



CITY OF SALINAS PLANNING COMMISSION REPORT

DATE: JUNE 3, 2026

TO: PLANNING COMMISSION

FROM: LISA BRINTON, COMMUNITY DEVELOPMENT DIRECTOR

THROUGH: COURTNEY GROSSMAN, PLANNING MANAGER

BY: THOMAS WILES, SENIOR PLANNER

TITLE: COMMERCIAL CANNABIS PERMIT 2025-004; APPEAL OF SELECTION COMMITTEE DENIAL OF A MAJOR AMENDMENT TO COMMERCIAL CANNABIS PERMIT 2024-009 TO RELOCATE FROM 1610 MOFFETT STREET TO 2033 NORTH MAIN STREET IN THE COMMERCIAL RETAIL – WEST BORONDA ROAD AT U.S. 101 GATEWAY OVERLAY (CR-GW-1) ZONING DISTRICT

RECOMMENDED MOTION:

A motion to approve a resolution as follows:

1. Find the action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378) and exempt pursuant to CEQA Guidelines Section 15061 which includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment; and
2. Affirm the Selection Committee’s denial of Emerald Skyway LLC’s (doing business as “Valley Farms”) request to amend Commercial Cannabis Permit 2024-009 (Commercial Cannabis Permit 2025-004) to relocate from 1610 Moffett Street to 2033 North Main Street within proximity of sensitive uses per Municipal Code Section 5-07.27.

EXECUTIVE SUMMARY:

On November 21, 2025, the Applicant, Emerald Skyway LLC (doing business as “Valley Farms”), submitted Commercial Cannabis Permit 2025-004 for a major amendment (“Amendment Application”) to Commercial Cannabis Permit 2024-009 (“CCP 2024-009”) to relocate an existing Cannabis Dispensary with accessory Delivery and Distribution from 1610 Moffett Street to 2033

North Main Street. Following the City Attorney’s determination that the Amendment Application contained all the required information, the Amendment Application was forwarded to the Selection Committee appointed by the City Manager for their review in accordance with Article VII of Chapter 5 of the Salinas Municipal Code. On April 13, 2026, the Selection Committee met to consider the Amendment Application and at that meeting denied the Amendment Application. On April 21, 2026, pursuant to Municipal Code Section 5-07.10, Valley Farms submitted an appeal of the Selection Committee’s denial (see attached Appeal Letter).

DISCUSSION:

Background:

The proposed site is owned by Northridge Plaza, LLC and is located at 2203 North Main Street [Assessor Parcel Number (APN): 253-061-025-000]. The commercial cannabis business would be located within an approximately 2,733 square-foot tenant space in the Northridge Plaza Shopping Center at the northwest corner of North Main Street and Boronda Road across Boronda Road from the Northridge Mall Shopping Center. The site consists of approximately 1.98-acres and is located in the Commercial Retail – West Boronda Road at U.S. 101 Gateway Overlay (CR-GW-1) Zoning District. The following provides an overview of the land uses and zoning districts adjacent to the proposed site:

North:	Multi-family Residential and Commercial/Residential High Density-West Boronda Road @ U.S. 101 (R-H-2.1-GW-1) and Commercial Retail (CR)
South:	Northridge Mall Shopping Center/Commercial Retail (CR)
East:	Multi-family Residential and Commercial/Residential High Density (R-H-2.1) and Commercial Retail (CR)
West:	U.S. Highway 101

On January 26, 2016, the Salinas City Council adopted Ordinance No. 2566 allowing for the establishment, operation and regulation of commercial cannabis businesses for the dispensing, distribution, cultivation, and manufacturing of medical marijuana and medical marijuana products. (A copy of the City Council’s January 26, 2016, Report to the City Council and of Ordinance No. 2566 (N.C.S.) are attached to this report for reference. At the time of the City Council’s adoption of Ordinance No. 2566, one medical marijuana edible manufacturing and wholesale distribution facility had begun operating in the city prior to the City’s having established any land use controls or requirements for the operation of such businesses. Ordinance No. 2566 repealed a prohibition on the establishment and operation of medical marijuana cultivation facilities and manufacturing facilities, allowed for a limited number of commercial cannabis businesses to open and to operate, provided for a competitive process for the limited number of commercial cannabis permits, and imposed operating restrictions to protect the health, safety, and welfare of the general public. Among the regulations included in Ordinance No. 2566 were restrictions on the proximity of commercial cannabis businesses to sensitive uses.

