



City of Woodland
Meeting Agenda
Planning Commission

City Hall
Council Chambers
300 First Street
Woodland, CA 95695

January 16, 2025
6:30 PM

Please Note: The numerical order of items on this agenda is for the convenience of reference; items may be taken out of order. No new items shall begin after 10:30 pm unless unanimous consent exists to continue.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. STAFF AND COMMISSIONER COMMENTS

This is an opportunity for the Planning Commission members and staff to make comments and announcements to express concerns, or to request Commission's consideration of any items a Commission member would like to have discussed at a future Commission meeting.

E. SUBCOMMITTEE REPORTS

F. COMMUNICATIONS FROM THE PUBLIC

This is an opportunity for the public to speak to the Planning Commission on any item other than those listed on this agenda. Speakers are requested to use the microphone in front of the Commission and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Chair may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered. The option to submit a public comment via voicemail is no longer available. Written Public Comments Members of the public are welcome to submit written comments prior to the meeting. Comments should be submitted by email to planningcommissionmeetings@cityofwoodland.org. Written Comments received at least two (2) hours prior to the scheduled start time of the Planning Commission meeting will be provided to the Commissioners and posted to the City website as part of the official record of the meeting but will not be read into the record. Written Comments received within two (2) hours of the scheduled start time of the Planning Commission meeting and during the meeting will be provided to the Commissioners the day following the Commission meeting. If you are submitting written comments on a particular item on the agenda, please identify the agenda item number and letter. If you are submitting written comments on an item not listed on the agenda, please identify your e-mail/comment as a General Public Comment. Note: Public comments at special meetings are limited to items on the agenda only.

G. APPROVAL OF MINUTES

1. SUBJECT: Planning Commission Meeting Minutes of December 19, 2024

RECOMMENDATION FOR ACTION: Staff recommends that the Planning Commission receive and approve the Planning Commission Meeting Minutes of December 19, 2024

H. PUBLIC HEARING

2. SUBJECT: Embarc Woodland Retail Cannabis Conditional Use Permit

RECOMMENDATION FOR ACTION: Staff recommends that the City Planning Commission: (1) Receive the staff report; (2) Conduct a public hearing; (3) Find that the project is exempt from further environmental review pursuant to Class 1 and Class 32 categorical exemptions under the California Environmental Quality Act (CEQA) and find that the exemptions reflect the independent judgment of the City as lead agency under CEQA; (4) Approve Planning Commission Resolution No. PC 25-___ recommending that the City Council approve a Conditional Use Permit and Operating Agreement for a storefront cannabis dispensary located at 825 East Street, Suites 102-103 within the City's Corridor Mixed Use – East Street zone conditioned upon approval of the appropriate Cannabis Business Permit and the recommended conditions of approval.

I. BUSINESS ITEMS

3. SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission

RECOMMENDATION FOR ACTION: Staff recommends that the Planning Commission: (1) hold elections; and (2) select and vote among current membership, the appointments of Chair and Vice-Chair of the Planning Commission.

J. STAFF OR COMMISSIONER COMMENTS

K. ADJOURNMENT

The Planning Commission of the City of Woodland encourages all parties interested in a matter scheduled to be reviewed, discussed and acted on at a meeting, to participate in the public discourse, which may include the submission of written comments and materials. The Planning Commission notifies the public that those materials received less than 24 hours before a meeting date and time may not be able to be considered completely. Further, the Planning Commission encourages interested parties to attend the meeting to discuss any matter of concern and to explain their comments more fully.



TO: THE MEMBERS OF THE PLANNING COMMISSION
AGENDA: Planning Commission
DATE: January 16, 2025
ITEM #: G.1
SUBJECT: Planning Commission Meeting Minutes of December 19, 2024

SUBJECT: Planning Commission Meeting Minutes of December 19, 2024

RECOMMENDATION FOR ACTION: Staff recommends that the Planning Commission receive and approve the Planning Commission Meeting Minutes of December 19, 2024

Attachments:

1. December 19, 2024 Planning Commission Minutes DRAFT

City of Woodland

City Hall
Council Chambers
300 First Street
Woodland, CA 95695



Planning Commission Meeting –

Thursday, December 19, 2024

6:30 PM

A. CALL TO ORDER

Meeting called to order at 6:31 PM

B. ROLL CALL

Commission Members Present: Harris, Lizarraga, Lopez, Murphy, Ortiz, Smith
Absent: Roberts

C. PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Commissioner Ortiz

D. STAFF AND COMMISSIONER COMMENTS

This is an opportunity for the Planning Commission members and staff to make comments and announcements to express concerns, or to request Commission's consideration of any items a Commission member would like to have discussed at a future Commission meeting.

Verbal updates provided by Planning Commission Members/Staff.

E. SUBCOMMITTEE REPORTS

F. COMMUNICATIONS FROM THE PUBLIC

This is an opportunity for the public to speak to the Planning Commission on any item other than those listed on this agenda. Speakers are requested to use the microphone in front of the Commission and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Chair may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered. The option to submit a public comment via voicemail is no longer available. Written Public Comments Members of the public are welcome to submit written comments prior to the meeting. Comments should be submitted by email to planningcommissionmeetings@cityofwoodland.org. Written Comments received at least two (2) hours prior to the scheduled start time of the Planning Commission meeting will be provided to the Commissioners and posted to the City website as part of the official record of the meeting but will not be read into the record. Written Comments received within two (2) hours of the scheduled start time of the Planning Commission meeting and during the meeting will be provided to the Commissioners the day following the Commission meeting. If you are submitting written comments on a particular item on the agenda, please identify the agenda item number and letter. If you are submitting written comments on an item not listed on the agenda, please identify your e-mail/comment as a General Public Comment. Note: Public comments at special meetings are limited to items on the agenda only.

G. APPROVAL OF MINUTES

1. SUBJECT: Planning Commission Meeting Minutes of November 21, 2024

RECOMMENDATION FOR ACTION: Staff recommends that the Planning Commission receive and approve the Planning Commission Meeting Minutes of November 21, 2024.

On a motion by Commissioner Smith, seconded by Commissioner Harris, Commission Members voted to approve the Planning Commission meeting minutes of November 21, 2024 by the following vote:

Ayes: Harris, Lizarraga, Lopez, Murphy, Ortiz, Smith

Noes: None

Absent: Roberts

H. PUBLIC HEARING

2. SUBJECT: Accessory Dwelling Unit (ADU) Ordinance Updates

RECOMMENDATION FOR ACTION: Staff recommends that the Planning Commission: (1) hold a public hearing to receive testimony regarding the Accessory Dwelling Unit (ADU) Ordinance Updates, (2) find that the adoption of the proposed ordinance is statutorily exempt from review under the California Environmental Quality Act ("CEQA") under Public Resources Code section 21080.17, and (3) adopt Planning Commission Resolution No. PC24-09 recommending that the City Council adopt the proposed ordinance that is attached as Attachment 2.

On a motion by Commissioner Harris, seconded by Commissioner Lopez, Commission Members voted to adopt Resolution No. PC24-09 recommending that the City Council adopt the proposed Accessory Dwelling Units Ordinance updates by the following vote:

Ayes: Harris, Lizarraga, Lopez, Murphy, Ortiz, Smith

Noes: None

Absent: Roberts

I. BUSINESS ITEMS

3. SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission

RECOMMENDATION FOR ACTION: Staff recommends that the Planning Commission: (1) hold elections; and (2) select and vote among current membership, the appointments of Chair and Vice-Chair of the Planning Commission.

Chairperson Lizarraga tabled the item to a future meeting

J. STAFF OR COMMISSIONER COMMENTS

K. ADJOURNMENT

Meeting adjourned at 6:50 PM



TO: THE MEMBERS OF THE PLANNING COMMISSION
AGENDA: Planning Commission
DATE: January 16, 2025
ITEM #: H.2
SUBJECT: Embarc Woodland Retail Cannabis Conditional Use Permit

Recommendation for Action: Staff recommends that the City Planning Commission: (1) Receive the staff report; (2) Conduct a public hearing; (3) Find that the project is exempt from further environmental review pursuant to Class 1 and Class 32 categorical exemptions under the California Environmental Quality Act (CEQA) and find that the exemptions reflect the independent judgment of the City as lead agency under CEQA; (4) Approve Planning Commission Resolution No. PC 25-01 recommending that the City Council approve a Conditional Use Permit and Operating Agreement for a storefront cannabis dispensary located at 825 East Street, Suites 102-103 within the City's Corridor Mixed Use – East Street zone conditioned upon approval of the appropriate Cannabis Business Permit and the recommended conditions of approval.

Staff Contact:

Anna Canales, Assistant Planner, (530) 661-5819, anna.canales@cityofwoodland.gov

Fiscal Impact:

Application Processing Costs. The project applicant covers all costs associated with processing the subject Conditional Use Permit application and related Operating Agreement through an Advanced Funding Agreement. Similarly, the initial selection process for all applicants was covered through individual Funding Agreements.

The City collects two types of revenue associated with cannabis businesses outside of the specific Conditional Use Permit application processing costs noted above. The aforementioned revenue consists of City Permit Fees and the City Cannabis Tax.

