards, they simply drove on by. Glass attracts vandals and looters. Witness Walnut Creek, which completely boarded up its storefronts in the Summer of 2020. We spend \$65,000 per month on armed guards. If the 60% Transparency Requirement truly provides "Safety and Security", then we could spend the \$100,000 to meet the 60% requirement and then pull all of our security guards and save \$65,000 per month going forward.
- We can say with certainty, that if we were to pull our security guards our business would be looted that night and we would be out of business in the morning. Witness the Coastal dispensary.
- The claim that the 60% Transparency Requirement provides "Safety and Security" is without any empirical evidence to support the claim. Even if it is effective elsewhere, it is not effective for V-Town Farms. We appreciate the aesthetic value of the 60% requirement for storefronts within 20 feet of the street (current code). But we are well beyond 150 feet from Sonoma Blvd. and there is no aesthetic value to our achieving 60% transparency. The store as-is is legal, conforming and beautiful.
- All we are asking is this... Let us provide Safety and Security using the same proven approaches we use in Rio Vista, Antioch, Del Rey Oaks and Salinas. ADT Security plus Armed Guards = Safety and Security. None of these stores meet the 60% Transparency Requirement. In fact, for three of them, you cannot see into the Dispensary from the outside windows. For V-Town Farms, our Architect determined that from the existing glass panels, you can see 74% of what is happening in the Dispensary. This is far more than any of our other locations. Please... Permit us to provide Safety and Security in the ways already proven to work. If we are wrong, we will suffer the consequences.

- So... we need you to strike the 60% Transparency Requirement from our Use Permit and replace it with the requirement to maintain two armed guards on the Premises 24 x7. When the Dispensary is open, one of the guards will move to inside the Dispensary.
- And... The only way we can fund the work to achieve the 60% Transparency Requirement is to furlough 10 employees for ten weeks. Please... Let's just all not go there. It is not the Right Thing To Do.
- Please see the formal Resolution, which follows, for your adoption.
- And a side note... The 60% Transparency Requirement for Cannabis companies was dropped from City Code this past June. Staff states that this was a mistake. Nevertheless, it is no longer in the code. However, there is a requirement that Retail stores meet the 60% Transparency Requirement if they are within 20 feet of the street front. The V-Town Farms storefront is over 150 feet from the street. So, the building is currently both Legal and Conforming.
- Anticipating that the code may be corrected before this matter concludes, we are also requesting a Variance from the potentially-corrected Code.

Now We Need Your Help With the \$600,000 Annual Donation Requirement

- Planning Division Condition #14 requires... Applicant shall donate a minimum of \$600,000 annually to local non-profits or schools of its choosing for the benefit of Vallejo residents, primarily those residing in District 2. Said donation shall be adjusted annually for inflation in accordance with the Consumer Price Index for All Urban Consumers (CPI-U), San Francisco-Oakland-Hayward, CA.
- During the City Council Meeting of last May/June, the Council Members voted to impose a \$600,000 annual donation requirement on V-Town Farms. At that time, we offered that the amount should be one percent of Revenue. However, this was declined.
- At the time, the \$600,000 would have been one percent of planned annual revenue of \$60 Million. However, \$60 Million will not be achieved; this year or ever. The Cannabis market has changed and the best we can hope to achieve is \$27 Million per year. Not even half of the \$60 Million.
- So, we are requesting that the \$600,000 requirement be replaced with the requirement that we donate 1% of Revenue annually. And further, that the CPI adjustment be removed. If Cannabis prices and Revenue go up, the Donations will go up. There is no need for a CPI adjustment.
- And a word about the new competitors in Vallejo...
 - The Parent Company ("TPC") recently purchased the Coastal Dispensary.
 - TPC is a public company with a Market Cap of \$300 Million.

- Green Dragon is a large cannabis operator from the LA area and has purchased MCPG Happy Herb (aka Feather). And now Eaze, a multi-state operator, has purchased Green Dragon. Eaze has a Market Cap of \$350 Million.
- Both TPC and Eaze have resources far greater than V-Town Farms and its sister companies.
- Neither of these two competitors are required to make the Donations required of V-Town Farms. This, of course, places us at a disadvantage in the market.
- We donate greatly in all of our markets, and will do so in Vallejo as well. We just ask that the requirement be set to one percent of Revenue, which is our experience in both Rio Vista and Antioch.
- Please see the formal Resolution, which follows, for your adoption.

Very Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Charles M. Wesley', written in a cursive style.

Charles M. Wesley

RESOLUTION NO. _____

**GRANTING CHANGES TO THE CONDITIONS OF MAJOR USE PERMIT #20-0008
FOR V-TOWN FARMS**

WHEREAS, on June 7, 2021, the City Council approved MUP #20-0008.

WHEREAS, on October 21, 2021, the Planning Division received a request from Charles Wesley of Kolaboration Vallejo LLC (dba V-Town Farms) to make two changes to the Conditions of MUP #20-0008.

WHEREAS, on _____, the Planning Commission heard from applicant Charles Wesley and found his rationale for the requested changes to be sound and worthy of the Planning Commission's approval.

NOW THEREFORE, based on the foregoing, the Planning Commission hereby makes the following changes to the Conditions of MUP #20-0008:

- Planning Condition #14 is stricken and replaced with... "The Applicant shall donate a minimum of 1% of Revenue annually to local non-profit agencies and schools of its choosing for the benefit of Vallejo residents; primarily those residing in District 2."
- Planning Condition #40b is stricken and replaced with... "As long as the Applicant maintains at least two armed security guards on the premises 24 hours per day and seven days per week, the Applicant shall not be required to meet the 60% Transparency Requirement; whether or not the requirement is reinstated in the Code."

Adopted by the City of Vallejo Planning Commission on _____ with the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN DUE TO CONFLICT OF INTEREST:

DIOSDADO "J.R." MATULAC

ATTEST: _____

DAWN G. ABRAHAMSON, CITY CLERK

RESOLUTION NO. 21-059 N.C.

DENYING APPEAL (APP) #21-0004, UPHOLDING PLANNING COMMISSION APPROVAL OF MAJOR USE PERMIT (UP) #20-0008, AND APPROVING MAJOR USE PERMIT (UP) #20-0008 TO ESTABLISH RETAIL CANNABIS SALES FOR V-TOWN FARMS WITH CANNABIS MANUFACTURING AND CANNABIS DISTRIBUTION AS ACCESSORY USES WITHIN AN EXISTING BUILDING SPACE IN MEADOWS PLAZA.

**5184 SONOMA BOULEVARD: SUITE 300
APN #0067-150-300**

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

WHEREAS, on July 23, 2020, Chuck Wesley of Kolaboration Vallejo, LLC, filed a Major Use Permit application to establish retail cannabis sales with cannabis manufacturing and cannabis distribution as accessory uses ("project") within an existing building space on property located at 5184 Sonoma Boulevard: Suite 300 ("project site"); and

WHEREAS, the project site has a General Plan 2040 land use designation of District – North Gateway; and

WHEREAS, the project site has an interim zoning designation of Pedestrian Shopping and Service (CP), is identified as Planned Development Commercial (PDC) District pursuant to the existing zoning code, and will be zoned Central Corridor Commercial (CC) District under the new zoning code; and

WHEREAS, on March 15, 2021, after giving all public notices required by State law and the City of Vallejo Municipal Code, the City of Vallejo Planning Commission conducted a duly noticed public hearing and approved the project; and

WHEREAS, on March 25, 2021, the Planning Division received an appeal from California Collective Care, requesting that the City Council overturn the Major Use Permit approval; and

WHEREAS, the Record of Proceedings ("Record") upon which the City Council bases its decision on the project at issue herein, includes, but is not limited to: (1) the environmental document (categorical exemption) prepared for the project and the appendices and technical reports cited in and/or relied upon in preparing same; (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 City Council 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; and

WHEREAS, on May 25, 2021, the City Council 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, on May 25, 2021, the City Council continued the public hearing to June 7, 2021; and

NOW THEREFORE, based on the Record, the City Council hereby makes the following findings:

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDING:

Based on the fact that the project involves the reuse of an existing building with a retail cannabis use with minor building and site alterations, the City Council finds that approval and implementation of 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. (Guidelines) pursuant to Guidelines Section 15301 ("Existing Facilities").

FACTS IN SUPPORT: *The project is proposed to be located within an existing shopping center, Meadows Plaza, in an existing building space formerly occupied by Food 4 Less. The project is not proposing expansion of the existing building space but rather involves only reoccupation of the space, interior and exterior alterations involving such things as interior partition walls, plumbing and electrical, painting and installation of windows consistent with the examples set forth in Guidelines Section 15301 (a).*

None of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows:

(a) the site is not located in an environmentally sensitive area,

FACTS IN SUPPORT: *The project site is located in an existing building space in an existing operating shopping center, as noted above.*

(b) there are no cumulative impacts,

FACTS IN SUPPORT: *The project site is located in an existing building space in an existing operating shopping center and replaces a previous retail use, as noted above.*

(c) there are no significant effects due to unusual circumstances,

FACTS IN SUPPORT: *The project site is located in a tenant space in an existing operating shopping center and replaces a previous retail use, as noted above.*

(d) the project is not located near a scenic highway,

FACTS IN SUPPORT: *There are no designated scenic highways in the City of Vallejo or otherwise near the project site.*

(e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5,

FACTS IN SUPPORT: *Planning Division staff checked the list of sites prepared pursuant to Government Code Section 65962.5 and verified that the project site is not located thereon.*

(f) the project would not affect any historical resource. Therefore, no further environmental review is required.

FACTS IN SUPPORT: *There are no historical resources located on the project site. The project site is located within an existing shopping center.*

II. FINDINGS RELEVANT TO THE DENIAL OF THE APPEAL

A. Appellant Claim: The proposed retail cannabis dispensary is too large and will invite crime.

According to the [Planning Commission] Staff Report, the proposed retail sales “will occupy 17,056 square feet of the floor area.” Most licensed retail dispensaries in the State of California occupy no more than 2,000-5,000 SF. A “weed super store” in the City of Vallejo will attract unwanted crime.

***REASON FOR APPEAL:** The Applicant failed to conduct a “public Safety Impact Study” regarding the potential adverse effects of a “weed super store” at this location which could harm surrounding businesses and local residents. Additionally, the Vallejo Police Department did not participate in the Planning Commission hearing and has been mute on this issue to date.

Staff Response:

All retail cannabis businesses in Vallejo are required to maintain a confidential written security plan regardless of the size and intensity of the operation. The Vallejo Police Department reviewed the Use Permit application and written security plan for V-Town Farms, and did not raise any concerns. The retail cannabis business will employ uniformed security guard(s), as proposed and required, and utilize surveillance technology, as part of its operation. Meadows Plaza has been largely vacant since losing Walmart in 2007 and Food 4 Less in 2016. The introduction of an active retail cannabis business with both uniformed security and security cameras can improve security in the shopping center with the additional surveillance serving as a potential deterrent. No substantial evidence has been submitted that shows a tie between the square footage of a retail cannabis operation and the amount or nature of crime associated therewith. The stated subjective fears do not rise to the level of substantial evidence.

Accordingly, the City Council finds that Appellant's claim “A” is without merit.

B. Appellant Claim: The proposed location does not reflect the spirit and intent of the City's General Plan.

The City's General Plan 2040 does not support “cannabis use” and/or its related business at the proposed location at 5184 Sonoma Blvd., Suite 300. The D-NG zoning designation does not support a 17,000 SF “weed super store.”

Staff Response: V-Town Farms is consistent with the General Plan 2040 designation of District – North Gateway (D-NG). General Plan 2040 describes the D-NG designation as follows:

The D-NG designation applies to the northern portion of the area north of SR 37 between Sonoma Boulevard and Broadway Street, a highly-visible area that serves as a gateway to Napa Valley from SR 37 (heading north) and to Vallejo from American Canyon (heading south). It is intended to foster an integrated, pedestrian-oriented place with a mix of uses, such as retail, dining, entertainment, and lodging, that cater to both motorists passing through and surrounding neighborhoods. It also incorporates higher-density residential development that supports nearby services and activates the area. The maximum permitted FAR in the D-NG designation is 2.0, with a minimum residential density of 30 dwelling units per acre up to 50 dwelling units per acre.

*A retail cannabis business in the North Gateway District is allowable pursuant to General Plan 2040. This use contributes to the diversity of uses that are envisioned for the North Gateway District. Retail cannabis sales is also a use that will serve both local residents and motorists passing through Vallejo. V-Town Farms would be particularly well-suited to attract both local residents and motorists with its high visibility from Sonoma Boulevard (Highway 29) and Broadway. An analysis of the project's consistency with General Plan 2040's Guiding Principles and Policies is contained in the Planning Staff report from March 15, 2021, which is attached hereto as **Attachment 2** and incorporated herein by reference.*

The project site is identified as Planned Development Commercial (PDC) District on the City's existing zoning map. The planned development for the project site permits retail uses but does not specifically mention cannabis use since at the time of the adoption of the planned development for Meadows Plaza, cannabis was not a legally permitted use.

On August 29, 2017, the City Council established the Interim Zoning Policy (IZP) to facilitate development and guide zoning interpretations from the adoption of General Plan 2040 to the adoption of the new zoning code. Under the IZP, each General Plan 2040 land use designation correlates to the City's existing zoning districts and specific plans for the purposes of applying land use and development standards to a proposal. The project site's General Plan 2040 designation of District – North Gateway (D-NG) correlates to the following zoning districts under the IZP: Pedestrian Shopping and Service (CP) District and High Density Residential (HDR) District.

The CP District is the "best fit" zoning designation authorized under the IZP because the project site is located within a commercial shopping center that can accommodate a variety of uses, including a retail cannabis business. In addition, the proposed zoning of the project site in the new zoning code is Central Corridor Commercial (CC) District, which would also allow retail cannabis sales with a Minor Use Permit.

