

**ANNOTATED
AGENDA
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
200 "H" STREET**

WEDNESDAY, JUNE 5, 2019

6:30 P.M.

**NO PUBLIC HEARINGS WILL BEGIN AFTER 10:00 P.M.
UNLESS THERE IS A VOTE OF THE PLANNING COMMISSION
TO HEAR THE MATTER**

APPEAL

All items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on **WEDNESDAY, JUNE 12, 2019**.

If you wish to speak, either during "public comments" or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. During public hearings, each side is entitled to one "main presenter" who may have not more than 10 minutes. These time limits may be modified depending on the number of speakers, number of items on the agenda or circumstances. No one may speak more than once on an agenda item or during "public comments". Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

ROLL CALL

6:30 P.M.

Commissioners	Turnage, Chair (absent)
	Schneiderman, Vice Chair
	Motts (absent)
	Martin
	Parsons
	Soliz
	Zacharatos (absent)

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine and are recommended for approval by the staff. There will be one motion approving the items listed. There will be no separate discussion of these items unless members of the Commission, staff or the public request specific items to be removed from the Consent Calendar for separate action.

1. APPROVAL OF MINUTES: None

* * * END OF CONSENT CALENDAR * * *

NEW PUBLIC HEARING

- 2. UP-18-13 – Delta Dispensary Cannabis Dispensary** – Delta Dispensary is requesting a Use Permit for a cannabis dispensary with delivery. The project site is located at 2101 West Tenth Street. This project has been found to be Categorically Exempt from the requirements of the California Environmental Quality Act (**APN 074-051-005**).

RESOLUTION NO. 2019-17

ORAL COMMUNICATIONS

STAFF REPORT

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT (7:49 pm)

Notice of Availability of Reports

This agenda is a summary of the discussion items and actions proposed to be taken by the Planning Commission. For almost every agenda item, materials have been prepared by the City staff for the Planning Commission's consideration. These materials include staff reports which explain in detail the item before the Commission and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the Community Development Department located on the 2nd floor of City Hall, 200 "H" Street, Antioch, California, 94509, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday for inspection and copying (for a fee) or on our website at:

<https://www.antiochca.gov/fc/community-development/planning/Project-Pipeline.pdf>

Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

Notice of Opportunity to Address the Planning Commission

The public has the opportunity to address the Planning Commission on each agenda item. You may be requested to complete a yellow Speaker Request form. Comments regarding matters not on this Agenda may be addressed during the "Public Comment" section on the agenda.

Accessibility

The meetings are accessible to those with disabilities. Auxiliary aids will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF JUNE 5, 2019**

Prepared by: Zoe Merideth, Associate Planner *ZM*

Approved by: Alexis Morris, Planning Manager *AM*

Date: May 31, 2019

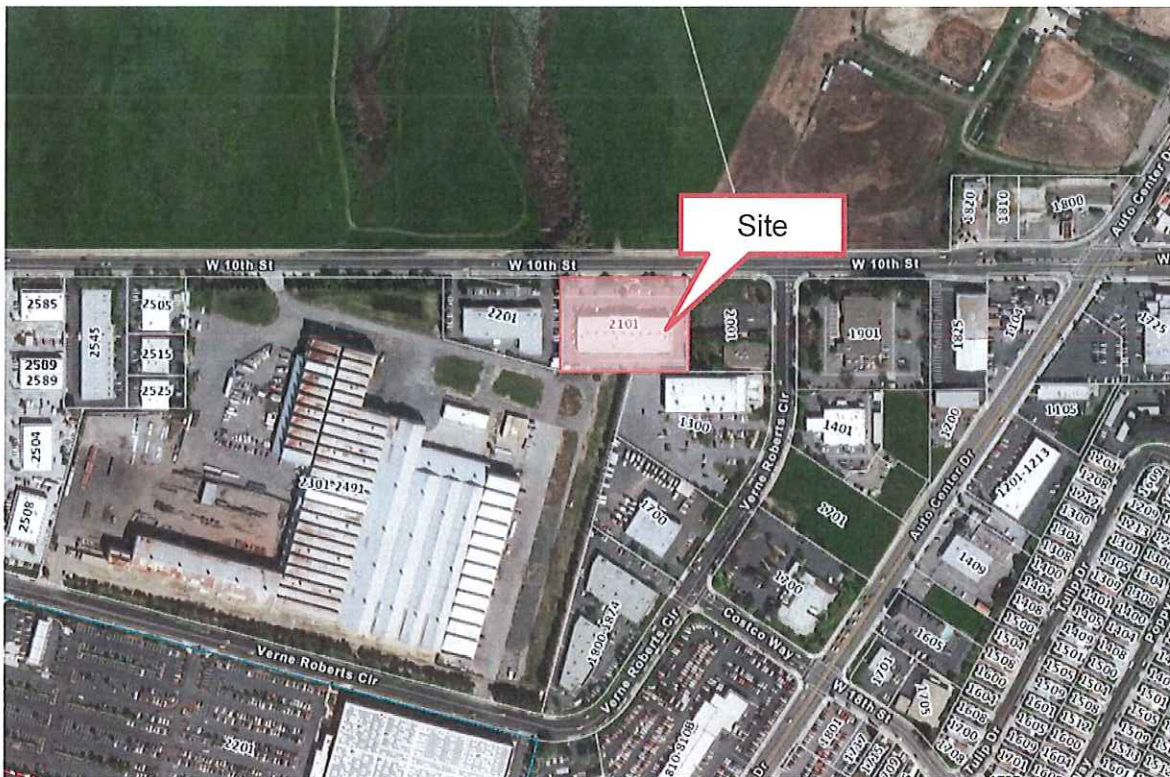
Subject: Delta Dispensary Cannabis Dispensary (UP-18-13)

