

Commercial Cannabis Permit 2025-004 (Appeal of Selection Committee Denial of Major Amendment)



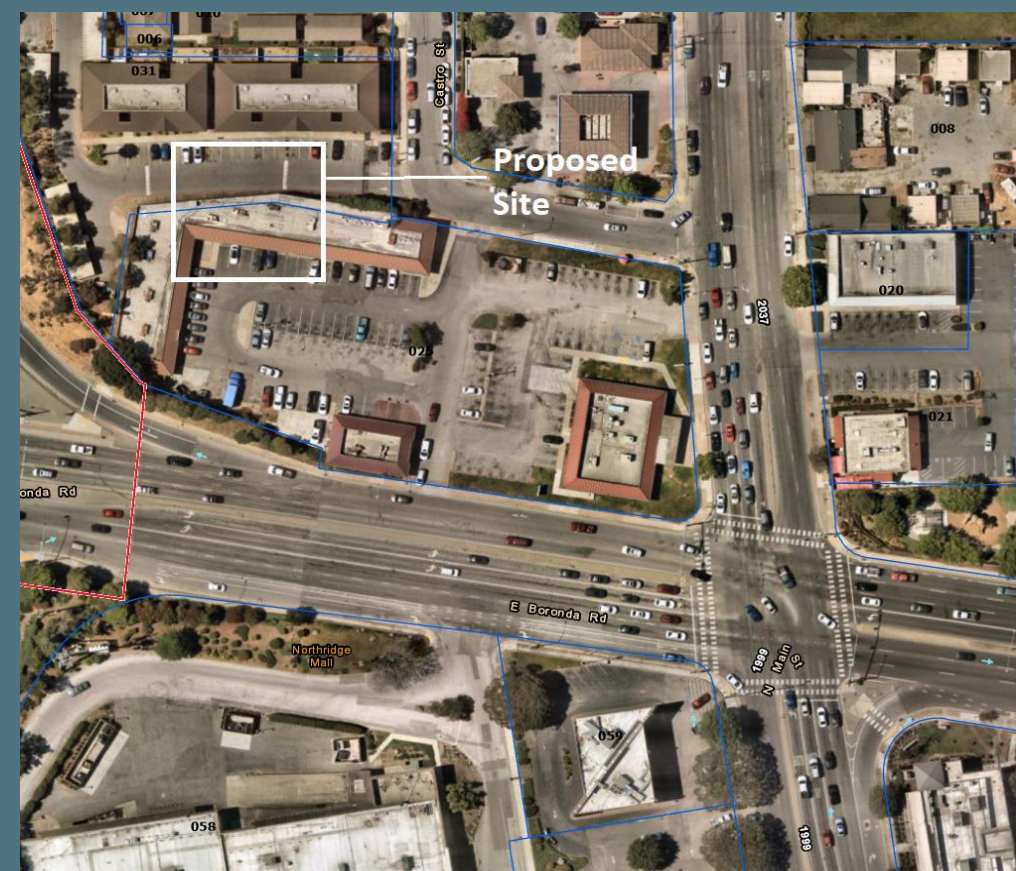
Tuesday, August 4, 2026

City Council

Thomas Wiles, Senior Planner

Community Development Department

Description



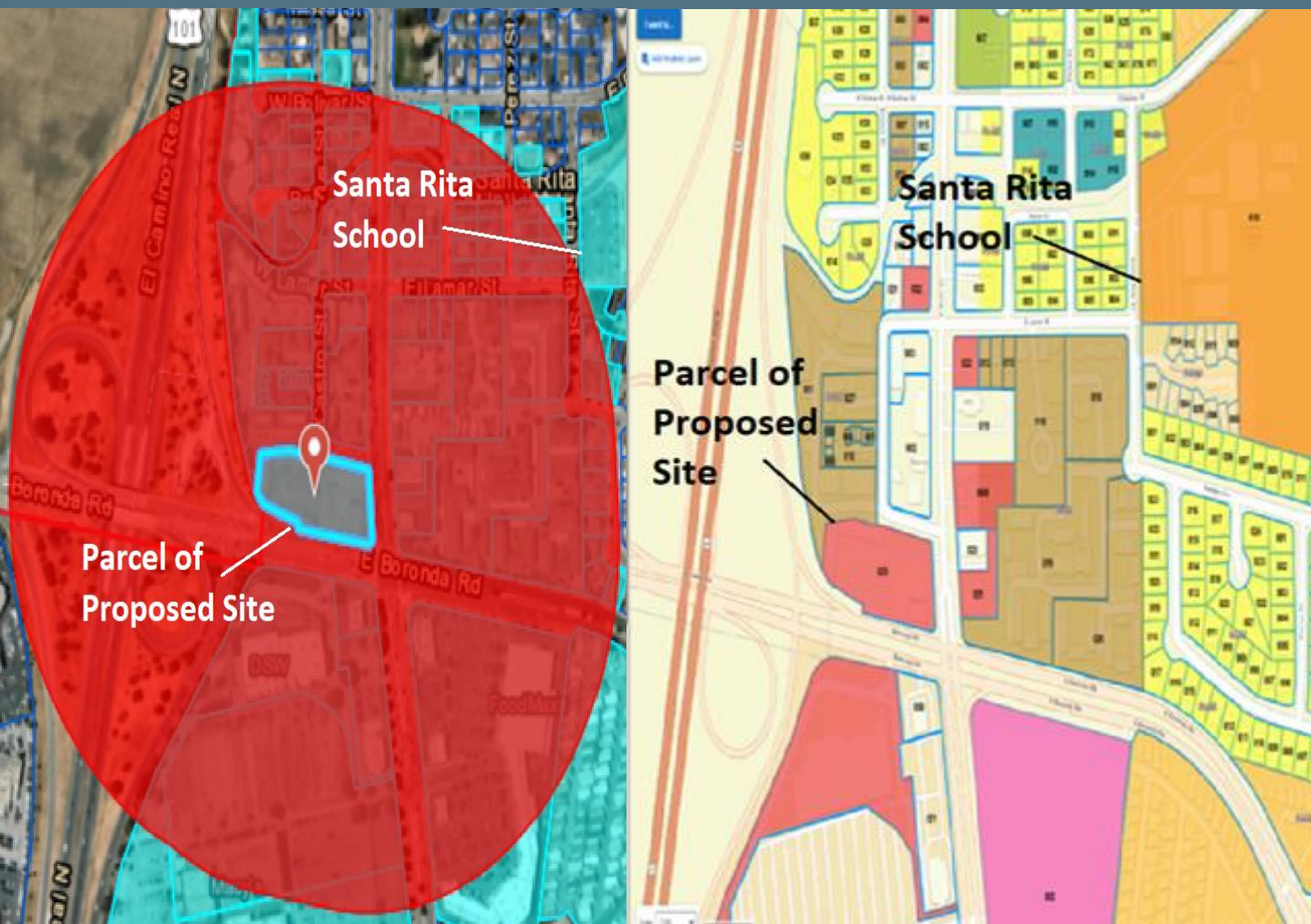
- Major Amendment to CCP 2024-009
 - Applicant: Emerald Skyway LLC
 - Valley Farms
 - Relocate existing Cannabis Dispensary
 - Accessory Delivery and Distribution
 - 1610 Moffett Street to 2033 North Main Street
- Zoned CR-GW-1
 - Northridge Plaza Shopping Center
 - 2,733 sf. tenant space
 - Property Owner: Northridge Plaza, LLC
- Surrounding uses:
 - Residential
 - Commercial, including Northridge Mall
 - U.S. Highway 101