The Salinas City Council amended Ordinance No. 2566 (the City's commercial cannabis business regulations) on three occasions in 2017:

- a. Ordinance No. 2597 (N.C.S.) adopted on August 15, 2017, increased the maximum number of permits which may be issued in the dispensary, manufacturing, and cultivation categories; provided for an administrative process for cannabis testing facilities; and included administrative revisions to the City's commercial cannabis regulations to reflect changes in state law and changes in the City's implementation of the commercial cannabis business regulations. (A copy of Ordinance No. 2597 and the associated Report to the City Council are attached to this report for reference.)
- b. Ordinance No. 2598 (N.C.S.) adopted on September 5, 2017, recodified several chapters and articles of the Salinas Municipal Code, including those related to the regulations on commercial cannabis businesses. No changes were made to the content of those provisions outlining the regulations on commercial cannabis businesses. (A copy of Ordinance No. 2598 (N.C.S.) and the associated Report to the City Council are attached to this report for reference.)
- c. Ordinance No. 2600 (N.C.S.) adopted on November 29, 2017, updated the regulations on commercial cannabis businesses codified at Article VII of Chapter 5 of the Salinas Municipal Code. Specifically, Ordinance No. 2600 specified that businesses involving adult-use cannabis and cannabis products may operate within the city. Ordinance No. 2600 also clarified the City's permitting structure for commercial cannabis businesses, clarified the operating requirements of various types of commercial cannabis businesses, established commercial cannabis businesses codified at Article VII of Chapter 5 of the Salinas Municipal Code. Specifically, Ordinance No. 2600 specified that businesses involving adult-use cannabis and cannabis products may operate within the city. Ordinance No. 2600 also clarified the City's permitting structure for commercial cannabis businesses, clarified the operating requirements of various types of commercial cannabis businesses, established reasonable regulations relating to the growing of cannabis within a private residence for personal use, and included administrative changes to the regulations to reflect changes in state law and in the City's implementation of the Salinas Municipal Code. A copy of Ordinance No. 2600 (N.C.S.) and the associated Staff Report to the City Council are attached to this report for reference.

Commercial Cannabis is regulated by the City's Municipal Code Chapter 5 – Public Peace and Morals.

Commercial Cannabis Permits-Amendment Procedures

The holder of a Commercial Cannabis Permit (CCP) issued by the City may request an Amendment pursuant Municipal Code Section 5-07.09. Permittees may request relocation of their cannabis business by submitting a complete application for CCP amendment, including all items normally required for a new CCP application, excluding information relating to the principals or operations that will remain unchanged and are not directly related to the site. The application for

a change to the business location must submit all items normally required for a new application as outlined on section 5-07.07.

The Amendment Application is subject to compliance with Municipal Code Section 5-07.09(a). The applicant may request a change to the business location subject to the following requirements:

- (1) The applicant shall submit all items normally required for a new application, except that information related to the principals or operations that will remain unchanged and are not directly related to the site may be excluded.
- (2) The selection committee shall review the proposed new site. The selection committee may approve an amendment to the permit authorizing the new site if it can make the following findings:
 - a. The new site would not be located within the distances specified in Section 5-07.27, unless an exception is approved pursuant to that section.
 - b. The relocation to the new site would not create any significant negative impacts greater than those that existed at the original site.
 - c. The proposed location is located in an appropriate zoning district for the proposed use.
 - d. Owners of real property located within three hundred feet of the proposed site have been notified and have had the opportunity to provide information to the city regarding the proposed site.

Commercial Cannabis Permit 2025-004

Valley Farms has been in pursuit of relocation since 2022 as reflected in the record with the request for five (5) separate Zoning Information Letters as shown in the Table 1: Zoning Information Letters. All five Zoning Information Letters are attached to this staff report.