RECOMMENDATION

It is recommended that the Planning Commission adopt the resolution recommending that the City Council **APPROVE** a Use Permit (UP-18-13) for a cannabis dispensary with delivery.

REQUEST

Rick Hoke requests approval of a Use Permit to operate a cannabis dispensary with delivery. The subject property is located at 2101 West 10th Street, Suites A and B (APN 074-051-005).



ENVIRONMENTAL

This project has been determined to be Categorical Exempt from the provisions of CEQA, pursuant to Section 15301 – Class 1 (Existing Facilities), because the dispensary will occupy an existing tenant space and involves negligible expansion of the use.

BACKGROUND

With the passage of Proposition 64 in November of 2016, California residents over the age of 21 can legally use marijuana without a medicinal card if not in a public place. Californians can carry and use up to one ounce of marijuana and grow up to six plants for personal use. Recreational sales of marijuana did not go into effect until January 1, 2018. The possession, sale and distribution of cannabis is now legal under California State law, subject to provisions contained in the law, including a state licensing requirement.

On May 2, 2018 the Planning Commission recommended to the City Council approval of an Ordinance amending Title 9, Chapter 5 of the Antioch Municipal Code, thereby creating new provisions for the consideration of cannabis businesses in the City of Antioch. The City Council introduced the ordinance on May 22, 2018 and approved the ordinance on June 26, 2018. The ordinance went into effect on July 26, 2018. The Code Amendment established new definitions, imposed basic standards, and created a new Cannabis Business (CB) Zoning Overlay District. Within the CB Zoning Overlay District, a party may apply for a Use Permit from the City Council for the establishment of a Cannabis Business. Unlike the typical use permit process, a cannabis use permit must be reviewed by the City Council after a recommendation by the Planning Commission.

On September 11, 2018 the Antioch City Council adopted Cannabis Guidelines by approval of Resolution No. 2018/117. The purpose of the guidelines is to provide the public and potential applicants with the City of Antioch's general expectations relating to the design and operation of a Cannabis Business.

On April 9, 2019 the City Council introduced an ordinance to amend Chapter 5 of Title 9 of the Antioch Municipal Code to update the cannabis ordinance to include requirements for a development agreement, make minor changes to the definitions, and require a 600-foot separation from cannabis uses and child care centers. The City Council approved the ordinance on April 23, 2019, and the ordinance went into effect 30 days later. The amendment to the ordinance requires each cannabis business to enter into a development agreement that contractually defines the benefits that the cannabis business will provide to the City. Existing Use Permit applications are subject to new ordinances and amendments only if the ordinance goes into effect before the application is deemed "complete." In this case, the application was deemed complete in February 2019 and, therefore, is not subject to the ordinance amendments. Nevertheless, the applicant is working with staff on a development agreement, and the site is not located within 600 feet of a child care center (discussed in greater detail below).

ANALYSIS

Issue #1: Project Overview

The applicant proposes to operate a cannabis dispensary with delivery at 2101 West 10th Street, Suites A and B. The operations will consist of the on-site sale of retail cannabis products, as well as retail delivery of cannabis products. The retail sales will be conducted in a sales area that can only be accessed by customers presenting a valid identification to a security guard.