Background



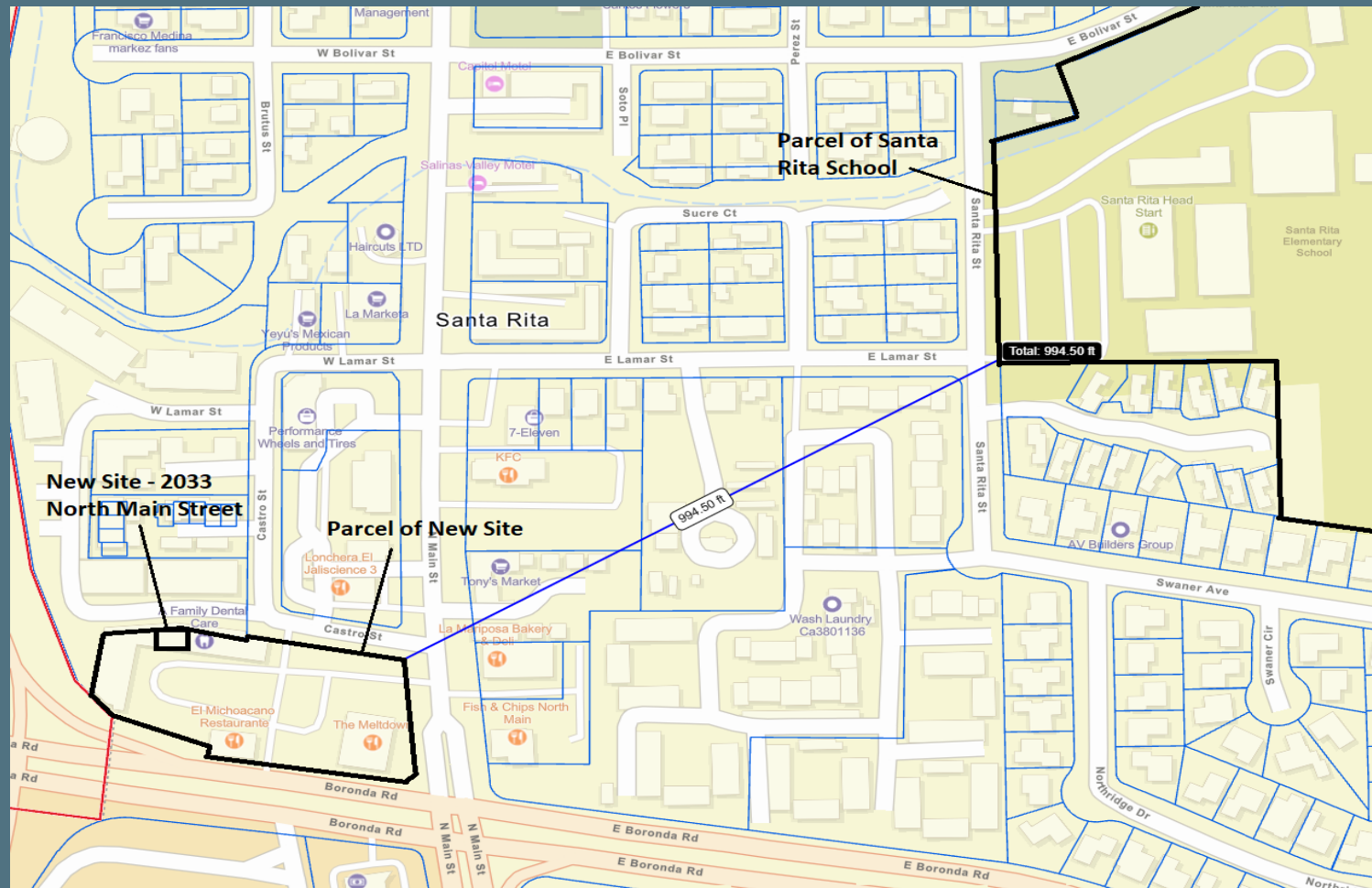
- April 13, 2026 – Selection Committee denied Amendment Application:
 - Located within 1,000 feet of school
- April 21, 2026 – Applicant appealed Selection Committee denial:
 - Municipal Code does not specify distance
 - State establishes 600-foot radius
 - City failed to raise zoning issue in a timely manner
 - Denial rests on a five (5) foot shortfall
- June 3, 2026 – Planning Commission upheld Selection Committee denial

SENSITIVE USES/ADJACENT RESIDENTIAL



- Measured parcel to parcel
- Located within 1,000 feet of Santa Rita School
 - 2014 Santa Rita Street
- Located within 1,000 feet of other sensitive uses
 - Seven (7) alcohol related uses
 - One (1) smoke shop
- Residential adjacent to north
 - Per 3/16/26 PD Memorandum
 - If approved, recommend conditions

PARCEL TO PARCEL DISTANCE



PLANNING COMMISSION/APPEAL

- June 3, 2026 - Planning Commission upheld the Selection Committee's denial of the Major Amendment
 - 4-1 vote
- June 9, 2026 – Applicant appealed Planning Commission denial of the Major Amendment
 - Applicant acquired project site in good faith
 - City identified site and most feasible and confirmed compliance
 - City reversed course mid-process
 - Denial depends on five-foot shortfall
 - Properly measured per Municipal Code
 - Municipal Code has no standard mandatory measurement
 - Measurement satisfied State standard
 - Substantial good-faith reliance
 - City Council possesses authority to grant an exception

RECOMMENDATION

- Find the action is not a project per CEQA; and
- Affirm the Selection Committee's and Planning Commission denial of Emerald Skyway LLC's (doing business as "Valley Farms") request to amend Commercial Cannabis Permit 2024-009
 - Relocate from 1610 Moffett Street to 2033 North Main Street
 - Within proximity of sensitive uses per Municipal Code Section 5-07.27



Questions?