Table 1: Zoning Information Letters

	Case Number	Date of Letter	Address	Sensitive Uses
1.	ZLTR 2022-011	12/14/22	2033 N Main Street	7; One school, five alcohol-related uses, and a smoke shop
2.	ZLTR 2024-003	4/12/24	2033 N Main Street	9; One school, six alcohol-related uses, one smoke shop, and one site zoned for multi-family residential uses
3.	ZLTR 2024-006	5/9/24	61 Tarp Circle	6; One park and recreation facility, two religious assembly facilities, and three alcohol-related uses

4.	ZLTR 2024-010	6/11/24	240 W Market Street	4; One religious assembly facility, one alcohol-related use and two residential uses
5.	ZLTR 2025-007	11/21/25	2033 N Main Street	10; One elementary school, seven alcohol-related uses, one smoke shop, and one site zoned for multi-family residential uses

Analysis:

Pursuant to State Law, the proposed site must not be located within a 600-foot radius of a day care, preschool, private/charter school or school. In addition, pursuant to Municipal Code Section 5-07.27(a), no Commercial Cannabis Business may operate within 1,000 feet of any of the following sensitive uses:

- (1) School, college or university (including public, private, charter, and other non-traditional schools, but excluding trade schools that exclusively serve adults at least eighteen years of age);
- (2) Park, daycare center, library, or publicly-owned and operated recreational facility;
- (3) Church or other house of worship;
- (4) Smoke-shops, hookah lounges or businesses engaged in the same or a similar activity, and locations where alcohol is sold or served for individual consumption on or off the premises;
- (5) Card rooms and retail firearm sales businesses;
- (6) Any other commercial cannabis business operating as a dispensary, excepting therefrom the occasional and transient operation of a commercial cannabis delivery business, or
- (7) Any other public or private business or facility where the presence of the commercial cannabis activity would cause a public nuisance or other situation which may result in repeated police department response.

The proposed location at 2033 North Main Street is within a 1,000-foot radius (measured from parcel to parcel) from the ten (10) identified sensitive uses listed Municipal Code Section 5-07.27(a)(1) and (4) and shown on Table 2: Distance to Sensitive Uses below.

Table 2: Distance to Sensitive Uses

	Address	Use	Distance		Business Name
			<i>Parcel to Parcel</i>	<i>Building to Building</i>	
1.	2014 Santa Rita Street	School	995 feet away	1,360 feet away	Santa Rita Elementary School
2.	2015 N. Main Street	On-site alcohol sales	Same parcel	180 feet away	El Michoacano Restaurant
3.	2010 N. Main Street	Off-site alcohol sales	105 feet away	450 feet away	Fish & Chips
4.	2087 N. Main Street	Off-site alcohol sales	505 feet away	570 feet away	La Consentida Market
5.	1988 N. Main Street	On-site alcohol sales	242 feet away	660 feet away	Buffalo Wild Wings
6.	2068 N. Main Street	Off-site alcohol sales	560 feet away	590 feet away	7-Eleven
7.	1962 N. Main Street	Off-site alcohol sales	242 feet away	950 feet away	Foodmaxx
8.	1912 N. Main Street	Smoke Shop	242 feet away	1,300 feet away	Santa Rita Smoke Shop
9.	2034 N. Main Street	Off-site alcohol sales	110 feet away	334 feet away	Tony's market
10.	95 Castro Street	Residential	Adjacent	57 feet away	93 North Apartments

Police Department Comments:

Per Municipal Code Section 5-07.27(d), no commercial cannabis business may operate within any residential area or district of the city or adjacent to a residential area or district if, in the opinion of the chief of police or the community development director, the operation of a commercial cannabis business in such location would tend to cause a public nuisance or a situation which may result in repeated police department response or a negative impact on the adjacent residential units. Staff notes there is an existing 46-unit multi-family residential development located at 75 Nissen Drive adjacent to the site to the northwest.

Per the attached Memorandum dated March 16, 2026, the Police Chief is not aware of any information or conditions sufficient to form an opinion regarding the potential of either a public nuisance or repeated Police response to result from Valley Farms' operation of a cannabis dispensary at 2033 North Main Street.

Selection Committee's Determination and Findings

As outlined in section 5-07.09(a)(2), the Selection Committee is required to review the proposed

new location and may approve an amendment to the new location if it can make the following findings:

- a. The new site would not be located within the distances specified in section 5-07.27, unless an exception is approved pursuant to that section;
- b. The relocation to the new site would not create any significant negative impacts greater than those that existed at the original site;
- c. The proposed location is located in an appropriate zoning district for the proposed use; and
- d. Owners of real property located within three hundred feet of the proposed site have been notified and have had an opportunity to provide information to the City regarding the proposed site.