Under the IZP, in situations where the proposed use is permitted by General Plan 2040, but not clearly addressed in the existing zoning designation, the applicant may apply for a Major Use Permit to allow the use. Thus Staff required a Major Use Permit application for this project.

The process of a Major Use Permit in the present case is the strictest applicable process under the IZP. The Major Use Permit may be granted under the IZP provided the use is

consistent with General Plan 2040 and subject to the following findings under Section 6 of the IZP:

- 1. The proposal is appropriate in consideration of the characteristics of the surrounding area.*
- 2. The proposal is consistent with the intent and desired character of the relevant land use designations(s) of General Plan 2040 and any associated General Plan policies.*
- 3. The proposal will clearly promote implementation of General Plan 2040.*
- 4. The proposal conforms to the zoning ordinance requirements of the applicable or "best fit" zoning district.*

The project is a retail use proposed to occupy a portion of an existing building that was used as a retail use. The improvements to the site and building façade and the conditions under which the store will operate, including security, air filters and hours of operation are appropriate for a retail use in an existing shopping center.

The proposal is for a retail use, which is consistent with the intent and land use designation of D-NG, and as such will promote the implementation of General Plan 2040.

The proposal conforms to the IZP "best fit" zoning of CP. In addition, the project site is proposed to be zoned CC District under the new zoning code. Retail cannabis sales uses will be permitted in the CC District with the issuance of a Minor Use Permit. City staff has applied the most restrictive zoning and required the applicant to obtain a Major Use Permit in the present case.

Accordingly, the City Council finds that the proposed project is consistent with the General Plan 2040 designation of District – North Gateway (D-NG).

General Plan 2040 Guiding Principles

- **Guiding Principle 13. Good Jobs, Education & Training.** Vallejo provides people with good jobs and its young people with job training and the education they need to succeed. Vallejo embraces innovations in education, and the City's excellent educational institutions and trade schools play a prominent role in its economic vitality and community life.
- **Guiding Principle 14. Innovation, Entrepreneurship & Successful Local Businesses.** Vallejo welcomes innovative businesses and fosters entrepreneurship. It is a community that capitalizes on new technologies, community assets, and local knowledge – while helping local businesses to succeed.
- **Guiding Principle 15. Economic Development Aligned with Natural Environment.** Vallejo values economic development and aligns well-designed projects with the protection and enhancement of environmental resources. It is a community where sustainable development is efficiently processed and provides broad benefits that serve community needs and enhance the quality of life.
- **Guiding Principle 16. Stable, Strong & Diverse Economy.** Vallejo is characterized by fiscal stability; a strong, diverse economy, including health care, education, and manufacturing; and efficient use of its lands and waterways. Vallejo's unique setting, community character, and favorable weather are major resources for economic expansion, including tourism and entertainment.

The project brings good jobs to Vallejo with an innovative business that results in the adaptive reuse of a vacant building and site. Specifically, these are jobs that will provide training and experience in an industry that is expanding throughout California. The project balances economic development with the natural environment in that it will result in the reuse of a vacant building on an infill site, and not disturb natural resources. Lastly, the project contributes to the diverse economy of Vallejo, while also drawing customers from both inside and outside of Vallejo. Accordingly, the City Council finds that the proposed project is consistent with General Plan 2040 Guiding Principles 13, 14, 15, and 16.

General Plan 2040 Policies

- **Policy NBE-2.8 Infill Development. Promote infill development and target vacant and underutilized sites for community-desired and enhancing uses that are compatible with surrounding uses.**

The project site is a vacant building space in a commercial shopping center that has largely sat vacant for several years. Reuse of this underutilized building with a retail use that serves both local and regional customers and provides good jobs will enhance the economy of the area and Vallejo. The cannabis business will be subject to a collection of specific requirements, including the addition of new windows, to ensure it does not create any potential adverse impacts. Accordingly, the City Council finds that the proposed project is consistent with General Plan 2040 Policy NBE-2.8.

- **Policy NBE-3.8 North Gateway. Accelerate investment in the North Gateway area to achieve a mixed-use district that caters to both locals and regional travelers to Napa Valley.**

Establishment of an active retail cannabis business at 5184 Sonoma Boulevard will help accelerate investment in the North Gateway, particularly Meadows Plaza, which has been largely vacant for years. The retail cannabis business can help draw customers from within and outside of Vallejo to Meadows Plaza for which existing businesses may benefit. Furthermore, new businesses may be encouraged to fill the vacant tenant spaces. Accordingly, the City Council finds that the proposed project is consistent with General Plan 2040 Policy NBE-3.8.

- **Policy NBE-3.14 Neighborhood Corridors. Connect the community with mixed-use corridors that function as neighborhood main streets for adjacent residential areas.**

The establishment of a retail cannabis business contributes to the mix of uses along the Sonoma Boulevard corridor between Highway 29 and Mini Drive. Accordingly, the City Council finds that the proposed project is consistent with General Plan 2040 Policy NBE-3.14.

- **Policy NBE-5.13 Noise Control. Ensure that noise does not affect quality of life in the community.**

All of the activities of the retail cannabis business, including the cannabis manufacturing and cannabis distribution accessory uses, will occur indoors and away from sensitive uses, such as residences. Furthermore, the retail cannabis business will be subject to noise-reduction requirements, as operational conditions. Accordingly, the City Council finds that the proposed project is consistent with General Plan 2040 Policy NBE-5.13.

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

The retail cannabis business contributes to the vibrancy of the Sonoma Boulevard and Broadway corridors because it provides both employment and retail opportunities. The cannabis business is an economically vibrant use that can also draw customers into the area to the potential economic benefit of nearby businesses. Accordingly, the City Council finds that the proposed project is consistent with General Plan 2040 Policy EET-2.1.

- **Policy EET-3.4 Commercial and Neighborhood Corridors.** Enhance commercial corridors to create a vibrant mix of places to live, work, shop, and play.

The operation of the cannabis business contributes to the vibrancy of the Sonoma Boulevard and Broadway corridors because it provides both employment and retail opportunities. The cannabis business is an economically vibrant use that can also draw customers into the area to the potential economic benefit of nearby businesses. Accordingly, the City Council finds that the proposed project is consistent with General Plan 2040 Policy EET-3.4.

Accordingly, for all of the reasons stated above, the City Council finds that Appellant's claim "B" is without merit.

- C. Appellant Claim: The proposed retail cannabis dispensary is located dangerously close to schools.**

Most cities in California require a 1,000 SF "buffer" between retail cannabis stores and K-12 schools in the community. While the City's buffer requires a 600-foot setback from schools, we are greatly concerned about the proposed new dispensary and its close proximity to Dan Mini Elementary School (approximately 900 ft. buffer) and Griffin Academy Middle and High School (approximately 800 ft. buffer).

The Applicant failed to notify its neighbors and the greater Vallejo community of their intention to open a "weed super store" at the proposed location. The Applicant did not hold any Community Outreach Event nor did the Applicant conduct any substantial outreach with its surrounding businesses and local residents, which is a requirement of a Major Use Permit Application in the City of Vallejo.

Staff Response: *Both the Vallejo Municipal Code and California Bureau of Cannabis Control prohibit cannabis businesses from operating within 600 feet of K-12 schools, daycares, or youth centers. The proposed retail cannabis business is consistent with this requirement. Furthermore, the appellant fails to provide a basis for claiming that the retail cannabis business is "dangerously close" to area schools. Both Dan Mini Elementary School and Griffin Academy Middle School and High School are separated from the project site by Sonoma Boulevard (Highway 29) and Broadway/railroad respectively, and are located in residential neighborhoods greater than 800 feet from the proposed project site. The appellant fails to identify any negative impacts that V-Town Farms would have on either of the schools, especially in light of these physical separations. Further, the appeal seems to be raising questions as to whether the City's separation requirements set forth in the ordinance are appropriate. However, the issue of the appropriate separation standards was decided at the time of ordinance adoption. The proposed use*

more than meets the separation requirements of the existing ordinance. It would be fundamentally unfair to apply a greater separation requirement to the proposed use than set forth in the ordinance and applied to all other cannabis operators, including appellant.

The Planning Division provided notice of the public hearing for the Use Permit to all property owners and neighborhood groups within 500 feet, the applicant, the Planning Commission, and in the Times Herald newspaper at least 10 business days before the public hearing in accordance with VMC Section 16.82.030.C. The appellant's claim that a community outreach event is a requirement for a Use Permit is incorrect. While a project applicant is welcome to conduct community outreach on behalf of a project; it is not a requirement of the Vallejo Municipal Code nor is it a requirement of the Use Permit application process.

Accordingly, the City Council finds that Appellant's claim "C" is without merit.

D. Appellant Claim: V-Town Farms will harm CCC and will close down other local dispensaries.

The City of Vallejo and the Planning Commission failed to conduct any meaningful and transparent "Economic Impact Report" highlighting the negative and adverse effects of a 17,000 SF 'weed super store' and its economic impact on the City's "Permitted Operators," or the eleven (11) original retail cannabis dispensaries in operation since 2015.

Staff Response: The appellant's claim that V-Town Farms will put existing cannabis businesses in Vallejo out of business is at best speculative. The Vallejo Municipal Code does not require any cannabis business to conduct an "economic impact study" prior to operation. V-Town Farms will replace HTP Group, and thus maintain the total number of permitted cannabis businesses at 11. To require an "economic impact study" to be conducted because V-Town Farms is a perceived "weed super store" would be arbitrary and unreasonable.

Accordingly, the City Council finds that Appellant's claim "D" is without merit.

E. Appellant Claim: The Appellant believes that V-Town Farms is not categorically exempt from CEQA.

According the Staff Report provided the Planning Commission on March 15, 2021, the Report states: "The proposed project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Class 1 "Existing Facilities") in that it involves the reuse of an existing building space for retail cannabis sales with minor building and site alterations. Therefore, no further environmental review is required."

In recognition of the City's General Plan 2040 and the new zoning of the North Gateway District (D-NG), the Appellant strongly believes that this project qualifies for Environmental Review and Staff must make findings on the project's environmental impact. Further, considering the massive size and impeding nature of the proposed project, the Appellant believes the following items support a CEQA Study: (1) The project will have a significant impact on the environment and (2) Significant effects have not been substantially mitigated.

Staff Response: The proposed project for V-Town Farms is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301 ("Existing Facilities"). V-Town Farms will occupy a 19,035 square foot portion of an existing 49,871 square foot building space that was formerly occupied by Food 4 Less. The project site had been the location of an existing retail establishment for approximately 25 years. The project is not proposing expansion of this existing building space but rather involves only reoccupation of the space, interior and exterior alterations involving such things as interior partition walls, plumbing and electrical, painting and installation of windows consistent with the examples set forth in Guidelines Section 15301 (a).

None of the exceptions under CEQA Guidelines Section 15300.2 that preclude a project from a CEQA exemption apply. The project site is not located in an environmentally sensitive area in that it is an existing building space in a shopping center; the project replaces a previous retail use at the project site and does not create any cumulative impacts; there are no significant effects due to unusual circumstances; there are no designated scenic highways in the City of Vallejo; the project site is not listed on any lists prepared pursuant to Government Code Section 65962.5; and no historical resources are present nor impacted by the project. There are no significant environmental impacts to mitigate so requiring further environmental review, as suggested by the appellant is unnecessary.

Accordingly, the City Council finds that Appellant's claim "E" is without merit.

III. FINDINGS RELEVANT TO THE APPROVAL OF THE MAJOR USE PERMIT (VMC Section 16.82.050)

The City Council hereby finds that:

- A. 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 a vacant building space formerly home to Food 4 Less and is characterized by high visibility from Sonoma Boulevard (Highway 29) and a collection of buildings and site improvements that comprise Meadows Plaza. The retail cannabis business is compatible with uses typical of a shopping center, such as commercial shops, services, offices, and restaurants. Because the project involves the reuse of an existing building space, it is consistent with the desired scale, bulk, coverage, and density in the area. The City envisions a mix of uses in the North Gateway, including those that can attract both local residents and motorists passing through Vallejo to and from Napa County. An active retail cannabis establishment is well-suited to draw customers to Meadows Plaza both from within Vallejo and outside communities. The City's Technical Project Review Committee review of the use did not result in any concerns with respect to utilities, traffic and parking, or crime. The Vallejo Police Department also reviewed the project and did not identify 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. The cannabis business will be subject to Vallejo Municipal Code and State requirements, and Use Permit conditions to ensure that the operation 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.**

*Refer to **Exhibit B** of this resolution, incorporated herein by this reference, for the analysis and findings of the project's consistency with General Plan 2040.*

IV. FINDINGS RELEVANT TO GENERAL PLAN 2040 CONSISTENCY (Interim Zoning Policy Section 6)

The City Council hereby finds that:

- 1. The proposal is appropriate in consideration of the characteristics of the surrounding area.**

FACTS IN SUPPORT: The surrounding area is characterized by a variety of commercial, industrial, and residential uses, Broadway, Sonoma Boulevard (Highway 29), and close proximity to the Vallejo and American Canyon border. The cannabis business is a retail use that is compatible with the existing and anticipated land uses for the surrounding area.

- 2. The proposal is consistent with the intent and desired character of the relevant land use designations(s) of General Plan 2040 and any associated General Plan policies.**

*Refer to **Exhibit B** of this resolution for the analysis and findings of the project's consistency with General Plan 2040 and associated policies.*

- 3. The proposal will clearly promote implementation of General Plan 2040.**

*Refer to **Exhibit B** of this resolution for the analysis and findings of the project's consistency with, and therefore implementation of, General Plan 2040.*

- 4. The proposal conforms to the zoning ordinance requirements of the applicable or "best fit" zoning district.**

FACTS IN SUPPORT: The "best fit" zoning district applicable to the proposal is the Pedestrian Shopping and Service District, which conditionally permits retail cannabis sales, with cannabis manufacturing and cannabis distribution permitted as accessory uses. The existing zoning is the Commercial Planned District 89-09, which permits retail sales and associated uses. The proposed Zoning Code designates the project site as Central Commercial Corridor (CC). Retail sales of cannabis with accessory manufacturing and distribution is permitted in the CC District with a Minor Use Permit.