Permit Revenue. When a new Retail Cannabis business applies for a City Cannabis Business Permit, contingent on approval of a Conditional Use Permit and Operating Agreement, the City presently collects \$50,056 (subject to annual increases based on CPI and any future changes at City Council discretion) for the staff review and application processing. This includes site visits by both Community Development and Police staff. Thereafter, a business is responsible for requesting a renewal of the permit on an annual basis which is presently subject to a renewal fee of \$21,222 (subject to yearly increases based on CPI and any future changes at City Council discretion) and which, like the initial issuance fee, covers the cost of the administrative review, application processing, program oversight, business plan review by the Community Development Department, Police site visits and compliance, accounting, and an annual financial audit. The City does not make revenue above the cost of service on these permit fees and is legally only allowed to charge the City's cost of doing business.

Cannabis Tax. In November 2022, Woodland voters approved a local tax on cannabis businesses that would help to fund general city services. Retail cannabis businesses are subject to a 10 percent tax based on gross receipts. It is difficult to estimate the future potential cannabis tax revenue that may be realized from cannabis retail sales as it will depend upon the success of the business. At minimum, assuming a similar realized revenue generation as existing commercial cannabis manufacturing and distribution businesses, it is estimated that the city will see additional annual

revenue from the four new retail cannabis businesses of \$250,000, but likely much greater given the higher tax rate and higher volume of taxable sales applicable to retail uses. To date, the City has collected \$1.1 Million in tax (formerly “community benefit”) revenue from existing commercial cannabis businesses.

Report in Brief:

Commercial Cannabis Business, Woodland Responsible and Compliant Retail LLC (“Embarc Woodland”) (PLNG 24-00059), has applied for a Conditional Use Permit (CUP) to operate a storefront cannabis dispensary at 825 East Street Suites 102 and 103 in the City’s Corridor Mixed Use - East Street Zone; Assessor’s Parcel Number 066-111-028. This application follows a recent zoning code update, effective June 7, 2022, which allows retail cannabis land use in certain zones and allows the City to consider up to four Conditional Use Permits for this land use citywide.

The process for considering retail cannabis operators began with a competitive preliminary review on February 27, 2023, where four of a total of 12 applicants were selected to advance to the Conditional Use Permit application stage. As the fifth-ranking applicant in that process, Embarc Woodland’s application has been invited to advance to the next stage of review due to the recent withdrawal of an application by one of the top four selected applicants.

Embarc Woodland’s project proposal, which entails the use of a project site located at 825 East Street Suites 102 and 103, has undergone a comprehensive review by City departments, including the City Planning Division, Engineering Division, Public Works Department, Fire Department, Building Division, and the City Police Department. The applicant’s location and proposed operation are consistent with applicable zoning and development standards, further, a preliminary Security Plan has been submitted and reviewed by the Woodland Police Department, with a final plan to be approved before operation.

As part of the review process, an Operating Agreement (Attachment 3) has been negotiated between the City and the applicant. This agreement will be reviewed by the City Council and will incorporate the commitments outlined in the Community Benefit Plan and Social Policy and Local Enterprise Plan. These documents are attached to the operating agreement for reference as part of permitting and annual reporting.

In conformance with Woodland Municipal Code (WMC) Section 17.84.120, a highly visible posting measuring 4 feet by 8 feet has been displayed on the project site, notices were sent to property owners and tenants within a 600-foot radius of the site, and a notice of the meeting was published in the local newspaper ten days before the Planning Commission meeting date.

Upon issuance of a Conditional Use Permit and before operating, the applicant will be required to obtain a City Cannabis Business Permit and corresponding City Building Permits for tenant improvements necessary for the proposed operation.

The purpose of this hearing is for the Planning Commission to review the project proposal and provide a recommendation to the City Council to approve a resolution, awarding the requested Retail Cannabis Conditional Use Permit and Operating Agreement.

Background:

On December 5, 2017, the City Council approved Ordinance 1629, adding Article 21.6 (now Section 17.84.120) to Chapter 25 (now Chapter 17) of the Municipal Code, which regulates the zoning of commercial cannabis. At the same time, the council approved Ordinance 1630, adding Chapter 13A (now Chapter 5.28) to the Municipal Code, establishing regulations for commercial cannabis business permits. These regulations allowed for up to six conditional use permits for manufacturing,

distribution, and testing cannabis operations within Industrial or Industrial/Light Industrial Flex Overlay zones as defined in the General Plan.

On June 7, 2022, the City Council amended Chapter 17.110 (now Section 17.84.120) through Ordinance 1685 and Chapter 5.28 through Ordinance 1686, updating the regulations for cannabis retail businesses, which now authorizes City Council to consider up to four retail cannabis conditional use permits, allowing the sale of cannabis at authorized storefront retail cannabis dispensary locations, with the option for delivery from these locations. These four permits may be issued in designated commercial and corridor mixed-use zones.

On February 27, 2023, the City issued a request for applications, inviting interested parties to participate in the selection process for a Preliminary Cannabis Business Permit to authorize applicants to apply for a Retail Cannabis Conditional Use Permit and enter into Operating Agreement negotiations to establish a commercial cannabis business. Applications were to be submitted in person by 3:00 pm on April 5, 2023. The City received a total of 12 proposals.

As part of the preliminary process, which involved three phases of review, applicants were required to submit detailed plans for the safety, security, and operational characteristics of the proposed storefront retail cannabis dispensary use, including the following:

- Business Plan
- Odor Control Plan
- Tax Compliance
- Insurance
- Community Benefit Plan
- Social Policy and Local Enterprise Plan
- Security Plan
- Neighborhood Compatibility and Community Relations Plan

A Proposal Review Committee was formed, consisting of staff members from the Police, Finance, and Community Development Departments, as well as a representative from HdL (consultants retained by the City for their subject matter expertise) to conduct a competitive selection process. As required by the City of Woodland Municipal Code, the Committee gave particular consideration to each proposal's capacity, capitalization, security measures, and history, as well as the community benefits offered by the proposed commercial cannabis business. After an initial review, the Committee interviewed the twelve applicants for the Preliminary Cannabis Business Permit. Following the interviews, the city invited the top four ranked applicants to the fourth phase of the review process which entails the negotiation of an Operating Agreement and application for the Conditional Use Permit. As the fifth-ranking applicant in that process, Embarc Woodland's application has been invited to advance to the next stage of review due to the recent withdrawal of an application by one of the top four selected applicants.

The purpose of this hearing is for the Planning Commission to review and provide a recommendation to the City Council to approve a resolution, awarding the requested Retail Cannabis Conditional Use Permit and Operating Agreement. The award of this Retail Cannabis Conditional Use Permit is at the sole discretion of the City Council upon recommendation from the Planning Commission.

The attached draft Resolution (Attachment 1) lists all the findings relating to the issuance of the Retail Cannabis Conditional Use Permit and includes a discussion of the community benefits that Embarc Woodland committed to in their proposal and as part of their Operating Agreement. These are

discussed below.

Discussion:

On December 16, 2024, Embarc Woodland applied for a Retail Cannabis Conditional Use Permit. The applicant is requesting a recommendation of approval to the City Council for a Conditional Use Permit by the City Planning Commission, which will allow Embarc Woodland to occupy an approximately 2,830 square foot tenant space in an existing building at 825 East Street Suites 102 and 103, as a storefront cannabis dispensary. (See Attachments 2 and 4, Project Application and Site Plan). Under the terms and conditions of approval, Embarc Woodland will be required to obtain a Cannabis Business Permit for a Storefront Cannabis Dispensary, (*Ordinance 1685 and 1686*), and appropriate State Licensing (Type 10 – Storefront Retailer). A Type 10 license allows for a storefront retailer to have a physical location where cannabis goods are sold. Storefront retailers can also deliver cannabis goods.



Context Map

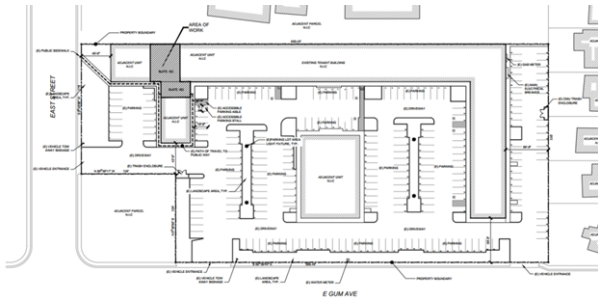
The project estimates a total of 16 employees and Embarc Woodland intends to prioritize hiring employees directly from the City of Woodland (i.e. “local hire”). All full-time employees will be given equity in the business. The proposed operating hours are Monday – Sunday from 9 am to 9 pm. Embarc Woodland anticipates 299 customers per day and approximately 25 customers per hour, per day.

Project Site Description

Embarc Woodland’s project site covers approximately 4.19 acres and includes a single multi-tenant building located in the northwest corner of the parcel. This building and the subject parcel are part of a larger commercial shopping center with multiple buildings. The subject building at 825 East Street is an existing one-story multi-tenant building (See Attachment 4, Site Plan). Neighboring businesses include Acceptance Insurance, Highlife Smoke and Vape Shop, Barajas Deli, Memos Barber Shop, Glam by Suminder, India Spices Inc, Gelatin World, Woodland Pharmacy, Mi Mundos Latinos Travel, Yanelli Beauty Salon, Steven W. Thomson, DDS, Biner Insurance Agency, Water Punch, Pearl Spa, Capital Accounting, El Pasito, Lourdes Boutique, and Steve Alberts-Yates Insurance. The property is bordered by commercial land uses to the north, residential and commercial land uses to the east of the project site, Gum Avenue forming the southern boundary, and East Street forming the western boundary. The applicant has proposed to occupy Suites 102 and 103 consisting of a combined 2,830 square-foot area located at the northwest corner of the building.