In addition to retail cannabis, the applicant is proposing to sell vape pens, vape pen cartridges, vape pen batteries, and chargers, which are used to administer cannabis concentrates. The applicant is also proposing to have a small area where glass pipes will be tastefully displayed and sold. The cannabis guidelines prohibit the sale of cannabis related paraphernalia unless explicitly authorized through the use permit. Therefore, staff has included a condition of approval limiting the cannabis paraphernalia sold on site to vape pens, vape pen cartridges, vape pen batteries, chargers, and glass pipes, unless approved in writing by the Community Development Director.

The applicant plans to use one vehicle for delivery operations, which will be available to make deliveries during the same hours as the retail business hours. The delivery vehicles will not have any marking or other indications on the exterior of the vehicle that may indicate that the delivery employee is carrying cannabis goods for delivery.

Issue #2: General Plan, Zoning, and Land Use

The General Plan designation of the site is Business Park. The zoning of the site is Planned Business Center (PBC) and Cannabis Overlay District (CB). Cannabis dispensaries are allowed in the Cannabis Overlay District subject to the approval of a use permit by the City Council.

The Antioch Municipal Code § 9-5.3845(B) prohibits a cannabis business from locating closer than 600 feet from any private or public school serving students grade kindergarten through high school; any public park owned or operated by the city; any property occupied by a residential land use or with a residential or general plan land use designation or zoning designation; or a child care center, as defined by the Antioch Municipal Code. Additionally, the Cannabis Guidelines require cannabis dispensaries to be located at least 600 feet apart. The project is approximately 2,200 feet from the recently approved One Plant dispensary located at 2701 West 10th Street. No schools, private or public, are near the project site. The proposed project is more than 600 feet from the nearest property with a residential land use. The new child care center requirement is not applicable to the proposed project, due to the date the ordinance went into effect; nevertheless, the project site is not within 600 feet of any child care centers.

The project is located approximately 280 feet from the property line of the Babe Ruth Fields and approximately 970 feet from the nearest playing fields. The Babe Ruth Fields are privately owned and operated baseball fields; therefore, they are not subject to the separation requirement for public parks in the Antioch Municipal Code § 9-5.3845(B).

The proposed project is also located between the Al Saddiq Community Center, located next door at 2001 West 10th Street, and the Victory Outreach Church, located in the same building as the proposed dispensary. Both of these uses have Use Permits that authorize worship services and related private events, such as family gatherings and weddings. Neither are approved for school or daycare uses.

The surrounding land uses and zoning designations are noted below:

North:	Vacant Land / Light Industrial (M-1)
South:	Business Park Uses / Planned Business Center (PBC) & Cannabis Overlay
East:	Al Saddiq Community Center / Planned Business Center (PBC) & Cannabis Overlay
West:	Automotive Uses / Planned Business Center (PBC) & Cannabis Overlay

Issue #3 Site Plan

The site is approximately 1.95 acres in size with an approximately 25,380 square foot building centrally located on the site. No new construction is proposed on the site other than internal tenant improvements to the existing building. The building is currently divided into a number of different tenant suites, which are leased to a variety of tenants. The applicant is proposing to merge suites A and B, which occupy the eastern-most portion of the building and total approximately 3,800 square feet.

The customer entrance to the dispensary will be located on the east side of the building near the rear of the building. Customers will enter into an approximately 600 square foot waiting lounge and reception area where customers are required to check in with security personnel and provide valid identification before being allowed to enter the retail area. The retail area, where cannabis is sold, is approximately 2,300 square feet.

On the northeastern portion of the building is a roll-up door that will lead into an enclosed delivery area for cannabis deliveries. The area is large enough for a vehicle to pull into the delivery area with the roll-up door closed behind, which will provide a secure area for deliveries. The remainder of the interior space is used for bathrooms, administration, and a secure vault.

The approximately 68 parking spaces at the project site are shared among all of the tenants and are located at the front and rear of the building. The building was originally developed as a shared tenant building with a mix of business park uses, and staff believes there will be adequate parking to accommodate the dispensary use.

Issue #4: Site Security

As part of their application the applicant submitted a security plan for the site. The security plan addressed the following issues:

- Physical elements of the site such as location of the building, outdoor lighting, and parking areas.
- Electronic security such as motion sensors, controlled access areas, and surveillance cameras.
- Compliance and procedures such as inventory management, cash handling, and employee training.

The security plan was reviewed by the Antioch Police Department. After the review was complete, the Police Department, Planning staff, and the applicant met to review the plan. Given that this is a new industry in the City of Antioch, this meeting provided staff an opportunity to gain a better understanding of how the business would operate and how security measures would be implemented on the site. During the meeting, Police Department staff provided the applicant with feedback on their security plan, as well as additional site-specific security measures that they would like. The applicant was amenable to the Police Department's suggestions, such as having two armed security guards on site during business hours. The proposed security measures are consistent with the security expectations detailed in the Cannabis Guidelines.