On April 13, 2026, the Selection Committee met to consider the Amendment Application and at that meeting denied the Amendment Application pursuant to Municipal Code Section 5-07.27(a)(1) because the site is located 995 feet from the Santa Rita School, at 2014 Santa Rita Street, which is less than the minimum required 1,000 feet for a sensitive use (see attached Denial Letter). During that meeting, the Selection Committee conveyed their reasons for the denial and the findings of fact upon which their decision was based to the City Attorney.

Appeal of Selection Committee denial:

Pursuant to Municipal Code Section 5-07.27(c), an application (including a dispensary application) which has been denied based on any of the limitations set forth in Subsections 5-07.27(a)(3) through (a)(7) may be appealed by the applicant in accordance with [Section 5-07.10](#). The appellate body may grant an exception to the limitations set forth in this subsection upon findings that the intent of this article would otherwise be met. No such exception will be granted, however, for the distance limitations from those uses listed in Subsections (a)(1) and (a)(2). The Amendment Application was denied based on Subsection (a)(1) because the site is within 1,000 feet of a school.

Pursuant to Municipal Code Section 5-07.10, on April 21, 2026, the Applicant filed a timely appeal of the Selection Committee denial per the attached Appeal Letter (see Appeal Letter). As per the Appeal Letter, the basis for appeal is as follows (staff response in *italics*):

1. Municipal Code does not specify whether the 1,000 foot distance is measured from parcel-to-parcel, building-to-building, or by another method.

Staff Response: Per Municipal Code Section 5-07.27(i), for purposes of Section 5-07.27, distance shall be measured from the closest point of the site occupied by the Commercial Cannabis Business and the closest point of the site occupied by the use defined in Section 5-07.27 Subsection (a), including any parking areas, landscaping, and/or fencing, but excluding any areas of a parcel that is unavailable for use by the commercial cannabis business or the sensitive use. This section shall be construed to require measurement from parcel line to parcel line unless the selection committee determines that different

points of measure would be appropriate.

2. That the State of California pursuant to Business and Professions Code 26054(b) establishes a Statewide minimum of a 600-foot radius between a licensed cannabis retail premises and a school providing instruction in Kindergarten or Grades 1 through 12 and directs that the distance shall be measured in a manner set forth in Health and Safety Code 11362.768(c).

Staff Response: *Business and Professions Code 26054(b) states the following: “A premises licensed under this division shall not be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12, daycare center, or youth center that is in existence at the time the license is issued, unless the department or a local jurisdiction specifies a different radius. The distance specified in this section shall be measured in the same manner as provided in subdivision (c) of Section 11362.768 of the Health and Safety Code unless otherwise provided by law.” Per Municipal Code Section 5-07.27(a), the City of Salinas as a local jurisdiction has specified a 1,000-foot radius from a school for approval of Commercial Cannabis Businesses. The City’s 1,000-foot radius requirement exceeds the State’s 600-foot radius.*

3. The City of Salinas failed to raise a zoning issue in a timely manner and was identified in November 2025 well into the review process.

Staff Response: *Three (3) Zoning Information Letters were issued for the subject property (2033 North Main Street – APN: 253-061-025-000) on December 14, 2022, April 12, 2024, and December 15, 2025 (see attached). All three letters indicated the presence of sensitive uses including the Santa Rita School at 2014 Santa Rita Street. In as early as 2022, a total of seven (7) sensitive uses were identified, including the school. Subsequently, additional sensitive alcohol related uses were also identified. It is noted that the State of California prohibits a cannabis dispensary located within 600 feet of a school; however, the Salinas Municipal Code requires a 1,000 foot separation. The Zoning Information Letters included two methodologies of measurements: one measured parcel to parcel, and the other by building to building, both of which determined by the City’s GIS system. See discussion below for measurement methodology pursuant to the Municipal Code.*

4. That the denial rests on a five (5) foot shortfall, whereas an alternative and previously acknowledged measurement method, building-to-building, which is approximately 1,360 feet.