Interior “tenant improvements” will be made to the existing Suites 102 and 103; no new construction is proposed.

The property is zoned for Corridor Mixed Use – East Street land uses. The proposed use is permitted in this zone with the approval of a Conditional Use Permit and Operating Agreement by the City Council as the final acting body.



Site Plan

Community Benefit and Social Policy and Local Enterprise Plan Review

Community Benefit and Social Policy and Local Enterprise Plans have been included with this report as Exhibits to Attachment 3 for the Commission's review/reference. A summary is provided below.

Below is an overview of the Community Benefit commitments of Embarc Woodland (Outlined in detail in Attachment 3):

Community Benefit

Embarc Woodland commits to allocate 1% of gross receipts to its Community Investment Fund in perpetuity, generating ongoing funding for local community organizations through the efforts and allocations of a designated Community Advisory Board consisting of community members local to Woodland. Funding areas of focus will include mentorship and job training for young adults, youth clubs, youth athletic activities, youth arts, prevention of juvenile crime, youth drug education and prevention programs, and supporting healthy and stable households.

Community Support for Local Non-Profits and Organizations

Embarc Woodland commits to contributing to community-based projects and with guidance from the City identifies local funding opportunities and commits to partnering with local non-profit organizations to support and fund projects through grants and volunteerism.

Employee Wages and Compensation

Embarc Woodland is committed to offering a living wage starting at \$20.50 per hour, which may be higher based on experience, knowledge, and position, and employees will also be able to receive tips and gratuities.

Embarc Woodland is committed to providing employees with monthly volunteer hours with local non-profits. The company is committed to paying employees for each hour they participate in community service, up to forty (40) hours per year.

Continuing Education

Embarc Woodland is committed to paying all employees at their regular rate of pay for onboarding, initial training, mentorship/mentee hours, apprenticeships, approved educational courses, workforce development programs, job-specific skills coursework, and Flight School: Embarc's Proprietary Education Hub (education and training platform) courses.

Embarc Woodland is committed to offering tuition assistance and a scholarship program for qualifying employees, as well as provide scholarships to local residents in coordination with local

community colleges.

Support for Local Enterprises

Embarc Woodland commits to sourcing a minimum of 15% of products from local Woodland cannabis businesses.

Security Plan

The proposed design includes a screening lobby separated from the Retail Sales Area by separate ingress and egress door vestibules. Reception employees and Security Guards provide surveillance over each vestibule, the Screening Lobby, waiting area, and both east and west lobby entrances and parking lots through windows and video monitors. The Retail Sales Area will maintain an appropriate customer to employee ratio. During peak periods, the waiting area will provide an indoor, monitored area for overflow customers to wait until space is available for them in the Retail Sales Area. The proposed design includes the separation of inbound and outbound travel paths with separate doors. Interlock devices will be configured in accordance with California Fire and Building Code Allowances and will not interfere with egress. To enhance the security of vendors, distribution, armored carrier loading and unloading, and retail delivery transfers, the premises will maintain a door redundant Vendor Lobby from which further access into the premises requires electronic access credentials. The Vendor Lobby is intended to ensure that anyone attempting to enter by way of door catching or ambush will not be able to advance further into the premises than the empty, unmanned room separated from limited-access areas beyond by additional reinforced doors. A Secured Product Storage room is proposed to be accessible to limited, supervisory personnel tasked with order fulfillment to ensure that specific credentials are needed for staff members to enter. The Break Area and Restroom are designed such that no travel or insight to product or cash storage areas is provided in accessing these universally accessed staff areas. Management Office and Cash Vault Rooms are proposed to be situated as far as possible into the premises. Access to these areas and insight into the storage methods and security features can be duly protected from front-line employees, vendors, and the public. Embarc Woodland will install multiple surveillance cameras strategically located around the building's perimeter. In addition a rooftop camera will be installed to provide further surveillance coverage. Tenant Improvements will include the installation of a fire alarm system, smoke detectors, emergency lighting, exit signage, and easily accessible fire extinguishers. These and any additional security measures required by the Woodland Police Department shall be included in the final Security Plan approved by the Police Department and made part of the Cannabis Business Permit.

Retail Delivery Operations

Consistent with WMC 5.28, the maximum operating hours of the retail delivery operations will be from 9 am to 9 pm daily, or more restrictive as outlined in the project Conditions of Approval. Deliveries of cannabis goods will be performed by a delivery employee of Embarc who is at least 21 years of age. Use of courier services or independent contractors will not be allowed. Delivery Drivers engaged in delivery services will always possess a physical copy of the following:

- Embarc's current valid retail cannabis business permit;
- Valid driver's license;
- Embarc employee badge including the name and photo of the employee;
- Each delivery request from Embarc will include Embarc's name, the customer's name and address, and an accounting of cannabis goods being delivered.

Cannabis goods will be delivered in-person to customers and prior to providing cannabis goods to a delivery customer, the driver will confirm the age and identity of the customer by valid government issued photo identification. Embarc's Intake and Retail Delivery Office will include a workstation providing for real time GPS monitoring of all delivery vehicles and for ongoing communication with Delivery Drivers. Vehicles used for delivery will be owned/leased, registered, and insured by Embarc.

Drivers will not have credentials to enter any interior or exterior door. Staff assigned to the intake and retail delivery office will electronically grant access to Delivery Drivers to the Vendor Lobby. Delivery operations will conform to all applicable City and State standards including the provisions of the Woodland Municipal Code and California Department of Cannabis Control. Security Plans including specifications related to Deliveries shall be reviewed and receive approval from the City Police Department.

Discussion

Applicable Laws, Codes & Ordinances

This project is subject to several laws, codes, and ordinances as described below:

- The City of Woodland General Plan
- The City of Woodland Zoning Ordinance
- City of Woodland Cannabis Business Permit Requirements
- California Environmental Quality Act (CEQA)
- Regulations of the California Department of Cannabis Control

2035 General Plan Consistency

The proposed project is consistent with various policies and actions in the General Plan; including Land Use Policy 2.A.6 (Infill Development); Policy 2.D.I (Jobs/Housing Relationship); and Policy 4.C.16 (Safety and Security).

Specifically, the project is consistent with General Plan goals and policies which encourage Woodland residents and visitors to support retail establishments that are located in the City of Woodland (Policy 4.C.8). Currently, Woodland residents and visitors do not have the opportunity to purchase cannabis products locally and instead rely on delivery services from neighboring counties and cities. Establishing storefront retailers in Woodland will gain the City some share in this market through generation of sales tax.

As previously mentioned in this report, applicants for a retail commercial cannabis conditional use permit and operating agreement were required to prepare and provide a Security Plan for proposed sites and facilities which support the deterrence of crime through site planning and design, consistent with Policy 4.C.16 (Safety and Security) and Policy 2.E.7(Public Safety and Community Design). This plan was reviewed by the City of Woodland Police Department and shall meet State requirements.

The proposed use is located on a parcel designated for commercial land uses and will operate out of an existing commercial building (Policy 2.J.I – Enhanced Design Character of Existing Centers).

Zoning Consistency

The project site is zoned Corridor Mixed Use – East Street. The City Corridor Mixed Use – East Street zone is applied to mixed-use corridors along East Street and supports a variety of commercial uses.

Pursuant to City of Woodland Municipal Code 17.36.020, Table 17.36.020-1, a Cannabis Retail use may be established in the Corridor Mixed Use – East Street zone subject to use permit approval.

Development Standards

The proposed storefront retail cannabis dispensary use would be established in an existing multi-tenant commercial building previously occupied by commercial uses. Tenant improvements will be made to the existing building to meet the operational requirements of the proposed use, including those outlined in the project's security plan; no new construction is proposed onsite.

The project is consistent with land use, lot coverage, landscaping, building type, building height, and setback requirements for the Corridor Mixed Use – East Street zone. Vehicle access to the site is provided from existing driveways along East Street and Gum Avenue. At the time of tenant improvements, staff will conduct a staff-level architectural review consistent with existing practice for minor improvements to existing buildings.

Parking

The number of required off-street parking spaces for the proposed storefront retail cannabis dispensary use shall be consistent with the parking requirements for retail land use per City of Woodland Municipal Code Section 17.68. The project site and existing shopping center currently has 220 parking spaces, ensuring sufficient parking for the proposed retail business and exceeds minimum parking requirements for the proposed use. The project site also includes designated bicycle parking and ADA compliant spaces.

Driveways

Existing driveways provide access to the project site along Gum Avenue and one driveway along East Street.

Waste Management

Embarc Woodland proposes to contract with a third party cannabis waste management provider to provide a disposal of regulated cannabis waste produced by the operation.

Zoning Verification

A zoning verification was conducted as part of the associated preliminary cannabis business permit to verify compliance with the location limitations for commercial cannabis land uses established in the City of Woodland Municipal Code Section 17.84.120, which is also consistent with State requirements.