Staff has included a condition in the attached resolution requiring the Antioch Police Department to conduct a site inspection to assess the security of the site prior to a certificate of occupancy being issued for the site. Any changes that the Antioch Police Department deem necessary upon site inspection will be incorporated into a revised site security plan that will then be submitted for their review and approval. No certificate of occupancy will be issued without final approval of a site security plan by the Antioch Police Department. In addition to the security inspection prior to issuance of certificate of occupancy, the business is required to submit to annual security audits conducted by a third party or City staff.

Issue #5: Operational Issues

The applicant has submitted an odor mitigation plan that discusses the measures they will take to ensure that cannabis odors will not be detected at or beyond the site. Staff has included a condition of approval requiring that adequate on-site odor control measures are maintained at all times and that cannabis odors cannot be readily detected outside the structure in which the business operates.

Staff has also included a condition of approval addressing site management and requiring the cannabis business operator to take "reasonable steps" to discourage and address any objectionable conditions that constitute a nuisance in parking areas, sidewalks, and areas surrounding the premises during business hours if directly related to patrons of the

business. Staff has also included a condition of approval prohibiting the smoking or ingestion of cannabis products on-site.

Issue #6: Neighborhood Responsibility Plan

As part of his application, the applicant submitted a neighborhood responsibility plan detailing their efforts to mitigate any potential impacts that the business may cause (Attachment C). The plan details the steps they will take to involve the community by visiting civic organizations and community meetings in Antioch to introduce the vision and mission of the organization and listen to and respond to concerns of community members. In addition to these forums, Delta Dispensary will have an open-door policy for complaints from individuals and organizations. Delta Dispensary is also going to be hosting an ongoing public information seminar series designed to inform City residents of cannabis issues and the use of cannabis.

The applicant has also committed to local hiring and spending. The dispensary plans to contract, buy, and hire locally and will be offering a “living wage,” which will mean an hourly wage that is 200% higher than the California minimum wage.

Finally, Delta Dispensary intends to be a “good neighbor” and has committed to dispensary staff doing trash clean ups within 300 feet of the site and graffiti management within the area.

ATTACHMENTS

- A. Resolution
- B. Project Overview
- C. Neighborhood Responsibility Plan

ATTACHMENT “A”

**CITY OF ANTIOCH PLANNING COMMISSION
RESOLUTION NO. 2019-****

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
RECOMMENDING APPROVAL OF A USE PERMIT (UP-18-13) FOR
A CANNABIS DISPENSARY WITH DELIVERY LOCATED AT
2101 WEST 10TH STREET, SUITES A AND B**

WHEREAS, Rick Hoke requests approval of use permit for a cannabis dispensary with delivery (APN 074-051-005); and,

WHEREAS, this project is Categorically Exempt from the provisions of CEQA, pursuant to section 15301; and,

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law; and,

WHEREAS, the Planning Commission on June 5, 2019, duly held a public hearing and received and considered evidence, both oral and documentary; and,

NOW THEREFORE IT BE RESOLVED that the Planning Commission does hereby make the following findings for recommendation to the City Council for approval of a Cannabis Business Use Permit:

1. The granting of such Use Permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The proposed cannabis dispensary is required to comply with multiple conditions of approval that address the project's impact on public health and the properties in the vicinity. On-site armed security is required at all times with annual audits of the site security plan required. The business shall also maintain on-site odor control so that cannabis related odors are not readily detected outside the structure. Based upon the conditions imposed, the cannabis dispensary use will not create adverse impacts to the surrounding businesses and residents.

2. The use applied at the location indicated is properly one for which a Use Permit is authorized.

The site is zoned Cannabis Overlay District. The Cannabis Overlay District allows cannabis dispensaries with the approval of a use permit.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all parking, and other features required.

The proposed cannabis dispensary will take place in an existing commercial building with ample parking. The site has a secure area for cannabis deliveries.

4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The project site is currently developed and is located on West 10th Street, which is adequate in width and pavement type to carry the traffic generated by the proposed use.

5. The granting of such Use Permit will not adversely affect the comprehensive General Plan.

The use will not adversely affect the comprehensive General Plan because the project is consistent with the General Plan designation for the site of Business Park.

6. That the location and site characteristics of the proposed cannabis business are consistent with all applicable State laws and City standards or guidelines, that all provisions have been made to ensure that the operation of the cannabis business will not create excessive demands for police service or other public services, and that the cannabis business will benefit the City of Antioch.