V. FINDINGS RELEVANT TO THE APPROVAL OF THE MINOR USE PERMIT FOR RETAIL CANNABIS SALES USES (VMC Section 16.82.050.V)

The City Council hereby finds that:

- 1. Regulatory Permits.** Retail sales of cannabis uses must obtain and maintain all required state and local permits and licenses including the local regulatory permit to operate required under Chapter 7.200 of this code. Revocation of the state cannabis license or the local regulatory permit to operate under Chapter 7.200 of this code shall be grounds for revocation of the minor use permit for the retail sales of cannabis 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 set forth in condition of approval 1.

2. Locational Limitation.

- a. Any retail sales of cannabis 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 is no 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, within a 600 ft. radius of the lot on which the use is proposed to be located, as measured per the above.

- b. Any applicant for a use permit to conduct retail sales of cannabis, whether for 'adult use' or medicinal purposes, must conduct all retail sales at one site.**

FACTS IN SUPPORT: The applicant intends to operate a retail cannabis business only at the project site, which use is consistent with this requirement. The applicant's HTP Group location will close prior to the commencement of operations at this location. This will be verified by Planning Division staff.

- 3. Development and Operational Standards.** Retail sales of cannabis uses shall comply with site development standards specified in the applicable zoning district. Such uses shall also comply with the following standards:

- a. General:**

- i. **No person under age eighteen (for medical retail sales of cannabis) or twenty-one (for recreational retail sales of cannabis) shall be allowed on the property.**
- ii. **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.**
- iii. **The property shall not include patio or cafe seating, unless used exclusively for employees in an area not accessible to the general public.**
- iv. **No use, inhalation, smoking, eating, ingestion, or other consumption of cannabis in any form shall be allowed on the property, including the parking areas of the property.**
- v. **No alcohol shall be consumed, made available, sold, offered for sale, given, distributed, traded, or otherwise provided to customers, employees, guests, visitors, or volunteers.**
- vi. **No retail sales of cannabis shall occur, in any form, to anyone between the hours of eight p.m. and nine a.m., except delivery.**
- vii. **The property complies with all applicable California State Building Code provisions, the city's property maintenance ordinance and is maintained free of debris, litter and trash.**
- viii. **All transactions, including but not limited to cash or in-kind contributions, reimbursement or compensation, shall be fully documented.**
- ix. **The owner will have a written security plan including procedures for verifying identification and age of purchasers. 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 business is closed. The licensed and uniformed security guard best practices shall comply with state law.**
- x. **The point of sale software used to track retail sales must be acceptable to the finance director.**
- xi. **Retail sellers of cannabis may only use one name to identify themselves in the minor use permit, the local regulatory permit, the state license and any other state or local permit that may be required.**

FACTS IN SUPPORT: Project conditions of approval ensure compliance with these standards. All of the above standards are contained in the Conditions of Approval 15-31 and the information submitted by the applicant, including the security plan.

- b. Limitations on retail area in industrial zones. In the Intensive Use-Limited (IU-L), Intensive Use (IU), and Planned Development Industrial (PDI) Districts, no more than fifty percent of the floor area shall be devoted to retail sales.**

FACTS IN SUPPORT: The project site is not located in an industrial zoning district. Therefore, this requirement does not apply.

c. Lighting:

- i. Exterior perimeter lighting shall be in place prior to operation;**
- ii. Exterior lighting shall be code compliant LED fixtures or high efficiency 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 adjoining properties;**
- iv. Lights shall include housing to protect against breakage;**
- v. Broken or burnt out lights shall be replaced within forty-eight hours;**
- vi. Transitional lighting shall be incorporated in exterior areas providing access to and from buildings or uses within a site; and**
- vii. Trees and shrubs shall not interfere with the distribution of lighting as required by this section.**

FACTS IN SUPPORT: Project plans are compliant with these standards. In addition, continued adherence to these standards are also included as condition of approval 32.

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 (for medical retail sales of cannabis) or twenty-one (for recreational Retail sales of cannabis) 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 containing city contact information for both emergency situations and information regarding public concern about operations.**
- v. Other requirements as prescribed in Chapter 16.64.**

FACTS IN SUPPORT: Project condition of approval 8 and 33 require compliance with these standards. Staff will also inspect the project site prior to the opening of the dispensary to ensure this is the case. In addition, unannounced inspections are required on a regular basis.

- e. Windows: In order to promote a strong pedestrian connection for retail safety, visibility, crime prevention through environmental design and a positive active environment, support natural lighting, and enhance curb appeal and value of retail space:**
 - i. No display of cannabis or cannabis product shall be permitted within ten feet of the window.**
 - ii. Storefronts must maintain transparent windows that allow visibility into the store, with a minimum of sixty percent transparency on the street frontage at the ground level and allow visibility into the building at a minimum of four feet above the ground.**

FACTS IN SUPPORT: Project plans and condition of approval 34 ensure compliance with these standards. The plans show the existing windows meet the above standards. In addition, Staff will inspect the project site prior to opening of store to ensure that the windows are transparent and the cannabis product is placed appropriately. In addition, unannounced inspections are required on a regular basis to ensure continued compliance.

- f. Screening and landscaping:**
 - i. 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.**
 - ii. Trees shall be pruned up to six feet above ground.**
 - iii. Trees and shrubs shall be pruned back from windows, doors and walkways.**
 - iv. Decorative stone, brick, and other masonry material shall be grouted to prevent removal by hand.**
 - v. Entrances to the site and parking lots shall be defined with landscaping or entry features.**
 - vi. Outdoor waste and recycle bins shall be contained within a locked structure to prevent unauthorized entry.**
 - vii. Other requirements as prescribed in Chapter 16.70.**

FACTS IN SUPPORT: Project plans show shrubs, stone and parking lot comply with the above standards, and City staff will inspect the project site prior to opening of store to ensure that all standards are in place. Condition of approval 35 further ensures compliance with these requirements. In addition, unannounced inspections are required on a regular basis to ensure continued compliance.

g. Noise:

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

FACTS IN SUPPORT: Generators are not proposed nor allowed, except as a short-term temporary emergency back-up. Project condition of approval 36 ensures that all requirements in VMC Section 16.72.030 will be met.

- h. Odor control: A sufficient odor-absorbing ventilation and exhaust system shall be installed and operated 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 separate use or unit located within the same building as the retail sales of cannabis use.**

FACTS IN SUPPORT: Project condition of approval 37 ensures compliance with this requirement.

i. Maintenance:

1. Property shall be maintained free of debris, litter and trash; and
2. The use shall comply with Chapter 7.54, Property Maintenance.

FACTS IN SUPPORT: Project condition of approval 38 ensures compliance with this requirement.

- j. Other performance standards: The use shall comply with all requirements prescribed in Chapter 16.72.**

FACTS IN SUPPORT: Project conditions of approval 39-46 ensure compliance with this requirement.

VI. FINDINGS RELEVANT TO THE APPROVAL OF THE MINOR USE PERMIT FOR CANNABIS MANUFACTURING AND CANNABIS DISTRIBUTION ACCESSORY USES (VMC Section 16.58.040.H)

The City Council hereby finds that:

1. Cannabis manufacturing may be permitted as an accessory use subject to the following restrictions:
 - a. The extraction process shall consist of separating cannabinoids from cannabis plant material solely by press or non-volatile solvent between the temperatures of sixty and two hundred degrees Fahrenheit.
 - b. The extraction shall take place in an area not to exceed one hundred square feet located within or attached and internally connected to the principal structure.

- c. The infusion process shall consist of the direct incorporation of cannabis, cannabinoids, or cannabis concentrates into an edible, topical or other product to produce a cannabis product.
- d. The cannabis manufacturing shall not exceed ten percent of the total floor area of the principal use or five hundred square feet, whichever is less.
- e. The manufacturing space is only accessible to employees and shall not be visible to the general public.

FACTS IN SUPPORT: Project plans and conditions of approval ensure compliance with these standards.

- 2. Cannabis distribution may be permitted as an accessory use subject to the following restrictions:
 - a. The area utilized for cannabis distribution shall not exceed thirty percent of the total floor area of the principal use or one thousand and five hundred square feet, whichever is lesser.
 - b. The distribution storage area shall be fully enclosed within or attached and internally connected to the principal structure.
 - c. The distribution storage area shall only be accessible to employees and shall not be visible to the general public.

FACTS IN SUPPORT: Project conditions of approval ensure compliance with these standards.

NOW, THEREFORE, BE IT RESOLVED; that based on the findings above, the evidence and testimony, both written and oral, presented at the City Council hearing and the Record as a whole, the City Council hereby **DENIES** the appeal, **UPHOLDS** the Planning Commission's approval of the Major Use Permit for the Project, and **APPROVES** Major Use Permit # 20-0008, subject to the Conditions of Approval attached hereto as **Exhibit A**, and in accordance with the plans attached hereto as **Exhibit B**.

Adopted by the City Council of the City of Vallejo at a special meeting held on June 7, 2021
with the following vote:

AYES: Vice Mayor Verder-Aliga, Councilmembers Dew, Diaz, and Miessner

NOES: Mayor McConnell and Councilmember Arriola

ABSENT: None

ABSTAIN DUE TO CONFLICT OF INTEREST: Councilmember Brown

DocuSigned by:

ROBERT H. MCCONNELL

ROBERT H. MCCONNELL, MAYOR

ATTEST:

DocuSigned by:

Dawn G. Abrahamson

DAWN G. ABRAHAMSON, CITY CLERK

EXHIBIT A

CONDITIONS OF APPROVAL

**V-TOWN FARMS
MAJOR USE PERMIT (UP) #20-0008
5184 SONOMA BOULEVARD: SUITE 300
APN # 0067-150-300**

PERMIT DESCRIPTION: Establishment of retail cannabis sales for V-Town Farms with cannabis manufacturing and cannabis distribution, as accessory uses. V-Town Farms will occupy a 19,035 square foot portion of the existing 49,871 square foot building space that was formerly home to Food 4 Less in Meadows Plaza, and will require minor building and site alterations. Cannabis retail sales will occupy 17,056 square feet of the floor area. Cannabis manufacturing will occupy 494 square feet of the floor area and involve non-volatile processes to manufacture infused pre-rolls, cannabis beverages, and flower. Cannabis distribution will occupy 1,485 square feet of the floor area and will involve the packaging and shipment of cannabis products, including those manufactured on the premises. Cannabis cultivation is not proposed as part of the business operation. The remaining vacant 30,836 square feet of the floor area will not be part of the cannabis business operation. The permitted hours of operation will be 9:00 A.M. to 8:00 P.M., or as allowed by the Vallejo Municipal Code, seven days a week.

A. PLANNING DIVISION

Jonathan Atkinson | jonathan.atkinson@cityofvallejo.net | (707) 648-4346

Special Conditions

1. The business owner shall not commence operation of any cannabis activities at 5184 Sonoma Boulevard: Suite 300 until the following occurs:
 - a. City of Vallejo approval of a local regulatory permit transfer with HTP Group.
 - b. City of Vallejo issuance of a certificate of occupancy for V-Town Farms at 5184 Sonoma Boulevard: Suite 300.
 - c. State of California approval and issuance of all required licenses.
 - d. HTP Group, Inc. has permanently closed its location at 4345 Sonoma Boulevard: Suite D-4 and has been inspected by City of Vallejo Planning Division staff.
2. Cannabis cultivation is not approved and shall not occur anywhere on the premises and/or within Vallejo City limits without City of Vallejo and State of California approvals.
3. The remaining portion of the building at 5184 Sonoma Boulevard: Suite 300 shall not contain any cannabis uses or activities nor be internally accessible to the cannabis business. Any proposed expansion of the cannabis business shall require written approval from both the City of Vallejo and State of California.
4. The premises shall be graffiti free. See Condition 43 for additional property maintenance requirements.

5. The existing chain-link fencing along the northern parcel boundary shall be replaced with new fencing to the satisfaction of the Planning Division.
6. All of the existing chain-link fencing with razor wire visible from Broadway shall be replaced with decorative metal fencing to the satisfaction of the Planning Division prior to operation.
7. All outdoor trash receptacles stored outside shall be secured in a trash enclosure designed to City of Vallejo standards. See Condition 40 for cannabis waste requirements.
8. Signs shall be consistent with the master sign program for Meadows Plaza and the City's Sign Ordinance. The abandoned monument sign structure north of the driveway on Broadway shall be removed. See Condition 38 for additional sign requirements.
9. Street trees shall be installed and maintained at a ratio of one per 50 feet of street frontage along Sonoma Boulevard and Broadway for the project site. No trees shall be removed without written authorization from the City of Vallejo Planning Division. Any trees removed from the subject property shall be replaced to the satisfaction of the Planning Division. See Condition 35 for additional landscaping requirements.
10. Community Outreach and Reporting Plan (CORP). Applicant shall, on a quarterly basis, engage in community outreach with residents and businesses located within a one-half mile radius of 5184 Sonoma Boulevard to address any issues and concerns arising from/regarding Applicant's cannabis business.
 - a. The first community outreach meeting shall be held within the first 90 days of V-Town Farms' opening and shall continue on a quarterly basis until such time as Council determines this condition can be lifted.
 - b. The community outreach meetings shall be organized and conducted by a facilitator chosen by the City and paid for by the Applicant.
 - c. In addition to organizing, guiding, and otherwise facilitating the community meetings, the facilitator shall be responsible for documenting any issues raised by the community and the Applicant's response/resolution relating to the issues raised.
 - d. Within ten days of conclusion of each quarterly meeting, the facilitator shall prepare and file a written report of the meeting with the City of Vallejo Planning Division.
11. Applicant shall post a toll-free phone number near the front door of the premises to receive complaints from the neighborhood. Said number shall be staffed by a live person who shall document the complaints by means of a phone log. Applicant shall provide the phone log to the CORP facilitator prior to each community meeting.
12. As offered by the Applicant, the Applicant shall make a good faith effort to employ up to 50% Vallejo residents, defined as persons living within Vallejo city limits.
13. Prior to opening, Applicant shall have installed an air filtration system that renders cannabis odors undetectable from the premises, other units in the same building as the cannabis business, adjacent tenant spaces, and public rights-of-way. (See Condition 43 for additional odor-control requirements).