At the time of staff's analysis of the location proposed for the storefront cannabis dispensary use, no known sensitive uses were identified within the minimum buffer distance of 600 feet from any property containing a school providing instruction in any grades Kindergarten through twelve (12), a day care center or a youth center, and is not within 600 feet of a public park. There were no more than two retail cannabis dispensaries within 1,000 feet of the project site. The proposed site would be more than 500 feet away from any other storefront retail cannabis dispensary use.

Conditional Use Permit Review

A Conditional Use Permit (CUP) affords broad public review and evaluation of those uses which require special consideration to ensure proper integration into the community; mitigation of any potentially adverse impacts; and making the required findings to permit the use. In considering an application for a conditional use, due regard shall be given to the nature and condition of the proposed or existing use and all adjacent uses and structures and may impose such requirements and condition with respect to location, construction, maintenance, and operation, as may be deemed necessary for the protection of adjacent properties and public interest. Conditional Use Permit analysis typically includes consideration of proposed use; hours of operation; consistency with zoning standards such as parking; compatibility with existing uses and structures in the surrounding area; and other criteria as may be deemed appropriate. A CUP runs with the land unless the CUP is revoked. Once approved, should ownership of the land or the business change, the CUP would remain valid at the location approved.

Following a public hearing, the Planning Commission may recommend approval of a use permit application, with or without conditions, if all of the following findings can be made:

Use Permit Findings

1. The proposed use is consistent with the General Plan;

The proposed storefront retailer use would be compatible with the underlying General Plan designation and zoning district and operate similarly to other existing retail businesses subject to use-specific standards. The proposed project is consistent with various policies and actions in the General Plan; including Land Use Policy 2.A.6 (Infill Development); Policy 2.D.I (Jobs/Housing Relationship); and Policy 4.C.16 (Safety and Security).

Specifically, the project would be consistent with General Plan goals and policies which encourage Woodland residents and visitors to support retail establishments that are located in the City of Woodland (Policy 4.C.8). The preparation and provision of a security plan support the deterrence of crime through site planning and design, consistent with Policy 4.C.16 (Safety and Security) and Policy 2.E.7(Public Safety and Community Design).

The proposed use would be located on a parcel designated for commercial land uses and would operate out of an existing commercial building (Policy 2.J.I – Enhanced Design Character of Existing Centers).

2. The proposed use is consistent with the purposes of the Zoning Code, and the purposes of the applicable zone;

The proposed use would be located on a commercial site designated Corridor Mixed Use on the 2035 General Plan land use diagram and is zoned Corridor Mixed Use – East Street. Pursuant to City of Woodland Municipal Code 17.36.020, Table 17.36.020-1, a Cannabis Retail use may be established in the Corridor Mixed Use - East Street zone subject to use permit approval.

The proposed project site is not within a 600-foot radius of a school providing K-12 instruction, a daycare center, a youth center, or a public park.

The proposed retail storefront cannabis dispensary will not be located within 500 feet of another retail storefront cannabis dispensary.

3. The site is physically suitable for the type, density, intensity of the use being proposed, including access, utilities, and the absence of physical constraints;

The operations of Embarc Woodland are based in retail and will not impact any other commercial retail business in the area. The project site is located within a commercial shopping center.

Embarc Woodland proposes no substantial changes to the exterior of the facility, ensuring it remains consistent with the rest of the shopping center.

No modifications are proposed to the project site's landscaping which is currently maintained by the property owner and includes mature trees within the parking lot and a number of small to medium shrubs along the exterior of the existing commercial businesses.

4. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity including transportation and service

facilities;

The proposed use is compatible with the surrounding commercial area. The storefront retailer would be located within an existing commercial building similar in design, size and operating characteristics as other single-story retail and restaurant buildings along East Street.

No new construction is proposed onsite. The building architecture and site improvements including lighting, landscaping, parking have previously been found consistent with land use, lot coverage, building type, building height, and setback requirements for the Corridor Mixed Use – East Street Zone district.

5. Granting the Conditional Use Permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located; and

The suites are attached to a building with commercial retail use businesses operating. Embarc Woodland proposes to install compliant Embarc signage on the facade of the building. Exterior paint is proposed to refresh the existing space and two windows adjacent to the Vendor Lobby Entrance will be removed. Embarc Woodland also proposes to add anchored bicycle racks in the parking lot near the entrances of the proposed space. Drought tolerant plants will be added to the existing planters near the entrances on both the east and west sides of the building. Embarc proposes to add additional LED light fixtures surrounding the proposed space to cover building access points and adjacent parking spaces. The lighting fixtures will be mounted on the roof overhang of the building. The proposed project site does not require the addition or repair of any fencing.

Embarc Woodland's security guards will monitor the site and are required to ensure there is no loitering in the area.

Embarc Woodland will queue customers in a manner that will not affect any surrounding businesses during busy times and will control the ingress and egress of guest traffic inside the facility.

6. The proposed project has been reviewed in compliance with CEQA.

Staff has determined that a Class 1 Categorical Exemption (Existing Facilities) pursuant to Section 15301 of the CEQA Guidelines and a Class 32 Categorical Exemption (Infill Development) pursuant to Section 15332 of the CEQA Guidelines is the appropriate level of CEQA review for this document. Class 1 consists of the operation, repair, maintenance, permitting, leasing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agencies' determination. Class 32 exemption consists of projects characterized as in-fill development within urbanized areas. The class consists of environmentally benign in-fill projects located on sites that are less than 5 acres and consistent with local general plan and zoning requirements. The project will not have any biological, air, water, traffic, or noise impacts. The proposed use would occupy approximately 2,830 square feet of space within an existing building that has previously been occupied by commercial uses similar to the proposed project.

In addition to the CUP findings outlined above, the Cannabis Ordinance 1685 (Municipal Code 17.84.120): provides other specific factors that shall be considered by the Planning Commission and ultimately the City Council including the following:

1. The type of proposed use by the applicant.

The proposed use would be located on a commercial site designated Corridor Mixed Use on the 2035 General Plan land use diagram and is zoned Corridor Mixed Use – East Street. Pursuant to City of Woodland Municipal Code 17.36.020, Table 17.36.020-1, a Cannabis Retail use may be established in the Corridor Mixed Use – East Street zone subject to use permit approval.

2. Whether the proposed use will be detrimental to the health, safety and welfare of the community;

The project site is a commercial area comprised of a variety of commercial retail and service uses along East Street, with residential uses present further west and east of the project site. The zoning verification conducted as part of the associated preliminary request for proposals process verified compliance with the location limitations for storefront retailers established in WMC Section 17.84.120. At the time of staff's analysis of the location proposed for the storefront retail cannabis dispensary use, no known sensitive uses were identified within the minimum buffer distance of 600 feet from any property containing a school providing instruction in any grades Kindergarten through twelve (12), a day care center or a youth center, and is not within 600 feet of a public park.

Furthermore, operation of the proposed storefront retailer in accordance with the standards established in WMC Section 5.28 as well as the applicant's Safety and Neighborhood Compatibility Plans will ensure that a storefront retailer use at this location would not have detrimental effects on the surrounding neighborhood.

3. Whether the use would enhance the economic viability of the area in which it is proposed to be located, including adjacent and surrounding properties;

The proposed facility will provide a new source of employment and revenue to the City while remaining under close regulation and oversight by both the City and State.

At the time of approval of a Cannabis Business Permit, an application will be required to Prepare and submit a Community Benefit Plan and Social Policy and Local Enterprise Plan describing the applicant's plans for local outreach and hiring of residents of the City of Woodland for open positions and/or compensation for continuing education, and any other actions proposed by the applicant that are intended to benefit the local workforce and/or applicant's local employees.

4. Whether the applicant has adequately addressed potential community benefits of the use to offset potential adverse impacts;

Below is an overview of the Community Benefit commitments of Embarc Woodland (Outlined in detail in Attachment 3):

Community Benefit

Embarc Woodland commits to allocate 1% of gross receipts to its Community Investment Fund in perpetuity, generating ongoing funding for local community organizations through the efforts and allocations of a designated Community Advisory Board consisting of community members local to Woodland. Funding areas of focus will include mentorship and job training for young adults, youth clubs, youth athletic activities, youth arts, prevention of juvenile crime, youth drug education and prevention programs, and supporting healthy and stable households.

Community Support for Local Non-Profits and Organizations

Embarc Woodland commits to contributing to community-based projects and with guidance from the City identifies local funding opportunities and commits to partnering with local non-profit organizations to support and fund projects through grants and volunteerism.

Employee Wages and Compensation

Embarc Woodland is committed to offering a living wage starting at \$20.50 per hour, which may be higher based on experience, knowledge, and position, and employees will also be able to receive tips and gratuities.

Embarc Woodland is committed to providing employees with monthly volunteer hours with local non-profits. The company is committed to paying employees for each hour they participate in community service, up to forty (40) hours per year.

Continuing Education

Embarc Woodland is committed to paying all employees at their regular rate of pay for onboarding, initial training, mentorship/mentee hours, apprenticeships, approved educational courses, workforce development programs, job-specific skills coursework, and Flight School: Embarc's Proprietary Education Hub (education and training platform) courses.

Embarc Woodland is committed to offering tuition assistance and a scholarship program for qualifying employees, as well as provide scholarships to local residents in coordination with local community colleges.