The conditions of approval on the project are consistent with the cannabis guidelines. The security plan has been reviewed by the Antioch Police Department and security conditions have been included per their direction. The sales taxes generated by the sale of cannabis will provide a financial benefit to the City of Antioch.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Antioch does hereby recommend that the City Council **APPROVE** the use permit for a cannabis dispensary with delivery, located at 2101 West 10th Street, Suites A and B (APN 074-051-005) subject to the following conditions:

A. GENERAL CONDITIONS

1. The project shall comply with the Antioch Municipal Code. All construction shall conform to the requirements of the California Building Code and City of Antioch standards.

2. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.
3. The project shall be implemented as indicated on the application form and accompanying materials provided to the City and in compliance with the Antioch Municipal Code, or as amended by the Planning Commission or City Council.
4. No building permit will be issued unless the plan conforms to the project description and materials as approved by the City Council and the standards of the City.
5. This approval expires two years from the date of approval by the Planning Commission (June 5, 2021), unless an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one one-year extension shall be granted.
6. No permits or approvals, whether discretionary or ministerial, shall be considered if the applicant is not current on fees, reimbursement payments, and any other payments that are due.
7. City staff shall inspect the site for compliance with conditions of approval prior to the issuance of a Certificate of Occupancy or commencement of the business.
8. The applicant shall obtain an encroachment permit for all work to be done within the public right-of-way.

B. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall comply with AMC § 5-17.04 and 5-17.05, or as approved in writing by the City Manager.
2. The project shall be in compliance with and supply all the necessary documentation for AMC § 6-3.2: Construction and Demolition Debris Recycling.
3. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.
4. Standard dust control methods shall be used to stabilize the dust generated by construction activities.

C. AGENCY REQUIREMENTS

1. All requirements of the Contra Costa County Fire Protection District shall be met.

D. FEES

1. The applicant shall pay all City fees which have been established by the City Council and as required by the Antioch Municipal Code.
2. The applicant shall pay all required fees at the time of building permit issuance.

E. PROPERTY MAINTENANCE

1. No illegal signs, pennants, banners, balloons, flags, or streamers shall be used on this site at any time.
2. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.

F. PROJECT-SPECIFIC REQUIREMENTS

1. This use permit approval applies to the operation of a cannabis dispensary with delivery as depicted on the project plans and application materials submitted to the Community Development Department. Any forthcoming plans submitted for any purpose shall be entirely consistent with these received plans and application materials and conditions of approval herein.
2. The hours of operation shall be from 8:00 AM – 8:00 PM.
3. One delivery vehicle shall be permitted. Requests for additional vehicles shall be subject to review and approval by the Zoning Administrator.
4. All necessary licenses from the State of California shall be obtained prior to opening.
5. All persons entering the business must be at least 21 years of age with a valid identification card. An electronic reader shall be used to read and validate identification cards.
6. No smoking or ingestion of cannabis products on-site is allowed.
7. No free samples of cannabis products are allowed.
8. Cannabis products that are not used for display purposes or immediate sale shall be stored in a secured and locked room, safe, or vault, and in a manner reasonably designed to prevent diversion, theft, and loss.

9. Cannabis related waste shall be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.
10. The operator shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks and areas surrounding the premises during business hours if directly related to patrons of the business.
11. A copy of this use permit and City of Antioch business license, as well as any other State licenses, shall be on display during business hours and in a conspicuous place so that they may be readily seen by all persons entering the facility.
12. No signs, tinting, or other graphic material may be used to obscure the storefront windows.
13. No drive-through, drive-up, or walk-up window services are allowed.
14. No fewer than two uniformed and armed security guards who are employed by a Private Patrol Operator (Security Company) who is currently licensed with the California Department of Consumer Affairs shall be on-site during business operating hours. One armed security guard shall be on-site at all times, even when the facility is closed. A copy of the contract with the Security Company shall be provided to the Community Development Director for review and approval prior to issuance of a certificate of occupancy. Should there be a change in the security private patrol operator or in the liability insurance of the applicant, the Community Development Director shall be notified within 5 business days.
15. The name of the Security Company, proof of liability insurance including a copy of all exceptions, their State license number, and the guard registration numbers for the employed guards shall be provided to the Community Development Department. Should there be a change in the security private patrol operator or in the liability insurance of the applicant, the Community Development Director shall be notified within 5 business days.
16. The City Council may require modification, discontinuance or revocation of this use permit if it finds that the use is operated or maintained in a manner that it:
 - Adversely affects the health, peace or safety of persons living or working in the surrounding area; or
 - Contributes to a public nuisance; or
 - Has resulted in excessive nuisance activities including disturbances of the peace, illegal drug activity, diversion of Cannabis or Cannabis Products, public intoxication, smoking in public, harassment of passersby, littering, or obstruction of any street, sidewalk or public way; or

