

February 14, 2022

**To The Honorable Mayor and Lathrop City Council;**

My name is Corey Travis, I am a Director and Owner of several Cannabis retail-storefronts, which are permitted, and in good standing within their respective jurisdictions. I am a founder member of Zen Garden Wellness in Sacramento, which has been operating for 8 years and Zen Garden Wellness Stockton for nearly 5 years. I have been through the permitting process across several jurisdictions, and understand what it means to operate a successful store that acts as a good neighbor for those who look to Cannabis as an alternative to strong opioids, alcohol, or otherwise.

I hereby express my concerns about the long, subjective, and expensive process of structuring the application around an RFP, as proposed. The lack of requirement to pay a fee or have a site will attract a multitude of applications, many of which may be from wholly unqualified operators. There will also be application flippers, who file a shoestring application, and sell the project mid-stream. With websites that scan pending regulations and publicly advertise which cities are opening Cannabis applications, the process will likely create a spectacle within the City, that will tie up resources, and stifle non-cannabis development for ages.

The City of Stockton used a process whereby The City Council set a specific number of licenses within the City limits, with the goal of taking a measured approach against overconcentration. A similar structure could work well in Lathrop.

Stockton used already existing policies as they relate to proper zoning, to allow anyone who's property met the necessary zoning requirements, to apply for the land use permit. The process was not dissimilar from a liquor store, night club, and or developing a shopping center. The city planning department reviewed the application to determine if the proposed development was allowed in the zoned area, and made findings based on staff review to forward it to the City Planning Commission, and ultimately the Council.

My suggestion for the sake of fairness, would be to treat a Cannabis Retail use permit the same as one for alcohol sales. Those processes are well understood, and have worked well in allowing the City to control land use within its own borders. Developers should be able to apply for a permit, and if their project meets the zoning requirements, they should be permitted to enter a development agreement with City. From there, the land use would be dictated by agreements ratified by the planning commission, and/or City Council.

This will give the Council purview over the land use, site, and project specifics within the City. Vetting of business licenses and operators can occur at the subject site, after the entitlement process has been concluded. This will save staff time, and will be consistent with your current policies and procedures, and in line with an approach taken by several other jurisdictions.

Sincerely,



Corey Travis

Director

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# MEDICAL CANNABIS REGULATIONS



COMMUNITY DEVELOPMENT DEPARTMENT • 345 N. EL DORADO STREET • STOCKTON, CA 95202 • (209) 937-8266  
<http://www.stocktonca.gov/cannabis>

“The information in this document is based on Resolution No. 2016-06-28-1503-01, which was approved by the City Council on June 28, 2016, and became effective on December 27, 2016. This document should only be used as a guide and does not replace the need for an applicant’s due diligence in determining whether a prospective medical marijuana-related project and site comply with applicable requirements of the Stockton Municipal Code (SMC).”