Support for Local Enterprises

Embarc Woodland commits to sourcing a minimum of 15% of products from local Woodland cannabis businesses.

5. The extent of support or opposition to the proposed use and location from members of the community, and the applicant's plans to ensure strong community relations and compatibility with the surrounding neighborhood;

Prior to submittal of the initial application, Embarc Woodland met with the businesses immediately surrounding our proposed site and discussed planned operations, and public notice of the proposed retail cannabis use was provided to owners and tenants within a 600-foot radius of the project site, the site was posted with a highly visible notice, of a minimum four foot by eight foot in size mounted on a freestanding sign or posted on the building frontage, 10 days before the scheduled public hearing date, and a Legal notice was published in the Woodland Daily Democrat at least ten days before the public hearing date.

6. The number of cannabis uses located or proposed to be located within 1,000 feet of the proposed location;

There are no cannabis uses located or proposed to be located within 1,000 feet of the proposed location at 825 East Street Suites 102 and 103.

7. The extent to which the proposed use would cause a further overconcentration of that particular type of use in the area;

At this time, there is no overconcentration of cannabis uses.

8. The background and history of the applicant, including the experience and qualifications of the

applicant and those persons involved in the management, oversight, and day-to-day operations of the proposed use, the professional training and certifications of the applicant and/or persons involved in the management, oversight and day to day operations of the proposed use, and the nature and extent of the problems on any premises where the applicant has operated a cannabis business in the past.

Embarc Woodland has an experienced team and a well-considered and documented business plan that appear to be potentially successful with an identified supply line.

Embarc Woodland's management team includes the following:

Jim Hilliard - Local Owner & Chair of Community Advisory Board

Experience:

- 48 years of experience as a licensed insurance agent and is a second generation State Farm agent
- Distinguished member of the Woodland Chamber of Commerce for over 35 years and served as President in 1994 and 2010.
- His insurance agency has been awarded both the Business of the Year and Member of the Year recognition by the Chamber of Commerce in the past.
- Served on the City of Woodland City Council 2012-2016, including terms as Mayor.
- Chair of Board of Directors for the Woodland Recreation Foundation
- Past President and current member of the Woodland Sunrise Rotary Club
- Past Chairman of the Red Cross of Yolo County Association of Realtors
- Former member of the Woodland Davis Clean Water Agency
- Former Springlake Fire Commissioner
- Contributor and Volunteer to many local non-profits based in the community, including the Epicurean Esprit for the Elderly Nutrition Program and the Woodland Christmas Parade.

Josh Hilliard - Local Owner & Community Designee

Experience:

- Served as City of Woodland Firefighter from 2001-2022 and held the rank of Captain upon retirement in 2022.
- Volunteered for Hurricane Katrina relief efforts in Louisiana for over a month.
- Served as Vice President of the Board for F.I.R.E. from 2015-2022.
- Involved with the Woodland Chamber of Commerce for many years. He was awarded member of the year in 2013, served as second Vice President in 2019, and first Vice President in 2021.
- Currently Co-Chair of the Chamber of Commerce Holiday Parade Committee.
- During his time as a Firefighter, he spoke to children about his career at the 2019 Woodland planning committee for the City's 150th anniversary celebration.
- Currently serves as Production Manager at the Woodland Opera House and received Lou Anderson Tech Crew Award at their Annual Chesley Awards in 2022 for his work.

Lauren Carpenter - Owner & Chief Executive Officer

Experience:

- 5 years of cannabis experience
- 15 years of private sector leadership experience in highly regulated industries, including energy, education, technology, food and alcohol, and retail.
- Served as Director of Government Affairs for Western States for MedMen.
- Served as Chief Strategy Officer for Los Angeles-based cannabis retailer Sweet Flower.
- Serves in a variety of mentorship capacities for women working in the cannabis industry.
- Co-founded Embarc Events the leading concessionaire for integrating onsite cannabis sales and consumption into live events.

Dustin Moore - Owner & Chief Compliance Officer

Experience:

- 10 years of Cannabis Regulatory Experience
- 6 years of Cannabis Operational Experience
- Campaign Manager for Proposition 64
- Work with local, state, national and international jurisdictions to assist in developing and implementing their regulatory and licensing programs, including in Canada, Mexico and municipalities throughout California.
- 5 years of policy development
- founding partner at Axiom Advisors, the State's leading strategic consulting firm providing business and compliance services to professional cannabis associations.
- Served as the volunteer Executive Director of the International Cannabis Farmers Association
- Alongside Lauren Carpenter, Dustin co-founded Embarc Events, the leading concessionaire responsible for integrating onsite cannabis sales and consumption into live events.

Jason Pitts - President of Retail Operations

Experience:

- 5 years of Cannabis Experience
- 20 years of national and international experience in supply chain and operations with established global brands and start-up companies in emerging industries.
- Served as Vice President of Buying and Inventory Management at HERBL Solutions, California's largest full-service cannabis distributor.
- Created and led HERBL's retail solutions division, providing inventory management, assortment planning, business analysis, and space planning consulting services to licensed cannabis retailers.
- As President of Retail Operations at Embarc, oversees nearly 150 retail employees and drives results through his expertise in retail solutions and inventory management.

Eric Lightman - General Counsel

Experience:

- Serves as General Counsel for Embarc's growing footprint
- Served as Vice President of Legal and General Counsel at the Shryne Group where he developed and scaled legal, operational, and risk management infrastructure for one of the nation's leading cannabis brands.
- Oversees, legal, risk management, and regulatory affairs for Embarc.
- Developed and scaled legal, operational, and risk management infrastructure as Vice President of Legal and General Counsel at the Shryne Group.
- Supported the growth of Shryne from a single store in Los Angeles to the largest vertically integrated cannabis company in California with 20+ stores, 100+ cultivation licenses, and a staff of nearly 3,000 employees.

Courtney Zalewski - President of Brand & Marketing

Experience:

- 9 years of Cannabis Experience
- President of Brand and Marketing at Embarc
- Co-founder and managing partner of The Cannabis Cafe
- Former Vice President of Product and Design at Lowell Herb Co.
- Co-founder and owner of a creative studio dedicated to the cannabis industry, working with several top-selling brands in the State and country, advising on brand development, strategy, marketing, packaging, and product development.

Terri Gilles - President of Development

Experience:

- 5 years of Cannabis Experience
- As President of Development at Embarc, Terri oversees the development and execution of all Embarc dispensaries.
- Prior to Embarc, Terri served as Chief Operating Officer at Sweet Flower, a Los Angeles-based cannabis retailer.

Kevin Schmidt - Head of Regulatory Affairs

Experience:

- 10 years of Cannabis Policy Experience
- 5 years of Cannabis Operational Experience
- Served for five years as Policy Director for then-Lieutenant Governor Gavin Newsom, spearheading the Blue Ribbon Commission on Cannabis and serving as a senior advisor to the Proposition 64 campaign.
- Founding partner of Axiom Advisors.

Devon Wardlow - Vice President of Public Affairs

Experience:

- 5 years of Cannabis Experience
- over a decade of public affairs experience at federal and local levels to her role at Embarc.
- Served in the Obama Administration's White House Business Council.
- Served as Director of Public Affairs for Coastal Dispensary
- Served as Santa Barbara City Planning Commissioner

Alex Mazza - Vice President of Finance

Experience:

- 4 years of Cannabis Experience
- Former Vice President of Strategy and Planning at Lowell Farms
- Served as Director of Corporate Development at Acreage Holdings

Ivy Merriman - Director of Partnerships & Procurement

Experience:

- 10 years of Cannabis Experience
- Previously worked for cannabis brands Brite Labs, Friendly Farms, and Urbana.

9. Whether there is a history of police or crime-related problems in the area of the proposed location which may be exacerbated by establishment of the proposed cannabis use.

There is no history of police or crime-related problems in the area of the proposed location which may be exacerbated by the establishment of the proposed cannabis use.

10. Whether the proposed license would enhance recreational or entertainment opportunities in the area.

Currently, Woodland residents and visitors do not have the opportunity to purchase cannabis products locally and instead rely on delivery services from neighboring counties and cities. Establishing storefront retailers in Woodland will provide an amenity that does not presently exist in the City.

Cannabis Business Permit Review – Municipal Code Section 5.28

The Cannabis Business Permit provides for the review of operational features for each cannabis business entity and is required in addition to a business license. A Cannabis Business Permit is required before initial operation and requires annual review. Before issuance of the Cannabis

Business Permit, fees must be paid, and a Conditional Use Permit and final Operating Agreement authorized. The Cannabis Business Permit is approved by the Community Development Director. Operating details including a Security Plan, Lighting Plan, Community Benefit Plan, Social Responsibility, and Local Enterprise Plan, as well as an Operating Agreement and Indemnification statement, are required as part of the Cannabis Business Permit review. Some of these items have been provided as part of the Conditional Use Permit review and are included as attachments.

Revocation of Permit

In the event of a violation of the terms and conditions of a retail cannabis business permit, the City may take various enforcement actions as provided under City Code Section 5.28.090 - Violations. These actions may include fines, penalties, suspension, or revocation of the permit.