- Has resulted in or has been the target of criminal activity requiring undue attention and dedication of the Antioch Police Department resources; or
 - Violates any provision of Antioch Municipal Code or condition imposed by a City issued permit, or violates any provision of any other local, state, regulation, or order including those of state law or violates any condition imposed by permits or licenses issued in compliance with those laws.
 - Results in more than three distinct unresolved odor complaints in a twelve (12) month period.
17. The business shall incorporate and maintain adequate on-site odor control measures in such a manner that the odors of cannabis and cannabis-related products shall not be readily detected from outside of the structure in which the business operates or from other non-Cannabis businesses adjacent to the site.
 18. During regular business hours, all cannabis business premises shall be accessible, upon request, to an authorized City employee or representative for random and/or unannounced inspections. The cannabis business may be charged a fee for any inspections.
 19. An annual audit of the site's security plan shall be submitted to the Antioch Police Department. The audit shall be conducted by City staff or a third-party company subject to the approval of the Antioch Police Department.
 20. All points of ingress and egress to the business shall be secured with Building Code compliant commercial-grade, non-residential door locks and/or window locks. Entry and exit doors to restricted cannabis areas shall be made of reinforced metal with metal frames and have a security lock system.
 21. Building signage shall not state that cannabis or cannabis products are stored, sold or handled on the site. Images of cannabis leaves, green crosses, or similar commonly-identifiable graphics are not allowed. All building signage shall be subject to staff review and approval.
 22. A revised photometric plan showing a minimum two-foot candles in the front and rear parking areas surrounding suites A and B shall be submitted with the building permit application. Any additional parking lot lighting necessary to meet this requirement shall be architecturally compatible with the existing parking lot lighting.
 23. Any proposed exterior changes to the site shall be shown on the building permit plan submittal. Exterior changes may be subject to administrative design review approval.
 24. Any offsite improvements shall be reviewed and approved by the appropriate City of Antioch department prior to beginning said improvements.

25. The only cannabis paraphernalia allowed to be sold at the site are vape pens, vape pen cartridges, vape pen batteries, chargers, and glass pipes, unless approved in writing by the Community Development Director.
26. The delivery vehicle shall not contain identifiable markings that associate the delivery service with the cannabis business.
27. The loading and unloading of vehicles for delivery of cannabis shall be conducted in a secured, gated or enclosed area.
28. All delivery of cannabis to the site shall take place in an enclosed delivery area with a dedicated armed security guard to be present during all deliveries.
29. Bollards shall be placed on the site in front of windows and doors that make the site vulnerable to a “smash and grab” scenario. The location of the bollards shall be subject to the review and approval of the Antioch Police Department prior to issuance of building permits for the project.
30. Visible signage shall be placed at the entrance of the facility notifying the public of surveillance on site.
31. Prior to a certificate of occupancy being issued for the site, the Antioch Police Department shall conduct a site inspection to assess the security of the site. Any changes the Antioch Police Department deems necessary upon site inspection shall be incorporated into a revised site security plan that is then submitted for their review and approval. No certificate of occupancy will be issued without final approval of a site security plan by the Antioch Police Department.
32. Security measures shall be designed to ensure emergency access is provided to the Antioch Police Department and the Contra Costa Fire Department for all areas on the premises in case of an emergency.
33. Security surveillance cameras shall be installed and maintained in good working order to provide coverage on a twenty-four (24) hour real-time basis of all internal and external areas of the site where cannabis is stored, transferred and dispensed, where any money is handled, and all parking areas. The cameras shall be oriented in a manner that provides clear and certain identification of all individuals within those areas. Cameras shall remain active at all times and be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and shall be maintained for a minimum of sixty (60) days.

34. A professionally monitored security alarm system shall be installed and maintained in good working condition. The alarm system shall include sensors to detect entry exit from all secure areas and all windows. The name and contact information of the alarm system installation and monitoring company shall be kept as part of the onsite books and records.
35. A local contact who will be responsible for addressing security and safety issues shall be provided to, and kept current with, the Antioch Police Department.
36. The applicant shall enter into a development agreement with the City of Antioch prior to a certificate of occupancy being issued for the site. No business license shall be issued without an approved development agreement.

* * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Planning Commission held on the 5th day of June, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

FORREST EBBS,
SECRETARY TO THE
PLANNING COMMISSION

ATTACHMENT “B”

Statement of Intent/Project Description

To Whom it May Concern:

Delta Dispensary is planning on developing a commercial cannabis retail dispensary at 2101 W. 10th St. in Antioch, CA. The building was constructed and is currently owned by the Hoke Family. The total square footage the dispensary intends to initially occupy is less than 3,800 sf and located on the southeast corner of the Gateway Center.