Staff Response: *Per Municipal Code Section 5-07.27(i), measurement of a proposed Commercial Cannabis Business to a Sensitive Use is as follows:*

For purposes of this section, distance shall be measured from the closest point of the site occupied by the commercial cannabis business and the closest point of the site occupied by the use defined in subsection (a), including any parking areas,

landscaping, and/or fencing, but excluding any areas of a parcel that is unavailable for use by the commercial cannabis business or the sensitive use. This section shall be construed to require measurement from parcel line to parcel line unless the selection committee determines that different points of measure would be appropriate.

Therefore, measurement is from parcel line to parcel line unless the selection committee determines that different points of measure would be appropriate. In this case, the Selection Committee did not determine a different point of measure. Staff notes that as of the date of the most recent Zoning Information Letter, the proposed Commercial Cannabis Business is located within 1,000 feet of nine (9) other sensitive uses consisting of several alcohol related uses and a smoke shop.

Public Correspondence:

Owners of real property located within 300-feet of the proposed site have been notified of this appeal and public hearing and have the opportunity to provide information to the City regarding the proposed site. The Appeal letter and other correspondence received up to the date of publication are attached to the Report. Comments received after publication will be provided to the Commission at the meeting and will be included in the record.

Findings:

The Planning Commission must establish findings to uphold the Selection Committee's denial of the Amendment Application. Findings for the Planning Commission to consider, pursuant to City Code Section 5-07.09(a)(2), include the following (see attached draft denial resolution):

- a. The new site would not be located within the sensitive use distances specified in Section 5-07.27, unless an exception is approved pursuant to that Section;
- b. The relocation of the new site would not create any significant negative impacts greater than those that existed at the original site;
- c. The proposed location is located in an appropriate Zoning District for the proposed use; and
- d. Owners of real property located within three hundred feet of the proposed site have been notified and have had the opportunity to provide information to the city regarding the proposed site.

Time Consideration:

The Amendment Application was denied by the Selection Committee on April 13, 2026. On April 21, 2026, pursuant to Municipal Code Section 5-07.10, the Applicant filed a timely appeal within 10 calendar days of the Selection Committee denial. Pursuant to Municipal Code Section 5-07.10(b), a public hearing before the Planning Commission shall be scheduled within 60-days from the filing of the appeal. Per the Municipal Code, the deadline for Planning Commission

consideration is June 20, 2026.

CEQA CONSIDERATION:

Not a Project. The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378). CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines Section 15378, this matter is not a project. Because the matter does not cause a direct or foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

Alternatives Available to the Commission (Section 5-07.10):

1. Affirm the Selection Committee's denial of Valley Farm's Amendment Application and deny Commercial Cannabis Permit 2025-004;
2. Reverse the Selection Committee's denial of Valley Farm's Amendment Application and approve Commercial Cannabis Permit 2025-004; or
3. Modify the Selection Committee's denial of Valley Farm's Amendment Application; or

In the event of no decision, the matter would be forwarded to City Council for a final determination.

ATTACHMENTS:

Draft Planning Commission Denial Resolution
City Attorney Complete Letter dated March 13, 2026
Police Department Memorandum dated March 16, 2026
City Attorney Denial Letter dated April 13, 2026
Valley Farms Appeal Letter dated April 21, 2026
Sensitive Uses Map for CCP 2025-004
Sensitive Uses Radius Map within 1,000 feet of 2033 North Main Street
CCP 2023-006 Valley Farms Renewal
Zoning Information Letter 2025-007 dated December 15, 2025
Zoning Information Letter 2024-010 dated June 11, 2024
Zoning Information Letter 2024-006 dated May 9, 2024
Zoning Information Letter 2024-003 dated April 12, 2024
Zoning Information Letter 2022-011 dated December 14, 2022
Ordinance No. 2566 (N.C.S.) and Report to the City Council
Ordinance No. 2597 (N.C.S.) and Report to the City Council

Ordinance No. 2598 (N.C.S.) and Report to the City Council
Ordinance No. 2600 (N.C.S.) and Report to the City Council

Cc: Emerald Skyway LLC (doing business as “Valley Farms”), Applicant and Appellant
Northridge Plaza, LLC, Property Owner

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