Environmental Assessment Status

Staff has determined that a Class 1 Categorical Exemption (Existing Facilities) pursuant to Section 15301 of the CEQA Guidelines and a Class 32 Categorical Exemption (Infill Development) pursuant to Section 15332 of the CEQA Guidelines is the appropriate level of CEQA review for this document. Class 1 consists of the operation, repair, maintenance, permitting, leasing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agencies' determination. Class 32 exemption consists of projects characterized as in-fill development within urbanized areas. The class consists of environmentally benign in-fill projects located on sites that are less than 5 acres and consistent with local general plan and zoning requirements. The project will not have any biological, air, water, traffic, or noise impacts. The proposed use would occupy approximately 2,830 square feet of space within an existing building that has previously been occupied by commercial uses similar to the proposed project.

Public Notification

Public notice advertising for the public hearing on this project was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Woodland's Municipal Code and State Planning Law. Two methods of public notice were used:

- Legal notice was published in the Woodland Daily Democrat on January 7, 2025, ten days prior to the public hearing.
- Notices were mailed to all property owners and tenants within a minimum of 600 feet of the project site on January 6, 2025.
- Pursuant to City of Woodland Municipal Code Section 17.110.100.D., the site was posted with a highly visible notice, of a minimum four foot by eight foot in size mounted on a freestanding sign or posted on the building frontage, 10 days prior to the scheduled public hearing date on January 16, 2025.

Reviewing Agency Comments

The project has been circulated to other city divisions and departments for review as well as to agencies outside the City of Woodland who have interest in the application including, Waste Management and Yolo County. All reviewing agency comments have been integrated into the conditions of approval.

Conclusion:

Staff recommends that the City Planning Commission: (1) Receive the staff report; (2) Conduct a public hearing; (3) Find that the project is exempt from further environmental review pursuant to Class 1 and Class 32 categorical exemptions under the California Environmental Quality Act (CEQA) and find that the exemptions reflect the independent judgment of the City as lead agency under CEQA; (4) Approve Planning Commission Resolution No. PC 25-01 recommending that the City Council approve a Conditional Use Permit and Operating Agreement for a storefront cannabis

dispensary located at 825 East Street, Suites 102-103 within the City's Corridor Mixed Use – East Street zone conditioned upon approval of the appropriate Cannabis Business Permit and the recommended conditions of approval.

Prepared by: Anna Canales, Assistant Planner

Reviewed by: Erika Bumgardner, Deputy Director of Community Development

Attachments:

1. Resolution and Conditions of Approval
2. Redacted Project Application
3. Operating Agreement _ Draft
4. Site Plan
5. Neighborhood Compatibility Plan
6. Odor Control Plan

**PLANNING COMMISSION
RESOLUTION NO. PC 25-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WOODLAND RECOMMENDING CITY COUNCIL APPROVE A CONDITIONAL
USE PERMIT AND OPERATING AGREEMENT FOR A STOREFRONT RETAIL
CANNABIS DISPENSARY AT 825 EAST STREET, SUITES 102-103 WITHIN THE
CITY CORRIDOR MIXED USE – EAST STREET ZONE CONDITIONED UPON
APPROVAL OF THE APPROPRIATE CANNABIS BUSINESS PERMIT AND THE
RECOMMENDED CONDITIONS OF APPROVAL**

WHEREAS, On June 7, 2022, the City Council approved Ordinance no 1685 and 1686 to amend City Zoning and Municipal Code to enact regulations to allow the consideration and permitting of retail commercial cannabis uses as set forth in Woodland Municipal Code section 17.84.120 which allows for consideration of up to four (4) cannabis retail conditional use permits and Chapter 5.28 of the Municipal Code to incorporate retail commercial cannabis business and operational requirements for Cannabis Business Permits; and

WHEREAS, as set forth in Woodland Municipal Code section 17.84.120, proposed cannabis retailers are required to obtain a conditional use permit, subject to the recommendation of the Planning Commission and final approval of the City Council; and

WHEREAS, on February 27, 2023, the City issued a request for proposals, inviting interested parties to participate in the selection process for a Preliminary Cannabis Business Permit, which would authorize applicants to apply for a Retail Cannabis Conditional Use Permit and enter into Operating Agreement negotiations to establish a commercial cannabis business, and requiring that applications be submitted in person by 3:00 pm on April 5, 2023; and

WHEREAS, the City received a total of 12 proposals in response to the request for applications; and

WHEREAS, a Proposal Review Committee was formed, consisting of staff members from the Police, Finance, and Community Development Departments, as well as a representative from HdL, a consultant retained by the City for their subject matter expertise, to conduct a competitive selection process; and

WHEREAS, after an initial review of the proposals, the Proposal Review Committee met July, 2023 to interview 12 proposal teams for the Preliminary Cannabis Business Permit and subsequently awarded Preliminary Cannabis Business Permits to the top four applicants, making them eligible to apply for a Retail Cannabis Conditional Use Permit; and

WHEREAS, as required by the City of Woodland Municipal Code, the Proposal Review Committee gave particular consideration to each proposal's capacity, capitalization, security measures, and history, as well as the community benefits offered by the proposed commercial cannabis business, and also considered any other factors deemed necessary by the City to maintain and promote public health, safety, and general welfare; and

WHEREAS, the Proposal Review Committee ranked Embarc Woodland as 5 out of 12, with a score of 92.13%, and as the fifth-ranking applicant in that process, Embarc Woodland's application has been invited to advance to the next stage of review due to the recent withdrawal of an application by one of the top four selected applicants; and

WHEREAS, the City of Woodland Planning Commission hereby finds that the proposed cannabis retailer use to be located at 825 East Street, Suites 102-103 ("Site"), as set forth in Planning Application No. PLNG 24-00059 submitted by business applicant Embarc Woodland ("Applicant"), conforms to the requirements and intent of Chapter 17.84.120 of the Woodland Zoning Code regarding commercial cannabis uses and the City General Plan, and further that, under the circumstances of the particular case, the use will not constitute a nuisance or be detrimental to the public welfare of the community; and

WHEREAS, the project is exempt from further environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Class 1 Categorical Exemption, Existing Facilities) and CEQA Guidelines Section 15332 (Class 32 Categorical Exemption, Infill Development), as the Planning Commission of the City of Woodland finds as follows:

- The project consists of minor alterations for interior tenant improvements to operate a cannabis business that requires specific spaces to conform with state and local regulations.
- The project is located on a site that is less than 5 acres and will not have any biological, air, water, traffic, or noise impacts; and

WHEREAS, a public notice describing the proposed cannabis conditional use permit was published in the Woodland Daily Democrat, a newspaper of general circulation, and mailed to property owners and property tenants within 600 feet of the project site; and, a highly visible site posting of four (4) feet by eight (8) feet was posted in a visible location on the project site for ten (10) days before the Planning Commission public hearing date; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on January 16, 2025, as required by law to consider all of the information presented by staff and public testimony presented in writing and at the meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Woodland, based on facts in the staff report, written and oral testimony, and exhibits presented, hereby recommends to the Woodland City Council: (1) Approval of a Conditional Use Permit for a cannabis retail use located at 825 East Street, Suites 102-103, as set forth in Planning Application No. PLNG 24-00059, prepared by Embarc Woodland; and (4) Approval of an Operating Agreement between the City of Woodland and Embarc Woodland, as follows and based on the following findings:

SECTION 1. Recitals. The City of Woodland Planning Commission hereby adopts the above recitals as true and correct findings of the City of Woodland Planning Commission and incorporates them into this Resolution by this reference.

SECTION 2. Findings. In support of issuing a conditional use permit for the proposed cannabis retailer use to be located at 825 East Street, Suites 102-103, as set forth in Planning Application No. PLNG 24-00059, the City of Woodland Planning Commission hereby makes the following additional findings, pursuant to the requirements of Woodland Municipal Code (“WMC”) Section 17.100.100(H) and 17.84.120(c)(3):

- 1) The proposed use is consistent with the General Plan and Zoning Code, in that the use is conditionally permitted consistent with zoning and general plan requirements, and appropriate conditions to address potential concerns and impacts have been made part of the approval.
- 2) The site is physically suitable for the type, density, and intensity of the use being proposed, including access, utilities, and the absence of physical constraints.
- 3) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity including transportation and service facilities.
- 4) Granting the Conditional Use Permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed project is categorically exempt from further environmental review pursuant to CEQA section 15301 as the proposal involves operation, repair, maintenance, leasing and licensing of existing facilities.

- 5) The proposed use at the Site is subject to additional findings and considerations set forth in WMC section 17.84.120(3). The City of Woodland Planning Commission has considered all relevant evidence regarding the Site and the Applicant’s proposed use, and finds that Applicant’s proposed cannabis retailer use at the Site satisfies those considerations, as follows:
 - a) Pursuant to WMC section 17.84.120(3)(a), the City of Woodland Planning Commission has considered the type of proposed use by the Applicant. The proposed cannabis retailer will provide sales of cannabis and cannabis products. The City of Woodland Planning Commission finds that these goods and services will provide unique, currently unavailable, and varied goods and services to the community by the Applicant’s use at the proposed location.
 - b) Pursuant to WMC section 17.84.120(3)(b), the City of Woodland Planning Commission has considered all evidence and testimony relevant to the Applicant’s proposed use, and determines that the proposed use will not be detrimental to the health, safety and welfare of the community. The use is located in the Corridor Mixed Use East Street Zone and is not adjacent to sensitive uses, and therefore will not result in negative impacts on existing uses

in the area. The project is subject to approval of a conditional use permit, including conditions of approval incorporated into the project, and subject to local and state regulatory standards, licenses and permits, to ensure that the use will not be detrimental to the health, safety and welfare of the community. Applicant's failure to abide by those conditions of approval may result in permit revocation.