In accordance with CA State Law, and published Bureau of Cannabis Control Regulations Delta Dispensary is submitting this application for a commercial cannabis retail dispensary to the City of Antioch with the intention of being granted a Conditional Use Permit to operate under the City of Antioch's proposed commercial cannabis regulations.

We have been business owners within the City of Antioch for over a decade and helped to establish several small businesses that have brought tens of thousands of dollars in annual tax revenue to the community. We are active members in the community and contribute both time and financial assistance to charitable organizations that benefit the residents of Antioch. This new endeavor is projected to increase those contributions significantly through direct tax revenue to the city, by way of development agreement and/or a voter approved tax initiative that we would support.

As business owners, public safety is of the utmost concern and we are committed to providing the safest, most secure commercial cannabis facility in Antioch. In addition to the physical security measures Delta Dispensary will be implementing, and which are highlighted in the Safety and Security Section of this application, we will be deploying several active and passive measures that local law enforcement, first responders, and City of Antioch agencies will have direct access to.

We are committed to being good neighbors and our investment in security is a significant deterrence factor in discouraging any criminal activity that would adversely affect the community. Further, all of Delta Dispensary's business will be conducted under active surveillance that law enforcement will be able to remotely view at any time. All transactions will be conducted according to Bureau of Cannabis Control regulations, and in accordance with the City of Antioch's commercial cannabis regulations.

Throughout this application we have attempted to present as clear and coherent a picture of our daily operations. We look forward to building a business that the community can be proud of and investing in the community that provides us this opportunity. We look forward to working with the city on creating an environment that provides relief for thousands of cannabis users in East County; and we look forward to working with local residents and creating good paying, local employment opportunities for individuals that wish to participate in what is projected to be a \$6B dollar economy in the next 2 years. We appreciate your time and consideration of our application and look forward to discussing our plans in greater specificity to the satisfaction of City Staff and Members of the Planning Commission.

Respectfully,

The Hoke Family

ATTACHMENT “C”

Neighborhood Responsibility Plan

Delta Dispensary is committed to strong public engagement and outreach to the community. Our community outreach has three goals: (i) to establish a process by which the community can express itself regarding the project; (ii) to inform the community about medical cannabis issues; and (iii) to ensure that our approach genuinely reflects the community's needs. To reach our goals, we anticipate doing one or more of the following, depending on input at various stages of the project:

- Identifying and visiting civic, senior, and veteran organizations, health care support groups, and community meetings in the City of Antioch to introduce our nonprofit organization, our mission, and our vision for the patient care center. We believe this type of outreach establishes our legitimacy with the community and our vested interest in its welfare. We will listen receptively and respond to any concerns about the project.
- Holding or participating in a community meeting to introduce Delta Dispensary and present the project to any parties with similar goals. Again, our purpose would be to listen and find ways to be responsive. Completing our outreach efforts with a follow-up letter to community stakeholders, letting them know that we heard their concerns and what procedures we will follow in responding to such concerns.

We are committed to engaging our patient and residential communities on an ongoing basis. We will partner with local community organizations to solicit volunteers for these positions.

Outreach Strategies

Delta Dispensary will create public awareness in several ways:

Public Education

We can create public awareness of our dispensary and inform/educate interested parties through our community outreach and education programs. Given that this facility will be open to the general public and we wish to honor our customers' expectation of confidentiality, specific trainings and formal orientations will be arranged by appointment. We plan on offering free workshops and seminars to our community partners on topics related to medical and adult-use cannabis and the conditions for which it is typically recommended, as well as on legal issues surrounding regulated cannabis.

Developing Provider Alliances

An important element of Delta Dispensary's community centered approach is the help we will offer our fellow neighbors in understanding the purpose of our business. To be able to do this, we must first build alliances with local residents, local business, and organizations. A key part of this outreach initiative will be educating community partners on the benefits and legalities of regulated commercial cannabis, and on the processes involved the cultivation, manufacturing, distribution, and sale of commercially regulated cannabis. Hosting educational forums will therefore be a critical element in our business approach. Building strong alliances with the community ensures clear and coherent communication about our business. At the same time, it will give us multiple primary contacts to immediately address community concerns.

Industry Leadership and Sponsorships

We will keep our corporate "brand" visible through sponsorships of community and industry causes and through industry activism that reflects our community-focused public health agenda and its emphasis on compassion and social justice.

Public Relations

Carefully managed messaging and coverage in local media can be a very effective means to create public awareness.