14. As offered by the Applicant, Applicant shall donate a minimum of \$600,000 annually to local non-profit agencies or schools of its choosing for the benefit of Vallejo residents, primarily those residing in District 2. Said donation shall be adjusted annually for inflation in accordance with the Consumer Price Index for All Urban Consumers (CPI-U), San Francisco-Oakland-Hayward, CA.
15. One year after commencement of operations, Planning Division staff shall prepare and submit a status report to the City Council, at a City Council meeting describing: (1) Applicant's community outreach efforts as reported by the facilitator; (2) the percentage of Vallejo residents employed by the cannabis business; and (3) how the community benefit funds were expended. At said City Council meeting, the City Council shall determine whether the CORP shall be continued for an additional 12-month period or whether the requirement for the CORP may be eliminated.

General Requirements

16. 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.
17. 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.
18. 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.
19. 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

20. 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 (VMC) 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

21. Operation of the cannabis business shall be substantially in accord with the approved Use Permit application submittal and plans dated "February 3, 2021" and "February 8, 2021" except as modified by the conditions stated herein.
22. Operation of the cannabis business shall be in compliance with all applicable State and VMC requirements.
23. Cannabis Manufacturing. All cannabis manufacturing shall comply with the following regulations:
- a. The extraction process shall consists of separating cannabinoids from cannabis plant material solely by press or non-volatile solvent between the temperatures of sixty and two hundred degrees Fahrenheit.
 - b. The extraction shall take place in an area not to exceed one hundred square feet located within or attached and internally connected to the principal structure.
 - c. The infusion process shall consist of the direct incorporation of cannabis, cannabinoids, or cannabis concentrates into an edible, topical or other product to produce a cannabis product.
 - d. The cannabis manufacturing shall not exceed ten percent of the total floor area of the principal use or five hundred square feet, whichever is less.
 - e. The manufacturing space is only accessible to employees and shall not be visible to the general public.

24. Cannabis Distribution. All cannabis distribution activities shall comply with the following regulations:
- a. The area utilized for cannabis distribution shall not exceed 30 percent of the total floor area of the retail sales of cannabis use or 1,500 square feet, whichever is less.
 - b. The cannabis distribution storage area shall be fully enclosed within or attached and internally connected to the main building.
 - c. The distribution storage area shall only be accessible to employees and shall not be visible to the general public.
25. 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.
26. The business owner shall only conduct retail sales of cannabis at one location within Vallejo City limits.
27. No person under age 18 years (for medical retail sales of cannabis) or 21 years (for recreational retail sales of cannabis) shall be allowed on the property.
28. 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 unless first authorized in writing by both the City of Vallejo and Bureau of Cannabis Control.
29. The property shall not include patio or cafe seating, unless used exclusively for employees in an area not accessible to the general public.
30. No use, inhalation, smoking, eating, ingestion, or other consumption of cannabis in any form shall be allowed on the property, including the parking areas of the property.
31. No alcohol shall be consumed, made available, sold, offered for sale, given, distributed, traded, or otherwise provided to customers, employees, guests, visitors, or volunteers.
32. No retail sales of cannabis shall occur, in any form, to anyone between the hours of 8 P.M. and 9 A.M., or as allowed by the Vallejo Municipal Code, except delivery. The business owner shall not increase the hours of operation unless authorized in writing by both authorized staff of the City of Vallejo and the California Bureau of Cannabis Control.
33. 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.
34. All transactions, including but not limited to cash or in-kind contributions, reimbursement or compensation, shall be fully documented.

35. 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 "Received July 23, 2020".
36. The point of sale software used to track retail sales must be deemed acceptable to the City of Vallejo Finance Director prior to operation.
37. 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.
38. 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 efficiency 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 adjoining properties.
 - d. Lights shall include housing to protect against breakage.
 - e. Broken or burnt out lights shall be replaced within 48 hours.
 - f. Transitional lighting shall be incorporated in exterior areas providing access to and from buildings or uses within the site.
 - g. Trees and shrubs shall not interfere with the distribution of lighting as required by this Use Permit.
39. 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 (for medical retail sales of cannabis) or 21 (for recreational retail sales of cannabis) 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.

40. Windows. The following requirements for windows shall apply:

- a. No display of cannabis or cannabis product shall be permitted within 10 feet of the window.
- b. Storefronts shall maintain transparent windows that allow visibility into the store, with a minimum of 60 percent transparency on the street frontage at the ground level and allow visibility into the building at a minimum of four feet above the ground.

41. Screening and Landscaping. The following landscape requirements shall apply:

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

42. 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.

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

44. 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.

45. 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.
46. 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.
47. Parking. The applicant shall maintain the 73 required onsite parking spaces to serve the cannabis business. Parking lot surfaces, lighting, and exterior landscaping shall be maintained in good condition in compliance with the approved plans.
48. 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.
49. Inspection. The dispensary 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 dispensary to immediately cease operations.
50. 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.
51. 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.
52. 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

53. 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.
54. 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.
55. 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 | (707) 648-4387

1. Permits required per California Code of Regulations, Title 24 and applicable City Ordinance in effect at the time of completed Building Permit application date and required fees paid at time of application. 2019 California Code of Regulations apply if permit application(s) received before end of 2022.

C. FIRE DEPARTMENT

Brian Pizzimenti | brian.pizzimenti@cityofvallejo.net | (707) 648-4436

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. Prior to final Inspection, in accordance with the 2019 California Fire Code rooms or areas containing controls for HVAC systems, electrical panels, automatic fire extinguishing systems, fire alarm equipment or other detection, suppression or control elements shall be identified with appropriate signs.
3. A flush-mounted (recessed) Knox Box (key box) mounted no higher than 5 feet above the finished floor containing appropriate keys for emergency fire department access shall be provided. The minimum size box is the 3200 series with a hinged door and recessed mounting kit. The tamper kit is not required, box color may be any of the Knox options. It takes approximately 2 weeks for delivery. For more information call the Fire Prevention Division at (707) 648-4565
4. Keys for the Knox Box entry system required by the fire department shall be attached to durable tags with permanent marking identifying the door(s) or lock(s) that the key functions with. i.e. "MASTER" or "MECHANICAL ROOM".
5. Prior to final inspection, in accordance with the 2019 California Fire Code approved address numbers shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall clearly contrast with their background. The characters shall be a minimum of 4" high (6" for Commercial) with a 1/2" stroke. The size of the building and distance or location of the address numbers from the roadway may necessitate larger numbers.
6. Prior to final inspection, the minimum fire-extinguisher requirement shall be one 2A-10BC rated portable unit in such locations so that maximum floor-travel distance does not exceed 75' to the nearest extinguisher from any portion of the building with a maximum of 3,000 square feet of floor area surveyed. Plan submittal shall include the proposed

location of extinguishers. Final location shall be approved in the field by the fire department. Hazardous areas will require increased sizing of fire extinguishers.

7. All fire extinguishers shall be mounted in a conspicuous and readily accessible location either on a bracket or within an approved storage cabinet. Fire extinguishers shall be mounted so the top of the unit is 3 feet to 5 feet off the finished floor. If the extinguisher is not readily visible, a sign shall be located directly above the extinguisher. The sign shall be legible and of a contrasting color with its background. Final installation measures and identification signage shall be approved in the field by the Fire Department prior to final inspection sign-off.
8. 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 and shall be approved by the Fire Prevention Division prior to sign-off of the final inspection.
9. Emergency exit lighting shall be provided at or near all exits and as designated by the Fire Marshal. Final exit lighting shall be approved by the Fire Marshal prior to sign-off of the final inspection.
10. In accordance with the 2019 California Fire Code Chapter 10, all emergency lighting and exit signs lights shall have two separate sources of power.
11. All buildings shall comply with the 2019 California Building Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination.
12. Provide a detailed means of egress, path of travel, exit plan prior to building permit approval. Due prior to Building Permit issuance.
13. Locking devices on exit doors shall conform to the 2016 California Fire Code Chapter 10, only one lock or latch requiring one motion/operation to open/unlock is required. No double keyed dead-bolts are permitted on exit doors. Panic hardware is required.
14. Maintain the width of the exit system; tables, chairs, merchandise storage systems and other devices shall not obstruct the means of egress along the path of exit travel based on the cumulative occupant load served. Maintain clear access to all exits at all times.
15. A separate permit is required for Fire Alarm modification from the Vallejo Fire Department. Fire alarm system must have current annual certification prior to final inspection.
16. A separate permit is required for Fire Sprinkler modification from the Vallejo Fire Department. Fire sprinkler system must have current annual and five year certification prior to final inspection.
17. 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.

- b. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system.
18. 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
19. 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
20. 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.
21. 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.
22. Compressed gases classified as hazardous materials shall also comply with CFC Chapter 50 for general requirements and chapter addressing specific hazards, including CFC Chapters 58 (Flammable Gases), 60 (Highly Toxic and Toxic Materials), 63 (Oxidizer, Oxidizing Gases, and Oxidizing Cryogenic Fluids) and 64 (Pyrophoric Materials) and/or any applicable NFPA Standards as determined by the Fire Code Official.
23. 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.
24. Fume Ventilation; continuous mechanical ventilation shall be provided per the California Fire Code and the Building and Mechanical Code.
25. 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
26. The business will also need to comply with electronic reporting requirements specific to the California Environmental Reporting System (CERS). Applicants will need to contact the Fire Department for direction and permitting related to hazardous materials inventory reporting amounts.
27. 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.
28. 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.
29. 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.
30. High-piled storage or rack storage in any occupancy group shall comply with the CFC Chapter 32.
31. A final inspection from the Vallejo Fire Department is required prior to final occupancy.

D. WATER DEPARTMENT

Melissa Cansdale | melissa.cansdale@cityofvallejo.net | (707) 553-7223

- 1. Provide water meter and service sizing calculations per most recent California Plumbing Code and include a water fixture count table.

E. VALLEJO FLOOD AND WASTEWATER DISTRICT

Gustavo Silva | gussilva@vallejowastewater.org | (707) 644-8949

- 1. The applicant shall pay the applicable plan review fees prior to issuance of building permits.

EXHIBIT B

ANALYSIS AND FINDINGS OF THE PROJECT'S CONSISTENCY WITH GENERAL PLAN 2040, INCLUDING ITS GUIDING PRINCIPLES AND POLICIES

V-Town Farms is consistent with its General Plan 2040 designation of District – North Gateway (D-NG). Pursuant to General Plan 2040, “[t]he D-NG designation applies to the northern portion of the area north of SR37 between Sonoma Boulevard and Broadway Street, a highly-visible area that serves as a gateway to Napa Valley from SR 37 (heading north) and to Vallejo from American Canyon (heading south). It is intended to foster an integrated, pedestrian oriented place with a mix of uses, such as retail, dining and entertainment, and lodging that cater to both motorists passing through and surrounding neighborhoods.” A retail cannabis dispensary is a retail use and thus is allowable in the D-NG designation pursuant to General Plan 2040. Such use contributes to the diversity of uses envisioned for the North Gateway District. Retail cannabis sales will serve both local residents and motorists passing through Vallejo. V-Town Farms would be particularly well-suited to attract both local residents and motorists with its proximity to residences and high visibility from Sonoma Boulevard (Highway 29) and Broadway.

The current zoning designation for the project site is the Planned Development Commercial (PDC) District (Existing Zoning Map). Under the Interim Zoning Policy (IZP), which the City Council established to facilitate development and guide zoning interpretations from the adoption of General Plan 2040 to the adoption of the new zoning code, the project site is indicated as the Pedestrian Shopping and Service (CP) District. In 2017. Under the IZP, each General Plan 2040 land use designation correlates to the City's existing zoning districts and specific plans for the purposes of applying land use and development standards to a proposal. The project site's General Plan 2040 designation of District – North Gateway (D-NG) correlates to the following zoning districts under the IZP: Pedestrian Shopping and Service (CP) District and High Density Residential (HDR) District. Under the IZP, in situations where the proposed use is permitted by General Plan 2040, but not clearly addressed in the existing zoning or the IZP, the applicant may apply for a Major Use Permit to allow the use.

The project site is identified as Planned Development Commercial (PDC) District on the City's existing zoning map. The Planned Development Master Plan for the project site permits retail uses but does not specifically mention cannabis use, since at the time of the adoption of the Planned Development Master Plan, cannabis was not a legally permitted use. The CP District is the “best fit” zoning designation authorized under the IZP because the project site is located within a commercial shopping center that can accommodate a variety of uses, including a retail cannabis business. In addition, the proposed zoning of the project site in the new zoning code is Central Corridor Commercial (CC) District, which would allow retail cannabis sales with a Minor Use Permit. The project conforms with both the CP District and CC District zoning designations. Accordingly, the City Council finds the project is in conformance with General Plan 2040.