	DISPENSARY	CULTIVATION
<b>Use Permit required.</b> A Planning Commission approved Use Permit is required to establish or operate.	✓	✓
<b>Operators permit required.</b> After acquiring a Use Permit, a medical cannabis dispensary/cultivation business must obtain and maintain at all times a valid medical cannabis Operators Permit, as required by Chapter 5.100 of the Stockton Municipal Code (SMC).	✓	✓
<b>Conditions of Approval.</b> The Planning Commission may address development and operational standards through conditions on the Use Permit as it is determined to be necessary or appropriate for the medical cannabis dispensary/cultivation site Use Permit under consideration; provided that conditions shall not conflict with the provisions of SMC Chapter 5.100, relating to operation requirements of medical cannabis dispensaries/cultivation sites and shall be subordinate to conditions placed on the medical cannabis Operators Permit issued under Chapter 5.100.	✓	✓
<b>Parking.</b> Off-street parking shall be provided as required under SMC Chapter 16.64.	✓	✓
<b>Application.</b> The application for a Use Permit for a medical cannabis dispensary/cultivation business shall include a floor plan, site plan, neighborhood context map, and security and lighting plan.	✓	✓
<b>Pre-existing medical cannabis businesses-nonconforming.</b> No medical cannabis dispensary operating or purporting to operate without a valid business license and Use Permit prior to the adoption of this ordinance shall be deemed to have been a legally established use under the provisions of the SMC, nor shall the operation of such dispensary be deemed a legal nonconforming use under Title 16 of the SMC.	✓	✓
<b>Additional grounds for revocation of medical cannabis dispensary/cultivation business Use Permit.</b> In addition to the grounds stated in Section 16.108.030 (B) for revocation of a Use Permit, a medical cannabis business may be revoked on either of the following grounds, in accordance with procedures in SMC Section 16.80.195.A.8 and B.11:  A. The medical cannabis business is operated in a manner that violates any of the provisions of State Law or the SMC; or  B. The medical cannabis business does not have a valid medical cannabis Operators Permit, as required by Chapter 5.100.	✓	✓
<b>Ownership/Operation.</b> No medical cannabis cultivation site shall be operated by a person or entity that operates a medical cannabis dispensary and no medical cannabis dispensary owner may own or operate a medical cannabis cultivation site in the City of Stockton.	✓	✓
<b>Limit on Growth Square Footage.</b> The cumulative area used for cultivation on the premises of a medical cannabis cultivation site shall not exceed twenty-two thousand (22,000) square feet.		✓

	DISPENSARY	CULTIVATION
<b>Location Requirements:</b>		
<ul style="list-style-type: none"> <li>May not be waived or modified by conditional Use Permit, variance, site plan, or design</li> </ul>	✓	✓
<ul style="list-style-type: none"> <li>Cannot be established or located within <b>1,000 feet</b>, measured from the nearest property lines of each of the affected parcels, of any other medical cannabis business or site having a valid Use Permit for a medical cannabis business</li> </ul>	✓	✓
<ul style="list-style-type: none"> <li>Cannot be established or located with <b>300 feet</b>, measured from the nearest property lines of each of the affected parcels, of any existing residential zone.</li> </ul>	✓	✓
<ul style="list-style-type: none"> <li>Cannot be established or located with <b>600 feet</b>, measured from the nearest property lines of each of the affected parcels, of any childcare center; child care, in-home (family day care home); religious facilities; drug abuse or alcohol recovery/treatment facility</li> </ul>	✓	✓
<ul style="list-style-type: none"> <li>Cannot be established or located with <b>600 feet</b>, measured from the nearest property lines of each of the affected parcels, of any theaters</li> </ul>		✓
<ul style="list-style-type: none"> <li>Cannot be established or located with <b>1,000 feet</b>, measured from the nearest property lines of each of the affected parcels, of any park or school, K-12.</li> </ul>	✓	✓
<b>Permitted Zoning:</b>		
<ul style="list-style-type: none"> <li>CG- (Commercial, General)</li> </ul>	✓	
<ul style="list-style-type: none"> <li>CL- (Commercial, Large-Scale)</li> </ul>	✓	
<ul style="list-style-type: none"> <li>IG- (Industrial, General)</li> </ul>	✓	✓
<ul style="list-style-type: none"> <li>IL - (Industrial, Limited)</li> </ul>	✓	✓
<ul style="list-style-type: none"> <li>PT - (Port)</li> </ul>		✓
<p><b>Limit on growth square footage.</b> The cumulative area used for cultivation on the premises of a medical cannabis cultivation site shall not exceed 22, 000 square feet. All cultivation sites must be located within a fully enclosed building and the interior of the building must <b>not</b> be visible from the public right-of-way.</p>		✓
<p>At no time shall there be in operation within the City more than four (4) active Operators Permit for dispensaries and four (4) active Operators Permits for cultivations sites. At no time shall there be more than two (2) dispensaries and two (2) cultivations sites in operation within any Council District.</p>		