- c) Pursuant to WMC section 17.84.120(C)(3)(c), the City of Woodland Planning Commission finds that the proposed use would enhance the economic viability of the area in which it is proposed to be located because it will provide new goods and services not currently available to the surrounding area and will bring retail activity to the proposed location.
- d) Pursuant to WMC section 17.84.120(C)(3)(d), the City of Woodland Planning Commission finds that the Applicant has adequately addressed the potential community benefits of the use to offset potential adverse impacts. The City of Woodland Planning Commission has determined that these community benefits adequately offset any potential adverse impacts of the proposed use.
- e) Pursuant to WMC section 17.84.120(C)(3)(e), the City of Woodland Planning Commission has considered all evidence and testimony pertaining to Applicant's proposed use, including the extent of support or opposition to the proposed use and location from members of the community. No opposition to the proposed use or location was expressed by the community or the surrounding neighborhood.
- f) Pursuant to WMC section 17.84.120(C)(3)(f), the City of Woodland Planning Commission further finds that, based on other proposed locations considered concurrently with the Site, there will be no more than two (2) cannabis retailers located within a one thousand (1,000) radius of the Site at the time of this Resolution, except otherwise approved by City Council, which protects against an overconcentration of the type of proposed use and further protects the public health and safety.
- g) Pursuant to WMC section 17.84.120(C)(3)(g), and consistent with the above findings, the City of Woodland Planning Commission further finds that the proposed use would not lead to a further overconcentration of that particular type of premises in the area.
- h) Pursuant to WMC section 17.84.120(C)(3)(h), the City of Woodland Planning Commission has considered the Applicant's application, including the relevant background and history of the Applicant. Based on the information provided, the City of Woodland Planning Commission has determined that there are no prior problems or complaints pertaining to Applicant's operation of other businesses or cannabis operations on premises giving rise to public health, safety, and welfare concerns. The applicant has additionally operated retail cannabis businesses in other jurisdictions with no known problems or complaints.
- i) Pursuant to WMC section 17.84.120(C)(3)(i), the City of Woodland Planning Commission is not aware of a history or high prevalence of police or crime-related problems in the area of the Site giving rise to specific safety concerns.

- j) Pursuant to WMC section 17.84.120(C)(3)(j), the City of Woodland Planning Commission finds that the proposed use would enhance recreational or entertainment opportunities in the area.

In light of the above findings and considerations regarding the proposed use and location, the City of Woodland Planning Commission therefore finds that the conditional use conforms to the requirements and intent of WMC Chapter 17.84.120 regarding commercial cannabis uses and the City's General Plan, and that any conditions and requirements stipulated in Applicant's conditional use permit have been or will be met, and that the use will not constitute a nuisance or be detrimental to the public welfare of the community. These findings are further established and incorporated into the project approval, attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 3. Approval. In accordance with the City of Woodland Planning Commission findings stated in Section 2 and Exhibit A of this Resolution, the City of Woodland Planning Commission hereby recommends that the City Council approve Planning Application Number PLNG 24-00059 for the issuance of a Retail Cannabis Conditional Use Permit to Embarc Woodland for the proposed cannabis retailer use at 825 East Street, Suites 102-103. The recommended approval and issuance of the conditional use permit is expressly conditioned on Applicant's continued compliance with all findings and conditions of approval specified in the Applicant's conditional use permit, Article 17.84.120 of the Woodland Zoning Code, Chapter 5.28 of the Woodland Municipal Code, and all other applicable local and state laws and regulations pertaining to commercial cannabis retailers. Nothing in this Resolution shall be deemed to waive the City's right to revoke Applicant's conditional use permit in the event Applicant violates any of the aforementioned conditions.

PASSED AND ADOPTED, by the Planning Commission of the City of Woodland at a regular meeting of the Planning Commission held on the 16th day of January 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Marco C. Lizarraga, Chairperson

ATTEST:

Erika Bumgardner, Deputy Director of Community Development

Exhibit A – Conditions of Approval

EXHIBIT A

**Conditions of Approval
PLNG 24- 00059**

**Address: 825 East Street, Suites 102-103
Cannabis Business: Embarc Woodland**

Conditions of Approval

General Conditions

- 1. Approval.** Planning Application # PLNG 24-00059, submitted by Applicant Embarc Woodland for the proposed cannabis business “Embarc Woodland” is approved to permit storefront and delivery retail sales of cannabis and cannabis products, and, in a building size of approximately 2,830 square feet located at 825 East Street, Suites 102-103 and with hours of operation of Monday – Sunday 9 am – 9 pm.
- 2. Substantial Conformance.** The use shall be implemented in substantial conformance with the Conditional Use Permit (Planning Application: PLNG 24-00059) as approved by the City Council, and subject to all applicable provisions of Woodland Municipal Code Section 5.28, Commercial Cannabis Business Permits, and Section 7.84.120, Commercial Cannabis Businesses, except as modified herein. Prior to issuance of a Cannabis Business Permit and, if applicable, Certificate of Occupancy, all conditions of approval and required improvements shall be completed to the satisfaction of the city. Changes in the use or an increase in the intensity or size of operation may require approval of a new use permit or a modification to the existing use permit.
- 3. Regulatory Permit.** The approval of the Conditional Use Permit and commencement of business operations shall be contingent upon the applicant submitting a Cannabis Business Permit application and all of the materials and documentation required by Woodland Municipal Code Chapter 5.28.180, Applications for Cannabis Business Permits, to the Community Development Director for review and approval. Applicants shall obtain and maintain at all times a valid Cannabis Business Permit including approval of an Operating Agreement, prior to occupancy of the building and continuing at all times that the business is in operation, including payment of all required fees for application review. The Cannabis Business Permit shall be timely renewed and maintained in accordance with the applicable procedures set forth in Woodland Municipal Code Chapter 5.28 as a condition of continuing the retailer use under the approved conditional use permit.

All requirements, terms and conditions of the Cannabis Business Permit, Operating Agreement, and applicable state license(s) shall be considered conditions of this conditional use permit. Failure to comply with all applicable state and local laws and ordinances, the Cannabis Business Permit, Operating Agreement, and/or applicable state license(s) shall be deemed a violation of the conditional use permit and may result in revocation of the use permit.

4. **Indemnification.** The applicant shall defend, indemnify, and hold harmless the City of Woodland, its agents, officers or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the subject application by the City, its legislative body, advisory agencies or administrative officers. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either, at the City's discretion, undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney.
5. **Other Permits and Licenses.** The applicant shall obtain all other permits and licenses required by the City for the use, including a Cannabis Business Permit pursuant to Woodland Municipal Code Chapter 5.28, and any other City permits required for retail cannabis uses prior to occupancy of the building and operation of the business, and shall pay all required fees in the amount currently established as applicable, or in the amount to be adopted by City Council. All cannabis businesses must, prior to establishing and operating any such cannabis business, obtain and maintain at all times a valid license issued by the State, as may be applicable, and any other applicable local or regulatory licenses.
6. **Building and Fire Requirements.** Prior to occupancy and/or issuance of a Cannabis Business Permit, applicant shall comply with all applicable Building and Fire requirements to the satisfaction of the Building Official and the Fire Marshall. The applicant shall obtain all necessary and appropriate permits for the project prior to occupancy, including but not limited to building and encroachment permits, and pay all required fees.
7. **Runs with the Land.** The terms and conditions of approval of the conditional use permit shall run with the land, and shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assignees of the property owner. Where a conditional use has abandoned the site or has ceased activity for a period of six (6) months, expressly including due to the failure to obtain or maintain other necessary regulatory licenses and permits to operate the business, the approved conditional use permit may be subject to revocation for non-use. Under these circumstances, and if such non-use results in revocation of the conditional use, a new application for a conditional use permit must be processed per the requirements of the City's then-existing zoning ordinance.
8. **Permit Expiration.** The Conditional Use Permit must be exercised within one year of issuance, or it shall be deemed null and void by act of law (Woodland Municipal Code Section 17.96.130, Expiration and Extension). A permit for use of a building or a property is exercised when a valid City business license, Cannabis Business Permit, and all necessary permits have been issued, and the permitted use has commenced on the site in accordance with applicable conditions of approval contained herein.
9. **Other Applicable Requirements.** The project approval is subject to all applicable requirements of the Federal, State, City of Woodland and any other affected governmental agencies. Approval of this request shall not waive compliance with all sections of the Municipal Code, all other applicable Federal, State and City Ordinances, and applicable Community or Specific Plans or Design Guidelines in effect at the time of building permit issuance. The duty of inquiry as to such requirements shall be upon the applicant.
10. **Compliance with Conditions.** Prior to any use of the project site, all Conditions of Approval shall be completed to the satisfaction of the Community Development, Police, and Fire Departments. In the

event that any of the conditions of this permit are not satisfied, the Community Development Director may request a public hearing be set before the Planning Commission to determine whether the Conditional Use Permit should be revoked. Additionally, upon showing of a compelling public necessity demonstrated at a noticed public hearing, the City of Woodland, acting through the appropriate entity, may add, amend, or delete conditions of this permit.