General Plan 2040 Guiding Principles

- **Guiding Principle 13. Good Jobs, Education & Training.** Vallejo provides people with good jobs and its young people with job training and the education they need to succeed. Vallejo embraces innovations in education, and the City's excellent educational institutions and trade schools play a prominent role in its economic vitality and community life.

- **Guiding Principle 14. Innovation, Entrepreneurship & Successful Local Businesses.** Vallejo welcomes innovative businesses and fosters entrepreneurship. It is a community that capitalizes on new technologies, community assets, and local knowledge – while helping local businesses to succeed.
- **Guiding Principle 15. Economic Development Aligned with Natural Environment.** Vallejo values economic development and aligns well-designed projects with the protection and enhancement of environmental resources. It is a community where sustainable development is efficiently processed and provides broad benefits that serve community needs and enhance the quality of life.
- **Guiding Principle 16. Stable, Strong & Diverse Economy.** Vallejo is characterized by fiscal stability; a strong, diverse economy, including health care, education, and manufacturing; and efficient use of its lands and waterways. Vallejo's unique setting, community character, and favorable weather are major resources for economic expansion, including tourism and entertainment.

The project brings good jobs to Vallejo with an innovative business that results in the adaptive reuse of a vacant building and site. Specifically, these are jobs that will provide training and experience in an industry that is expanding throughout California. The project balances economic development with the natural environment in that it will result in the reuse of a vacant building on an infill site, and not disturb natural resources. Lastly, the project contributes to the diverse economy of Vallejo, while also drawing customers from both inside and outside of Vallejo. Therefore, the City Council finds that the proposed project is consistent with General Plan Guiding Principles 13, 14, 15, and 16.

General Plan 2040 Policies

- **Policy NBE-2.8 Infill Development.** Promote infill development and target vacant and underutilized sites for community-desired and enhancing uses that are compatible with surrounding uses.

The project site is a vacant building space in a commercial shopping center that has largely sat vacant for several years. Reuse of this underutilized building with a retail use that serves both local and regional customers and provides good jobs will enhance the economy of the area and Vallejo. The cannabis business will be subject to a collection of specific requirements, including the addition of new windows, to ensure it does not create any potential adverse impacts. Therefore, the City Council finds that the proposed project is consistent with General Plan Policy NBE-2.8.

- **Policy NBE-3.8 North Gateway.** Accelerate investment in the North Gateway area to achieve a mixed-use district that caters to both locals and regional travelers to Napa Valley.

Establishment of an active retail cannabis business at 5184 Sonoma Boulevard will help accelerate investment in the North Gateway, particularly Meadows Plaza, which has been largely vacant for years. The retail cannabis business can help draw customers from within and outside of Vallejo to Meadows Plaza for which existing businesses may benefit. Furthermore, new businesses may be encouraged to fill the vacant tenant spaces.

Therefore, the City Council finds that the proposed project is consistent with General Plan Policy NBE-3.8.

- **Policy NBE-3.14 Neighborhood Corridors. Connect the community with mixed-use corridors that function as neighborhood main streets for adjacent residential areas.**

The establishment of a retail cannabis business contributes to the mix of uses along the Sonoma Boulevard corridor between Highway 29 and Mini Drive. Therefore, the City Council finds that the proposed project is consistent with General Plan Policy NBE-3.14.

- **Policy NBE-5.13 Noise Control. Ensure that noise does not affect quality of life in the community.**

All of the activities of the retail cannabis business, including the cannabis manufacturing and cannabis distribution accessory uses, will occur indoors and away from sensitive uses, such as residences. Furthermore, the retail cannabis business will be subject to noise-reduction requirements, as operational conditions. Therefore, the City Council finds that the proposed project is consistent with General Plan Policy NBE-5.13.

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

The retail cannabis business contributes to the vibrancy of the Sonoma Boulevard and Broadway corridors because it provides both employment and retail opportunities. The cannabis business is an economically vibrant use that can also draw customers into the area to the potential economic benefit of nearby businesses. Therefore, the City Council finds that the proposed project is consistent with General Plan Policy EET-2.1.

- **Policy EET-3.4 Commercial and Neighborhood Corridors. Enhance commercial corridors to create a vibrant mix of places to live, work, shop, and play.**

The operation of the cannabis business contributes to the vibrancy of the Sonoma Boulevard and Broadway corridors because it provides both employment and retail opportunities. The cannabis business is an economically vibrant use that can also draw customers into the area to the potential economic benefit of nearby businesses. Therefore, the City Council finds that the proposed project is consistent with General Plan Policy EET-3.4.



Kolaboration Vallejo LLC
5184 Sonoma Blvd.

Plan Set Index
July 23, 2020

Thumb Drive with Digital Copy of all Documents	Plan Set Checklist C.3 Compliance Table Cover Sheet Details
Plan Set Index (This sheet)	
Plan Set Introduction Executive Summary What We Are Requesting Fee Calculation	Development Plan Set (3 full size sets of 24" x 36" collated and sized to no more than 9" x 13" and digital set)
Planning Application	Cover Page with Plan Set Index and C.3 Compliance Table and Cover Sheet Details
Indemnification Agreement	Civil Engineer: ExistingConditions Plan & Boundary Survey
Proposal Executive Summary Zoning Considerations Business Plan Accessory Uses Labor & Local Enterprise Plan Neighborhood Compatibility & Odor Control Plan Community Benefits Safety & Security Plan Fire Alarms and Fire Suppression	Architect: Cover Sheet As-Is Floor Plan 1st Floor As-Is Floor Plan 2nd Floor Proposed Floor Plan 1st Floor Proposed Floor Plan 2nd Floor As-Is Elevations No changes, except new signage on front. Front Signage Security System (designed by ADT)
Development Plan Set in PDF Format	Electrical: Repairs only.
Title Report	Mechanical/HVAC: Repairs only.
Lease Agreement	Plumbing: Repairs only.
Note: Three Copies of the Cannabis Local Regulatory Permit Application for the City Manager accompany this Plan Set.	Fire Alarms: Repairs only. Panel location is shown on the Security System sheet.
	Fire Sprinklers: Repairs only.

Kolaboration Vallejo LLC
Cover Sheet Details
July 23, 2020

5184 Sonoma Blvd, Vallejo CA 94589
Property Owner: Joseph Ramani
Property Tenant Contact: Charles Wesley
Project Manager: Charles Wesley

Architect: John Rovai, Project Manager– Studio Benavente Architects–Walnut Creek–925–934–7778
jrovai@studioarch.net

Civil Engineer: Taylor Elze - RFE Engineering - Roseville - 916-772-7800 -
TElze@RFEengineering.com

Project Description: Clean the exterior and interior. Add security devices. Add interior walls.

Legend of Symbols and Abbreviations

- Property Details:
- General Plan Designation
 - Zoning District
 - Gross Square Feet of Parcel
 - Net Lot Area
 - Adjacent Land Uses..
 - To the North, an empty lot
 - To the South, other commercial areas of the Meadow Plaza Shopping Center
 - To the East... Broadway and then a residential area.
 - To the West... Highway 29 (Sonoma Blvd)
 - Development Standards - Not applicable, as there is no development with this project.
 - Square Footage of Existing Buildings
 - Square Footage of Proposed Buildings
 - Parking Analysis..
 - Existing
 - Proposed
 - Percents of Lot Area... (no changes are planned)
 - Landscaping
 - Impervious Surfaces
 - Common Open Space
 - Private Usable Space
 - Covered by Buildings
 - Flood Zone

C.3 Compliance Table

Project Name / Number	Kolaboration Vallejo LLC
Application Submittal Date	July 23, 2020
Project Location	5184 Sonoma Blvd. (former Food4Less) Suite 300
Name of Owner or Developer	Kolaboration Vallejo LLC Charles M. Wesley, Project Manager
Project Type and Description	Interior and Exterior Repairs Minor Tenant Improvements • Counters • Shelves • Customer Check-in Area
Total Project Site Area (acres)	4.285 Acres
Total New Impervious Surface Area (sq. ft.)	None
Total Replaced Impervious Surface Area	None
Total Pre-Project Impervious Surface Area	56,814 sf - Building 118,330 sf - Paved 175,144 sf - Total
Total Post-Project Impervious Surface Area	Same as Pre-Project
Runoff Reduction Measures Selected	Not Applicable No Changes to Current Site Conditions



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V-TOWN FARMS
5184 SONOMA BLVD, SUITE 330
VALLEJO, CA

OWNER /TENANT APPROVAL & DATE:

WET STAMP:

DRAWN BY: JR CHECKED BY: JOB

SHEET TITLE:

COVER SHEET:
C.3 COMPLIANCE
TABLE,PLAN SET
INDEX, DETAILS

SHEET NO.

A0.0

KOLABORATION FARMS\ VALLEJO\ SPA1.DGN

PROJECT NUMBER: 20WSC09

KOLABORATION FARMS\ VALLEJO\ SPA1.DGN

LEGEND:

	CENTERLINE
	BOUNDARY
	PARCEL LINES
	EASEMENT
	FENCE
	RETAINING WALL
	STORM DRAIN MANHOLE
	SEWER MANHOLE
	WATER VALVE
	FIRE HYDRANT
	WATER METER
	REDUCED PRESSURE PRINCIPAL ASSEMBLY/BACKFLOW PREVENTOR
	STREET LIGHT
	ELECTRICAL PULL BOX
	ELECTRICAL STRUCTURE
	SIGN
	TREE
	INDEX CONTOUR
	INTERMEDIATE CONTOURS
	SANITARY SEWER
	STORM DRAIN
	WATER
	SURVEYED POINTS
	SURVEY CONTROL POINT
	FOUND MONUMENT AS NOTED
	DIMENSION POINT - NOTHING FOUND OR SET

FIELD SURVEY:

RFE ENGINEERING
DATES SURVEYED: 7/7, 7/21, 7/22/2020

BASIS OF BEARINGS:

FOUND CENTERLINE MONUMENTS ALONG BROADWAY AS SHOWN. SAID MONUMENTS ROTATED TO STATE PLANE COORDINATES, BEARING N 00°35'00" E.

BENCHMARK:

NGS BENCHMARK JT0400
LOCATED AT THE INTERSECTION OF MINI DRIVE AND DANROSE DRIVE, SET IN THE TOP OF A 6-INCH CONCRETE CYLINDER 1.0 FOOT BELOW THE SURFACE OF THE DRIVES, AND BENEATH A CAST IRON COVER INSCRIBED CITY MONUMENT

ELEVATION: 27.80 FEET (NAVD 88)

FLOOD PLAIN:

SUBJECT PROPERTY IS LOCATED WITHIN ZONE "X". AREAS WITHIN ZONE "X" ARE DETERMINED TO BE OUTSIDE THE 0.2 ANNUAL CHANCE FLOOD PLAIN AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO.: 06095C0419F
DATED: 8-03-2016

LEGAL DESCRIPTION:

PARCELS 3 AS SHOWN ON THAT CERTAIN MAP ENTITLED: "PARCEL MAP, LANDS OF OMRP INC., VALLEJO, CALIFORNIA", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SOLANO COUNTY, CALIFORNIA ON JULY 10, 1990 IN BOOK 35 OF PARCEL MAPS, AT PAGE 37.

TITLE REPORT:

PLACER TITLE COMPANY
ORDER NO: P-408755

SITE INFORMATION:

LOT SIZE: 4.285± ACRES
(186,672 SF)

TOTAL IMPERVIOUS: 4.02 ACRES
(175,144 SF)

ABBREVIATIONS:

AC	ASPHALT CONCRETE	FH	FIRE HYDRANT
BC	BEGIN CURVE	FL	FLOW LINE
BLDG	BUILDING	FOC	FACE OF CURB
BOC	BACK OF CURB	FS	FIRE SPRINKLER
BOW	BACK-OF-WALK	GB	GRADE BREAK
CONC	CONCRETE	GR	GRATE ELEVATION
C&G	CURB & GUTTER	GV	GATE VALVE
CG&S	CURB, GUTTER & SIDEWALK	HC	HANDICAP
CENTERLINE		HCR	HANDICAP RAMP
CR	CURB RETURN	IRR	IRRIGATION
DI	DRAIN / DROP INLET	INV	INVERT
DIP	DUCTILE IRON PIPE	JP	JOINT POLE
DS	DOWN SPOUT	L	LENGTH
(E)	EXISTING	LF	LINEAL FEET
EP	EDGE OF PAVEMENT	LIP	LIP OF GUTTER
FDC	FIRE DEPARTMENT CONNECTION	LT	LEFT TURN OR LEFT
FF	FINISH FLOOR	MAX	MAXIMUM
FG	FINISHED GROUND	MH	MAINTENANCE HOLE

MIN	MINIMUM	PPA	REDUCED PRESSURE
NE	NORTHEAST	PR	PRINCIPLE ASSEMBLY
NW	NORTHWEST	RW	RETAINING WALL
OH	OVERHEAD	SDMH	STORM DRAIN MANHOLE
OHT&E	OVERHEAD TELEPHONE & ELECTRIC	SD	STORM DRAIN
OMP	OPEN METAL PIPE	SE	SOUTHEAST
(P)	PROPOSED	SS	SANITARY SEWER
PCC	PORTLAND CEMENT CONCRETE	SSCO	SANITARY SEWER CLEAN OUT
OR	OR POINT OF COMPOUND CURVE	SSMH	SANITARY SEWER MANHOLE
PG	PROFILE GRADE	SWCT	SAWCUT
PIV	POST INDICATOR VALVE	SW	SIDEWALK OR SOUTHWEST
PL	PROPERTY LINE	STA	STATION
POC	POINT OF CONNECTION	TC	TOP OF CURB
PT	POINT OF TANGENCY	TP	TOP OF PAVEMENT
PUE	PUBLIC UTILITY EASEMENT	TS	TOP OF SIDEWALK
RCP	REINFORCED CONCRETE PIPE	W	WATER
ROW	RIGHT-OF-WAY	WV	WATER VALVE
RT	RIGHT TURN OR RIGHT	WM	WATER METER