Community and Economic Development

The City of Antioch has shown great interest in revitalization and community development plans that correct systemic inequities and benefit blighted areas and disadvantaged populations. Delta Dispensary is committed to working with the City on addressing those needs.

Commitment to Local Hiring and Spending

We are committed to making our project a source of economic stimulus for Antioch. From initial build-out of the facility to the implementation of our community development initiatives, we intend to contract, buy, and hire locally, taking advantage of local recruitment resources to offer employment to displaced local workers who are willing to be retrained. We will also provide a "living wage" which will mean 200% of the minimum wage mandated by California. We anticipate spending at least 80% on goods and services provided by local companies.

We believe that Phase I day-to-day operations will add up to 5 full-time employment opportunities to the local Antioch economy. The dispensary will contribute directly to the revitalization of its immediate neighborhood through investment in the immediate surroundings to mitigate any potential increase in traffic. We also anticipate bringing incidental business to shops, restaurants, and other services in the area.

As part of our community development mission, we are committed to maximizing the benefits our facility will have on the City of Antioch. In making ongoing capital investments in new technologies and green energy sources we will create a stream of new one-time stimulus effects. To the extent possible, we will invest in the development of these technologies locally so that we can also purchase them locally. In implementing our Community Benefits programs, we will also attempt to ensure that Antioch reaps the benefits of direct expenditures and their multiplied effect. In providing interpreters, for example, we will seek to employ Antioch residents. Whenever possible, we will use our local human resources and local vendors to implement our charitable programs.

Community Benefits Plan

Delta Dispensary believes that it can and should have a critical role in the tax revenue generation formula for the benefit of the City of Antioch. As a LLC, we also believe that we have an important fiduciary obligation to be a "good neighbor" and provide benefits to our community as part of our mission. Therefore, we view our Community Benefits Plan as a blueprint for how we plan to accomplish our Mission. In developing our Community Benefits Plan, the following core principles that will guide us:

- Delta Dispensary's Board of Directors commits to make public a Community Benefits Mission Statement, putting forth our formal commitment to provide resources to and support the implementation of a regular Community Benefits Plan.
- Delta Dispensary will support its Community Benefits Plan at the highest level of our organization. Our Board and senior management will be responsible for overseeing the development and implementation of the Community Benefits Plan, including designating the programs or activities to be included in the plan, allocating the resources, and ensuring its regular evaluation.

- We will ensure regular involvement of the community, including that of the representatives of the targeted underserved populations, in the planning and implementation of the Community Benefits Plan.
- To develop our Mission Statement and Community Benefits Plan, we will conduct a Community Health Needs Assessment, a comprehensive review of unmet health needs of the community by analyzing community input, available public health data and an inventory of existing programs.
- We will include in our Community Benefits Plan the micro communities we wish to support, specific programs or activities that attend to the needs identified in a Community Health Needs Assessment and, measurable short and long-term goals for each program or activity.

Good Neighbor Policy

Delta Dispensary seeks to be an asset and a beneficial resource for the surrounding community. As a good neighbor, we will seek neighborhood and other necessary input through every phase of our operation, beginning with the build out and construction phase. We will meet with representatives from the Building Department, Fire Marshal's Office, Parking & Traffic Enforcement, Public Works Agency, and the Police Department to evaluate and abate any potential public safety/nuisance violations.

We also believe that being a good neighbor requires that we work to improve the neighborhood. Some of the public improvements we plan to address are:

- Access Improvements
- Drainage Improvements
- Landscape Improvements
- Sewer Improvements
- Sidewalk Improvements
- Traffic Engineering Improvements
- Lighting Improvements
- Code Compliance
- Daily Trash Cleanup within 100 feet and weekly cleanups within 250 feet
- Graffiti Management within 300 feet

Finally, we will take all efforts to mitigate noise, odor, and pollution, and will address nuisances, including limiting foot and car traffic. Delta Dispensary will establish agency and public safety bulletins to ensure proper communication channels are established between the business and the surrounding stakeholders of the neighborhood. Through those bulletins if there arises a need to speak with a representative of Delta Dispensary for any reason, there will always be someone with decision making abilities available.

Delta Dispensary guarantees an open door policy for complaints and is committed to maintaining meaningful and respectable relationships to surrounding businesses and households. Delta Dispensary welcomes any individual or group who wishes to be educated on the cannabis industry or the company's business model to attend a community open house meeting. This meeting will be held prior to the grand opening. Fliers and informational packets will be distributed to the surrounding area in advance of the meeting.

We plan to meet with the neighborhood association as well as our neighbors adjacent to us on all sides to gain complete support of this project.