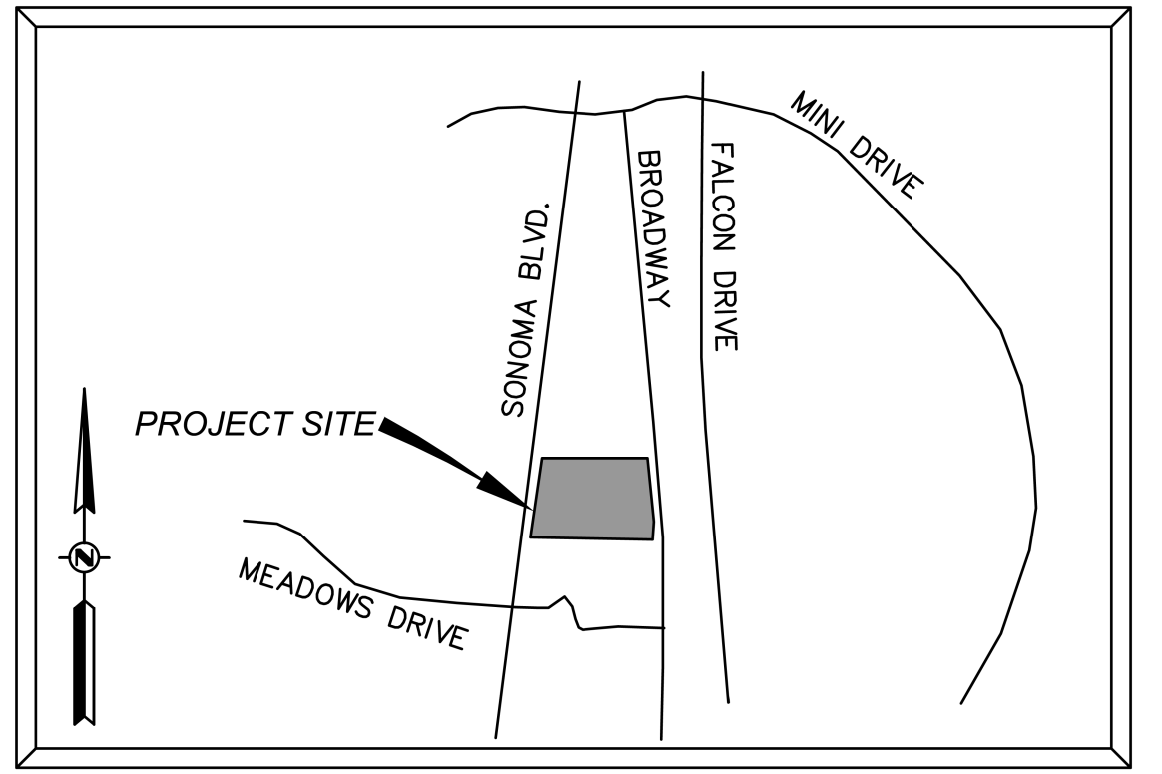
PPA	REDUCED PRESSURE	SSMH	SANITARY SEWER MANHOLE
PR	PRINCIPLE ASSEMBLY	SSCO	SANITARY SEWER CLEAN OUT
RW	RETAINING WALL	SS	STORM DRAIN
SDMH	STORM DRAIN MANHOLE	SE	SOUTHEAST
SD	STORM DRAIN	SS	SANITARY SEWER
SE	SOUTHEAST	SSCO	SANITARY SEWER CLEAN OUT
SS	SANITARY SEWER	SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEAN OUT	SWCT	SAWCUT
SSMH	SANITARY SEWER MANHOLE	SW	SIDEWALK OR SOUTHWEST
SWCT	SAWCUT	STA	STATION
SW	SIDEWALK OR SOUTHWEST	TC	TOP OF CURB
STA	STATION	TP	TOP OF PAVEMENT
TC	TOP OF CURB	TS	TOP OF SIDEWALK
TP	TOP OF PAVEMENT	W	WATER
TS	TOP OF SIDEWALK	WV	WATER VALVE
W	WATER	WM	WATER METER
WV	WATER VALVE		
WM	WATER METER		

UTILITY NOTE:

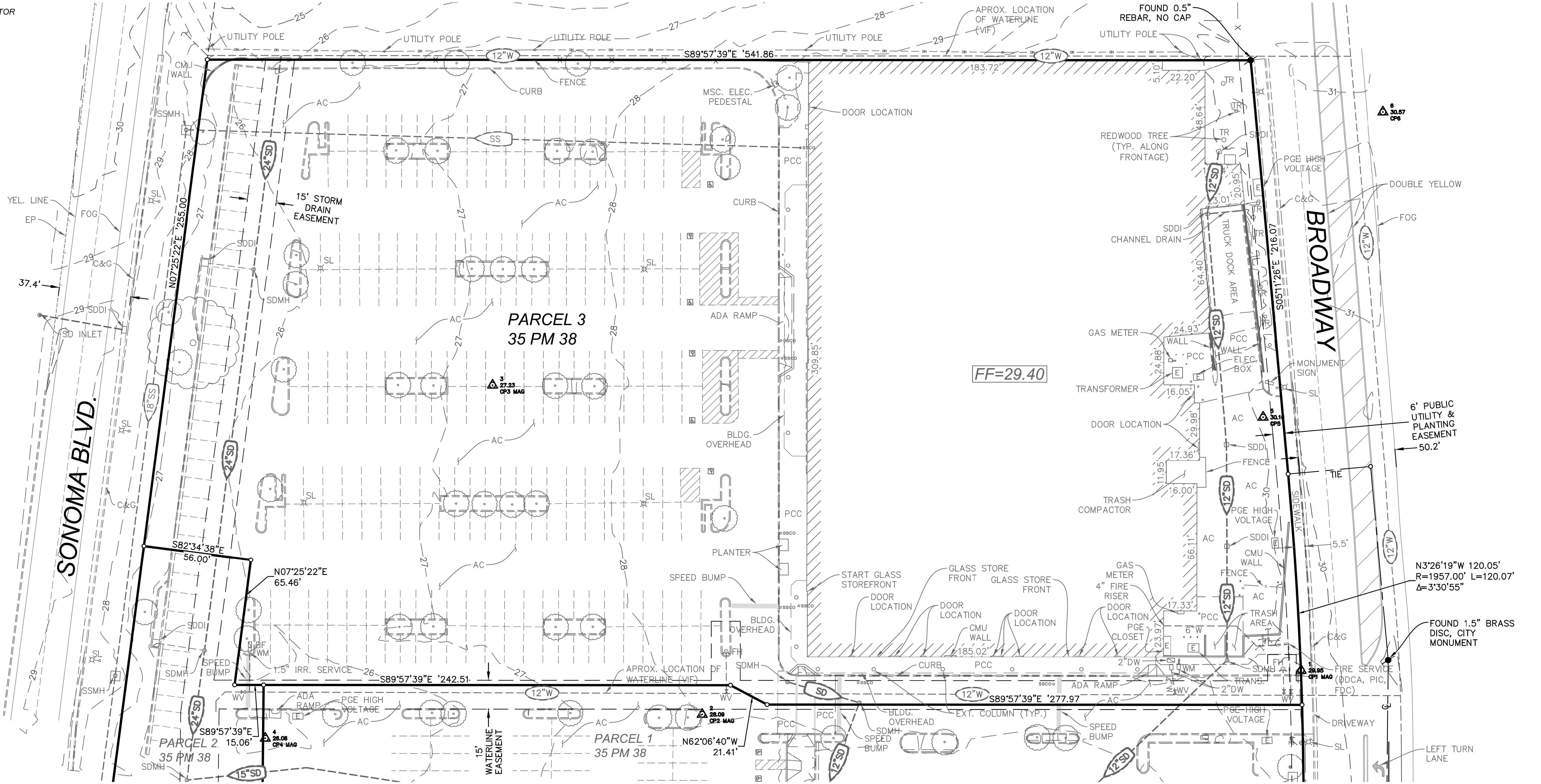
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

TOPOGRAPHIC & BOUNDARY SURVEY
5184 SONOMA BLVD.

VALLEJO, CA 94589
APN: 0067-150-300



VICINITY MAP
NOT TO SCALE



RFE ENGINEERING, INC.
Civil Engineers - Planners - Surveyors
2200 Rio Vista, Suite 200
Vallejo, CA 94589
Ph: 916-772-7800 Fax: 916-772-7804
www.RFEengineering.com

KOLABORATION
VALLEJO LLC
183 MAIN STREET
RIO VISTA, CA 94571

5184 SONOMA BOULEVARD
VALLEJO, CA 94589
APN: 0067-150-300

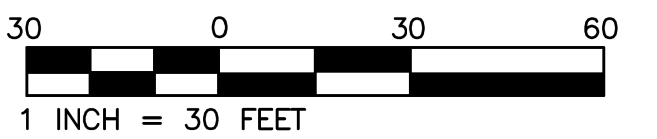
EXISTING CONDITIONS PLAN

Sheet

1

1 of 1

7-22-2020



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WET STAMP:

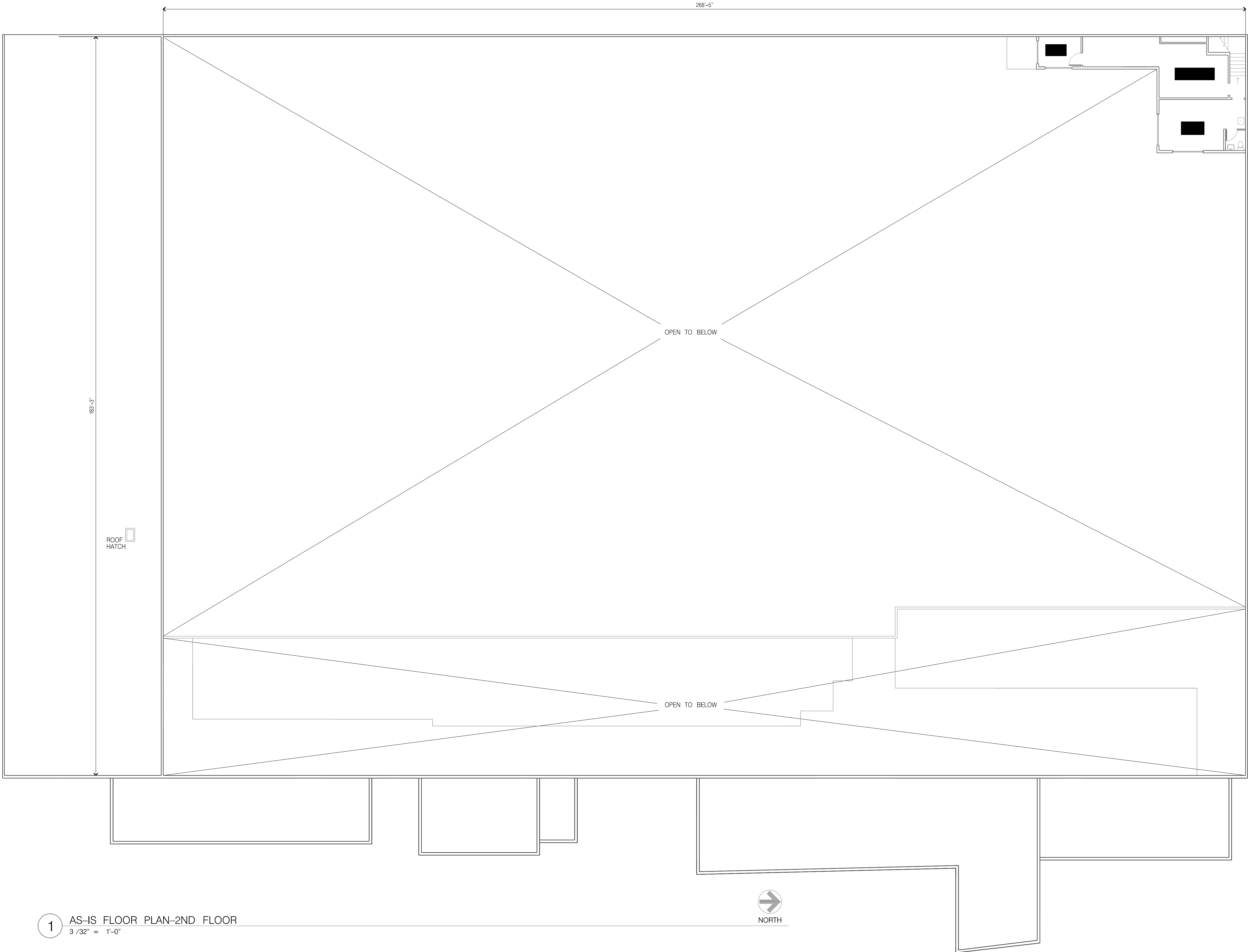
DRAWN BY: JR CHECKED BY: JOB

SHEET TITLE:

AS-IS FLOOR PLAN-
1ST FLOOR

SHEET NO. _____

A1.0



1 AS-IS FLOOR PLAN-2ND FLOOR
3 / 32" = 1'-0"



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VALLEJO, CA

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SHEET TITLE:

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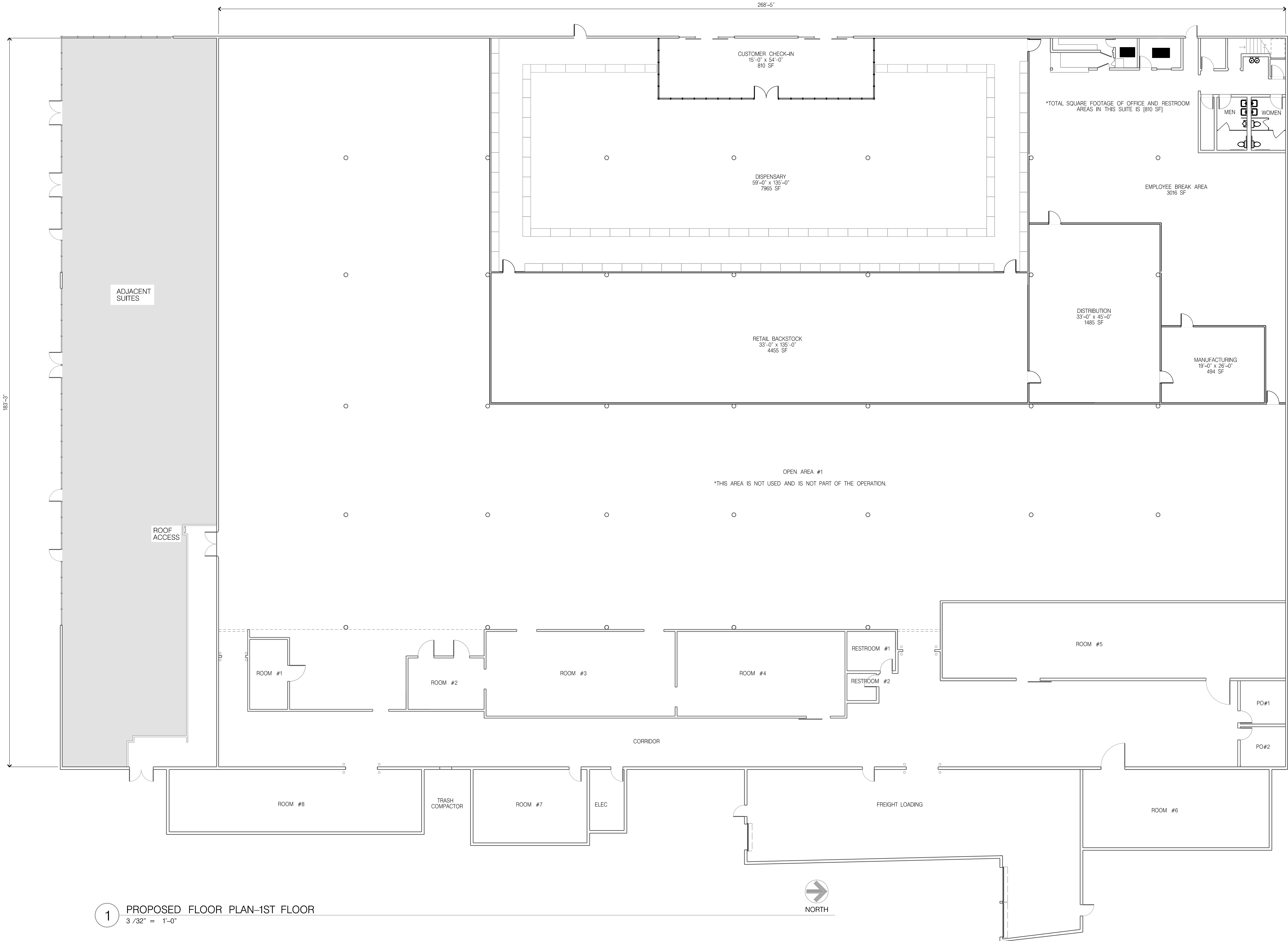
SHEET NO.

A1.1

KOLABORATION FARMS\ VALLEJO\ SPAT.DGN

PROJECT NUMBER 20W5C09

KOLABORATION FARMS\ VALLEJO\ SPAT.DGN



1 PROPOSED FLOOR PLAN-1ST FLOOR
3 /32" = 1'-0"

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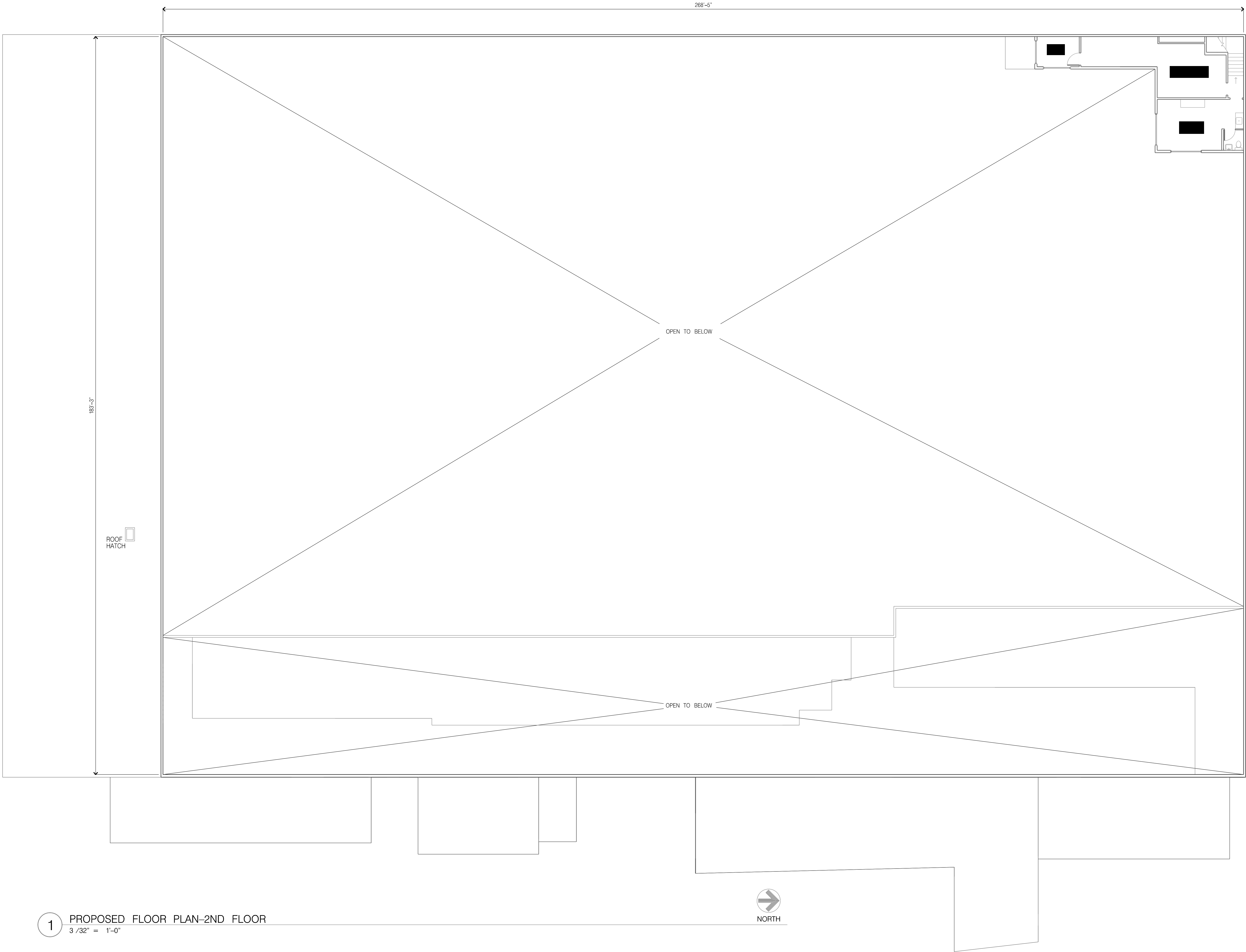
DRAWN BY: JR CHECKED BY: JOB

SHEET TITLE:

PROPOSED
SPACE PLAN-
1ST FLOOR

SHEET NO.
A2.0

KOLABORATION FARMS\ VALLEJO\ SP41.DGN
PROJECT NUMBER 20W5C09



1 PROPOSED FLOOR PLAN-2ND FLOOR
3 / 32" = 1'-0"



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ISSUE	DATE	DESCRIPTION
1	02-08-21	ISSUE FOR REVIEW

OWNERSHIP OF DOCUMENTS
THIS DOCUMENT AND THE IDEAS INCORPORATED
HEREIN, AS AN INSTRUMENT OF PROFESSIONAL
SERVICE, ARE THE PROPERTY OF
STUDIO BENAVENTE ARCHITECTS, AND
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FOR ANY OTHER PROJECT WITHOUT THE
WRITTEN AUTHORIZATION OF
STUDIO BENAVENTE ARCHITECTS INC.

ARCHITECTURAL DESIGN REVIEW:
V-TOWN FARMS
5184 SONOMA BLVD, SUITE 330
VALLEJO, CA

OWNER /TENANT APPROVAL & DATE:

WET STAMP:

DRAWN BY: JR
CHECKED BY: JOB

SHEET TITLE:

PROPOSED
SPACE PLAN-
2ND FLOOR

SHEET NO.

A2.1

[illegible]

OWNERSHIP OF DOCUMENTS

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SHEET TITLE:

EXTERIOR ELEVATION
PHOTOS

SHEET NO.

A3.0

16.312.01 - Purpose and applicability.

These provisions establish regulations for the operation of commercial cannabis uses, in a consistent manner with the general plan, this Zoning Code and the requirements of the Chapters 7.100 and 7.200 of the Vallejo Municipal Code. All permits issued in accordance with Vallejo Municipal Code Chapter 7.100 to operate establishments engaged in the retail, processing, cultivation or distribution of cannabis will be void by January 1, 2022. Operations may only continue upon approval of a minor use permit and Vallejo Municipal Code Chapter 7.200 Regulatory Permit.

16.312.02 - Requirements.

Commercial cannabis establishments, including, but not limited to cultivation, distribution, manufacturing, testing and retail uses shall comply with the procedures of the Vallejo Municipal Code, State law, and the regulations of this Zoning Code. Where the Zoning Code conflicts with state law, the more restrictive standards shall apply.

A. Permits Required.

1. All cannabis uses shall obtain and maintain all required State and local permits and licenses including the corresponding local permits required under Chapter 7.200 of the Vallejo Municipal Code.
2. Minor Use Permits pursuant to Chapter 16.606, Minor and Major Use Permits, will only be granted to establishments operating in compliance with applicable State laws and regulations.
3. Revocation of the state cannabis license (e.g., Microbusiness license) or the local permit to operate under Chapter 7.200 of the Vallejo Municipal Code shall be grounds for revocation of the minor use permit for the cannabis cultivation, distribution, manufacturing and testing laboratory use.
4. Valid and applicable state and local licenses and permits shall be publicly displayed at all times during hours of operation.
5. Operations and location requirements shall 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.

B. Locational Limitation.

1. Retail sale of cannabis for recreational and medical purposes is permitted in the NMX, CC, NC, RC, IL, and IG Zoning Districts subject to the approval of a minor use permit pursuant to Chapter 16.606, Minor and Major Use Permits.
2. Cannabis cultivation, distribution, manufacturing, and testing laboratories are allowed in the IL and IG Zoning Districts, and in the White Slough Specific Plan Area, Zone 1A which is the zoned CC, subject to the approval of a minor use permit pursuant to Chapter 16.606, Minor and Major Use Permits.
3. No cannabis cultivation, distribution, manufacturing, testing laboratory or retail use may be located within a six hundred-foot radius of a school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center as defined in Health and Safety Code Section 11353.1.
4. The distance specified in this chapter 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.

C. Development and Operation Standards. Cannabis cultivation, distribution, manufacturing and testing laboratory establishments shall comply with the following restrictions:

1. Where this code conflicts MAUCRSA design and development standards, the more restrictive standards shall apply. zoning district requirements must be met, together with the following requirements:
2. Development and Operational Standards:
 - a. General. 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.:
 - i. No person under age eighteen shall be allowed on the property.
 - ii. The site shall not be open to the general public.
 - iii. 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.
 - iv. No use, inhalation, smoking, eating, ingestion, or otherwise consumption of cannabis on the property, including the parking areas of the property.
 - v. No exhibition or product sales area or retail sales are allowed on the premises.
 - b. Cultivation:
 - i. The canopy shall not exceed ten thousand square feet; and
 - 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
 - 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; and
 - vii. Trees and shrubs shall not interfere with the distribution of lighting as required by this section.
 - 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; and
 - ii. A sign shall be posted stating that the use or consumption of cannabis or cannabis products on or near the premises is prohibited; and
 - iii. A sign shall be posted stating loitering on or near the premises is prohibited; and
 - 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 16.509, Signs.
 - 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; and
- viii. Other requirements as prescribed in Chapter 16.508, Landscaping.

f. Noise:

- i. The use of generators is prohibited, except as short-term temporary emergency back-up systems; and
 - ii. Other requirements as prescribed in Chapter 16.502.10 Noise.
- 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.:

h. Maintenance:

- i. Property shall be maintained free of debris, litter and trash; and
 - ii. Comply with Chapter 7.54, Property Maintenance of the Vallejo Municipal Code.
- i. Other performance standards: comply with all requirements prescribed in Chapter 16.502, Performance Standards.

D. Retail Sales of Cannabis. Where this code conflicts MAUCRSA design and development standards, the more restrictive standards shall apply. All applicable district requirements are met, together with the following requirements:

1. Development and Operational Standards. Retail sales of cannabis uses shall comply with development standards specified in the applicable zoning district. Such uses shall also comply with the following standards:

a. General:

- i. No person under age eighteen (for medical retail sales of cannabis) or twenty-one (for recreational retail sales of cannabis) shall be allowed on the property.
- ii. 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.
- iii. The property shall not include patio or cafe seating, unless used exclusively for employees in an area not accessible to the general public.
- iv. No use, inhalation, smoking, eating, ingestion, or other consumption of cannabis in any form shall be allowed on the property, including the parking areas of the property.
- v. No alcohol shall be consumed, made available, sold, offered for sale, given, distributed, traded, or otherwise provided to customers, employees, guests, visitors, or volunteers.
- vi. No retail sales of cannabis shall occur, in any form, to anyone between the hours of 10:00 p.m. and 6:00 a.m., except delivery.
- vii. The property complies with all applicable California State Building Code provisions, the city's property maintenance ordinance and is maintained free of debris, litter and trash.
- viii. All transactions, including but not limited to cash or in-kind contributions, reimbursement or compensation, shall be fully documented.
- ix. The owner will have a written security plan including procedures for verifying identification and age of

purchasers. 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 business is closed. The licensed and uniformed security guard best practices shall comply with state law.

- x. The point of sale software used to track retail sales must be acceptable to the finance director.
 - xi. Retail sellers of cannabis may only use one name to identify themselves in the minor use permit, the local regulatory permit, the state license and any other state or local permit that may be required.
- b. Limitations on retail area in industrial zones. In the IL and IG zoning districts, no more than fifty percent of the floor area shall be devoted to retail sales.:
- c. Lighting:
- i. Exterior perimeter lighting shall be in place prior to operation;
 - ii. Exterior lighting shall be Code compliant LED fixtures or high efficiency 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 adjoining properties;
 - iv. Lights shall include housing to protect against breakage;
 - v. Broken or burnt out lights shall be replaced within forty-eight hours;
 - vi. Transitional lighting shall be incorporated in exterior areas providing access to and from buildings or uses within a site; and
 - vii. Trees and shrubs shall not interfere with the distribution of lighting as required by this section.
- 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 (for medical retail sales of cannabis) or twenty-one (for recreational Retail sales of cannabis) 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 containing City contact information for both emergency situations
- H. Cannabis Accessory Uses. The following accessory uses may be permitted, whenever the applicable state permit has been obtained, and subject to a zoning compliance review pursuant to Chapter 16.603, Zoning Compliance Review, whenever the principal use is retail sales of cannabis.
1. Cannabis manufacturing may be permitted as an accessory use subject to the following restrictions:
- a. The extraction process shall consists of separating cannabinoids from cannabis plant material solely by press or non-volatile solvent between the temperatures of sixty and two hundred degrees Fahrenheit.
 - b. The extraction shall take place in an area not to exceed one hundred square feet located within or attached and internally connected to the principal structure.
 - c. The infusion process shall consist of the direct incorporation of cannabis, cannabinoids, or cannabis concentrates into an edible, topical or other product to produce a cannabis product.
 - d. The cannabis manufacturing shall not exceed ten percent of the total floor area of the principal use or five hundred square feet, whichever is less.
 - e. The manufacturing space is only accessible to employees and shall not be visible to the general public.

2. Cannabis distribution may be permitted as an accessory use subject to the following restrictions:
 - a. The area utilized for cannabis distribution shall not exceed thirty percent of the total floor area of the principal use or one thousand and five hundred square feet, whichever is lesser.
 - b. The distribution storage area shall be fully enclosed within or attached and internally connected to the principal structure.
 - c. The distribution storage area shall only be accessible to employees and shall not be visible to the general public.
3. A separate application for zoning compliance review will not be required if the retail sales of cannabis applicant includes manufacturing and/or distribution as accessory use (s) consistent with this chapter, in the initial minor use permit application,
4. The premises shall be subject to fire, building and health inspection by the city and other regulatory agencies and the accessory use permitted thereon shall be contingent upon compliance with fire, building and health regulations and requirements.
5. In conformance with the criteria and standards listed in the section, accessory uses shall not adversely affect the neighborhood in which they are located. For the purposes of this subsection, "adversely affect" shall mean to impact in a substantial, negative manner the economic value, habitability, or enjoyability of properties in the immediate area.

16.312.01 - Purpose and applicability.

These provisions establish regulations for the operation of commercial cannabis uses, in a consistent manner with the general plan, this Zoning Code and the requirements of the Chapters 7.100 and 7.200 of the Vallejo Municipal Code. All permits issued in accordance with Vallejo Municipal Code Chapter 7.100 to operate establishments engaged in the retail, processing, cultivation or distribution of cannabis will be void by January 1, 2022. Operations may only continue upon approval of a minor use permit and Vallejo Municipal Code Chapter 7.200 Regulatory Permit.

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4. The distance specified in this chapter 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.

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 - i. No person under age eighteen shall be allowed on the property.
 - ii. The site shall not be open to the general public.
 - iii. 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.
 - iv. No use, inhalation, smoking, eating, ingestion, or otherwise consumption of cannabis on the property, including the parking areas of the property.
 - v. No exhibition or product sales area or retail sales are allowed on the premises.
 - b. Cultivation:
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 - 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
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 - iv. Lights shall have a housing to protect against breakage;
 - v. Broken or burnt out lights shall be replaced within five calendar days;
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 - d. Signs:
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 - ii. A sign shall be posted stating that the use or consumption of cannabis or cannabis products on or near the premises is prohibited; and
 - iii. A sign shall be posted stating loitering on or near the premises is prohibited; and
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 - v. Other requirements as prescribed in Chapter 16.509, Signs.
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 - 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;
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f. Noise:

- i. The use of generators is prohibited, except as short-term temporary emergency back-up systems; and
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- 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.:

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- v. No alcohol shall be consumed, made available, sold, offered for sale, given, distributed, traded, or otherwise provided to customers, employees, guests, visitors, or volunteers.
- vi. No retail sales of cannabis shall occur, in any form, to anyone between the hours of 10:00 p.m. and 6:00 a.m., except delivery.
- vii. The property complies with all applicable California State Building Code provisions, the city's property maintenance ordinance and is maintained free of debris, litter and trash.
- viii. All transactions, including but not limited to cash or in-kind contributions, reimbursement or compensation, shall be fully documented.
- ix. The owner will have a written security plan including procedures for verifying identification and age of

purchasers. 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 business is closed. The licensed and uniformed security guard best practices shall comply with state law.

- x. The point of sale software used to track retail sales must be acceptable to the finance director.
 - xi. Retail sellers of cannabis may only use one name to identify themselves in the minor use permit, the local regulatory permit, the state license and any other state or local permit that may be required.
- b. Limitations on retail area in industrial zones. In the IL and IG zoning districts, no more than fifty percent of the floor area shall be devoted to retail sales.:
- c. Lighting:
- i. Exterior perimeter lighting shall be in place prior to operation;
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 - iii. Lights shall be directed and shielded so as not to illuminate adjoining properties;
 - iv. Lights shall include housing to protect against breakage;
 - v. Broken or burnt out lights shall be replaced within forty-eight hours;
 - vi. Transitional lighting shall be incorporated in exterior areas providing access to and from buildings or uses within a site; and
 - vii. Trees and shrubs shall not interfere with the distribution of lighting as required by this section.
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1. Cannabis manufacturing may be permitted as an accessory use subject to the following restrictions:
- a. The extraction process shall consists of separating cannabinoids from cannabis plant material solely by press or non-volatile solvent between the temperatures of sixty and two hundred degrees Fahrenheit.
 - b. The extraction shall take place in an area not to exceed one hundred square feet located within or attached and internally connected to the principal structure.
 - c. The infusion process shall consist of the direct incorporation of cannabis, cannabinoids, or cannabis concentrates into an edible, topical or other product to produce a cannabis product.
 - d. The cannabis manufacturing shall not exceed ten percent of the total floor area of the principal use or five hundred square feet, whichever is less.
 - e. The manufacturing space is only accessible to employees and shall not be visible to the general public.

2. Cannabis distribution may be permitted as an accessory use subject to the following restrictions:
 - a. The area utilized for cannabis distribution shall not exceed thirty percent of the total floor area of the principal use or one thousand and five hundred square feet, whichever is lesser.
 - b. The distribution storage area shall be fully enclosed within or attached and internally connected to the principal structure.
 - c. The distribution storage area shall only be accessible to employees and shall not be visible to the general public.
3. A separate application for zoning compliance review will not be required if the retail sales of cannabis applicant includes manufacturing and/or distribution as accessory use (s) consistent with this chapter, in the initial minor use permit application,
4. The premises shall be subject to fire, building and health inspection by the city and other regulatory agencies and the accessory use permitted thereon shall be contingent upon compliance with fire, building and health regulations and requirements.
5. In conformance with the criteria and standards listed in the section, accessory uses shall not adversely affect the neighborhood in which they are located. For the purposes of this subsection, "adversely affect" shall mean to impact in a substantial, negative manner the economic value, habitability, or enjoyability of properties in the immediate area.

Jonathan Atkinson

From: Christina Ratcliffe
Sent: Friday, June 25, 2021 5:58 PM
To: Chuck Wesley; Martin Wesley; Robin Lee
Cc: Anne Cardwell; Veronica Nebb; Gillian Hayes; Jonathan Atkinson
Subject: Re: VTown Farms

Chuck et al,
Mayor and Council (bcc'd)

Jonathan and I have gone over the plans with your architect on a Zoom meeting. I have reviewed the Planning Commission hearing and the City Council hearings on this issue. I have spoken to the Interim Deputy City Manager and the City Attorney and reviewed the Code requirements with them. City Staff concurs that the minimum 60% window requirement for the storefront on the street frontage is measured as a percentage of the wall area of the storefront in relation to the window area.

"Storefronts must maintain transparent windows that allow visibility into the store, with a minimum of sixty percent transparency on the street frontage at the ground level and allow visibility into the building at a minimum of four feet above the ground."

Your proposed definition of measuring the windows and storefront and taking a linear percentage does not meet the intent of the code. Under that definition, windows could be six inches high, or less. The Code states that the minimum 60% of storefront be windows *"In order to promote a strong pedestrian connection for retail safety, visibility, crime prevention through environmental design and a positive active environment, support natural lighting, and enhance curb appeal and value of retail space"*.

This 60% of wall area is the criteria that was given to your team early on and consistently, as well as other new retail cannabis locations. It was supported and approved by the Planning Commission and the City Council. The current drawings show ~30% windows on the retail storefront. Please revise the drawings to reflect the required 60% transparency. If you do not wish to do this, you may apply for a Variance, which would involve a public hearing.

I also understand that due to the pandemic windows are taking an unusually long time from order to delivery (up to 16 weeks) Since your project was delayed by the appeal, and the City's urgency ordinance is still in place, I would be willing to grant a Temporary Certificate of Occupancy, and allow you 16 weeks to install the required windows, provided all other Conditions of Approval and Code requirements are met.

If the 16 week extension is not met, your Use Permit and City cannabis license would be subject to revocation.

I believe this allows you the time you need to comply with the code and your conditions of approval, while ensuring that those requirements and conditions are met in a timely manner.

Let me know how you want to proceed.

Christina

Christina Ratcliffe, AICP
Interim Planning and Development Services Director
City of Vallejo | Planning & Development Services Dept.
(707) 648-4382 | christina.ratcliffe@cityofvallejo.net



*****COVID-19 UPDATE:** As COVID-19 continues to evolve, the City of Vallejo is doing its part to limit the spread of the virus. Consistent with State and Federal guidance, and to limit potential exposure for employees and customers, City Hall and the Central Permit Center located at 555 Santa Clara Street will be open to the public for limited services between the hours of 9am to 3pm Monday through Thursday (closed Friday).

During City Hall non-open to the public hours, routine questions will be responded to via phone Central Permit Center 707-648-4328 or email cpc@cityofvallejo.net and applications may be submitted using one of the following options (payments must be sent using options 1 or 3):

1. Via drop box outside City Hall (555 Santa Clara Street, Vallejo)
2. Via e-mail to: building.division@cityofvallejo.net, planning.division@cityofvallejo.net, or cpc@cityofvallejo.net (Central Permit Center)
3. Via regular mail to: Building or Planning Division, 555 Santa Clara St, Vallejo, CA, 94590
4. Via online: http://www.ci.vallejo.ca.us/online_services/central_permit_center

We recommend that you please call 707-648-4328 to make an appointment if you need to speak with a specific staff person.

If you need COVID support, we encourage you go to our website <https://www.cityofvallejo.net/NCOV> or for COVID urgent issues you may call the City's COVID hotline at (707) 648-8605.

We value your business and your safety, and thank you for your flexibility and patience while we make necessary changes to better serve you. Thank you for being our customer!

From: studioark@aol.com <studioark@aol.com>
Sent: Friday, June 25, 2021 2:54 PM
To: Jonathan Atkinson <Jonathan.Atkinson@cityofvallejo.net>; Christina Ratcliffe <Christina.Ratcliffe@cityofvallejo.net>
Cc: 'Chuck Wesley' <chuck@riovistafarms.com>; 'Work' <studioark@aol.com>
Subject: VTown Farms

Jonathon/Christina,

Thank you for reviewing the transparency issue relative to VTown's exterior elevation.

To recap, the elevations submitted (updated elevation attached for clarity) represents a solution designed to meet the intent of the code by providing the following:

1. 60% transparency along the entire length of the retail dispensary
2. 29% of the surface area of the exterior elevation
3. A structurally feasible alternative to rebuilding the entire storefront

Our concern is that the additional glazing would put the store operations at greater risk for crime, and at greater expense, without adding value in terms of visibility, or even daylight, given the soffited overhang running the length of the entry. We understand that your interpretation of this code requires additional glazing; but we'd like you to consider that it actually runs counter to the intent of the code.

Vallejo Zoning Code 16.82.060 Ve:

e. Windows. In order to promote a strong pedestrian connection for retail safety, visibility, crime prevention through environmental design and a positive active environment, support natural lighting, and enhance curb appeal and value of retail space:

i. No display of cannabis or cannabis product shall be permitted within ten feet of the window.

ii. Storefronts must maintain transparent windows that allow visibility into the store, with a minimum of sixty percent transparency on the street frontage at the ground level and allow visibility into the building at a minimum of four feet above the ground.

We appreciate your consideration.

Robin Tibbetts

Studio Benavente Architects Inc.

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