- 11. Violations.** Upon receipt of a Cannabis Business Permit the applicant shall be subject to provisions relating to violations contained in Municipal Code Section 5.28.090, or as may be amended.
- 12. Environmental Recording Fee.** Applicant shall provide the Community Development Department with a check for the sum of \$50 made out to Yolo County to record the CEQA environmental document (Notice of Exemption) with the County.
- 13. Applicant's Responsibility to Inform.** The applicant shall be responsible for informing all subcontractors, consultants engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements herein in the City of Woodland Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City as well as hours of operation requirements in the City.

Planning Conditions

- 14. Education.** The cannabis retailer shall provide information or disclaimers to all customers regarding the effects of cannabis consumption and legal consequences of consumption or possession under federal law, in a form approved by the City.
- 15. Parking.** The project shall provide and maintain the number of on-site parking spaces consistent with the requirements of Section 17.68 of the Woodland Municipal Code, based on gross square footage of retail use, consistent with City standards unless otherwise approved by the Community Development Director.
- 16. Bicycle Parking.** The project shall provide bicycle parking, consistent with the requirements of Section 17.68.070 of the Woodland Municipal Code. The location of the racks and locking mechanism details shall be subject to review and approval by the Community Development Department prior to issuance of permits. Bicycle parking shall be installed prior to occupancy.
- 17. Signage.** Signage shall require a Sign Permit subject to approval by the Community Development Department in compliance with Woodland Municipal Code Section 17.100.140, Sign Permits – Permanent Signs, and may require a Building permit prior to installation.
- 18. Trash Maintenance.** The site shall be kept free of trash or debris at all times. Graffiti or any other type of vandalism shall be removed or otherwise remediated within 72 hours of occurrence.
- 19. Landscape.** Prior to operation, all existing landscape planter areas shall be replanted and maintained per City Standards. Vegetative matter shall cover no less than 75% of the required landscape area unless otherwise approved by the Community Development Director. Maintenance shall include but is not limited to watering, fertilizing, weeding, cleaning, pruning, trimming, spraying and cultivation.

20. A storefront cannabis dispensary permittee shall not allow cannabis, cannabis products, or cannabis accessories on the dispensary site to be visible from the public right of way, the unsecured areas surrounding the buildings on the site, or the site's main entrance and lobby.
21. No storefront cannabis dispensary shall grow or cultivate cannabis, except for immature nursery stock cannabis plants, on the dispensary site.

Building Conditions

The following comments are from the City of Woodland Building Division and are applicable to the referenced project:

22. This project must meet all criteria and mandates for these City adopted codes or the most current code:
 - A. 2022 California Building Code
 - B. 2022 California Plumbing Code
 - C. 2022 California Mechanical Code
 - D. 2022 California Electrical Code
 - E. 2022 Building Energy Efficiency Standards
 - F. 2022 California Green Building Code
 - G. The Code of the City of Woodland
23. Other City and County Agencies (Health, Fire, Public Works, and Planning) may be required to approve the project prior to a building permit being issued.
24. Recycle plan is required at time of permit issuance along with a \$1000 deposit.
25. Prior to any demolition work being performed, clearance from Yolo Solano Air Quality Management District is required.
26. Any deferred submittals that are not a part of the initial permit application must be listed on the cover sheet of the plan at the time of application for the project.
27. All plans, computations and specifications to be prepared and designed by an architect or engineer licensed by the state of California.
28. A licensed architect or licensed engineer shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

Fire Conditions

The following comments are from the City of Woodland Fire Department and are applicable to the referenced project:

29. Project Condition. Prior to permit approval to install gates or barriers: The installation of perimeter fencing, gates, or obstacles that obstruct fire apparatus access roads shall require a separate plan submittal, review, and approval by the Woodland Fire Department prior to installation.

30. Advisory: An operational permit for a Cannabis dispensary will be required. The permit(s) will cost \$342.00 and be billed at the time of the fire inspection.
31. Advisory: Addressing and suite numbers shall be readily visible, contrasting in color to the background.
32. Project Condition. Prior to permit approval: Tennant improvement plans shall be submitted to the City of Woodland Building and Fire Department for review and approval due to the interior remodel of the space.
33. Advisory: Please be aware that, at a minimum or as applicable, the following items will be inspected, tested, or reviewed at the time of inspection.
 - Existing exit signs and emergency lighting shall be in good working order and capable of supplying illumination for not less than 90 mins. Testing records are required. Test to be conducted at fire inspection.
 - New and existing fire extinguishers shall be current and labeled with a State Fire Marshal-approved service label.
 - Existing exits, exit doors, and door hardware are not obstructed, are in good working order, and shall meet the minimum requirements of the CFC.
 - Housekeeping shall be orderly, and storage shall be stored in an approved manner per the CFC.
 - All electrical and cords shall comply with the CFC.
 - All electrical panels shall have a minimum 36-inch clearance before the panel.
 - Verify that the address and suite numbers are visible from the assigned street.
 - Verify fire lanes are marked.
 - Verify all landscaping is three feet away from fire department equipment.
 - Verify that fire department equipment is painted, marked, labeled, and secured as applicable.
 - Existing walls and ceilings are free from holes that would lead to fire extension.
 - Verify Knox Box keys.

Police Conditions

The following comments are from the City of Woodland Police Department and are applicable to the referenced project:

34. Security personnel shall be on site twenty-four hours a day or alternative security as authorized by the city manager or his/her designee(s), and must have a verified response security patrol when closed. Security personnel must be licensed by the state of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the city manager or his/her designee (s), with such approval not to be unreasonably withheld. Firearms may be carried by security personnel while they are on duty if authorized by the chief of police.
35. Security Plan. Prior to issuance of a Business Cannabis Permit, applicant shall submit a final Security Plan and Lighting Plan pursuant to Woodland Municipal Code Section 5.28.260, Cannabis Business Site Security, for review and approval by the Police Chief and Community Development Director. Photometric data may be required to indicate that parking and public areas are equipped with one (1) foot-candle of minimum maintained illumination per square foot of parking surface to include

the entire paved area or public/employee exterior access ways. Photometric data must also confirm the absence of “hot spots” or areas of ten (10) foot-candle of illumination per square foot or more.

Engineering and Public Works Conditions

The following comments are from the City of Woodland Engineering Division and Public Works Department and are applicable to the referenced project:

General Conditions

36. Install sewer cleanout on existing sewer lateral located on E. Gum Avenue.
37. Install backflow protection devices on existing water service located on E. Gum Avenue for the property. Backflow devices shall be tested by a City-approved tester and results provided to the Public Works Department prior to occupancy.



General Application Form

1. OWNER/APPLICANT

Property Owner:
Kings Group IX, LLC

Mailing Address:

City State Zip Code:

Phone Number:

E-mail Address:

Project Applicant:
Dustin Moore

Mailing Address:

City State Zip Code:

Phone Number:

E-mail Address:

2. PROJECT DESCRIPTION

Project Name:
Embarc Woodland

Total Acres or Square Feet:
2830 sqft

General Plan Land Use Designation:
CX

Existing Zoning:
Mixed Use - East Street

Site Address or Location:
825 East Street, Suites 102-103

Assessor's Parcel Number(s):
066-11-028

Is Project in Flood Zone? ☐ Yes ☒ No

Requested Entitlement/Permit Type:
Cannabis Conditional Use Permit and Business Operating Permit

PROJECT NARRATIVE/JUSTIFICATION STATEMENT: On a separate sheet, please provide a written description of the project being proposed for development including justification. It must include a description of the project and detailed scope of work including how the project will address potential negative effects on the community. A Design Concept Narrative is also required for Site Plan and Design Review entitlement requests.

3. AUTHORITY TO FILE APPLICATION

Check one: ☒ **Property Owner** ☐ **Power of Attorney*** ☐ **Contract to Purchase*** ☐ **Other***

*Attach Evidence of Authority

ACKNOWLEDGEMENT: I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and acknowledge that the processing of this application may require additional fees and expenses for the preparation of necessary environmental documentation and planning studies. I certify that I have reviewed the current Hazardous Waste and Substances Site List, developed pursuant to AB 3750, and found that my project is not on the list.

APPLICATION WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF LEGAL OWNER OR OFFICIAL AGENT

<u>Dustin Moore</u>	<u>11 / 21 / 2024</u>		
Applicant	Date	Applicant	Date
Kings Group IX, LLC By: <u>[Signature]</u>	<u>11-14-24</u>		
	Member		
Legal Owner	Date	Legal Owner	Date

**OPERATING AGREEMENT FOR A CANNABIS RETAIL BUSINESS AND
PRELIMINARY CANNABIS BUSINESS PERMIT
LOCATED IN THE CITY OF WOODLAND**

**EMBARC WOODLAND
825 EAST STREET, SUITES 102-103, WOODLAND, CA 95776**

This Operating Agreement for a Cannabis Business (hereinafter “Agreement”), dated ____, 2024, (“Effective Date”), is entered into by and between the City of Woodland (the “City”), a California municipal corporation, and Embarc Woodland, a cannabis retail facility (“Cannabis Business”). The City and Cannabis Business may be referred to herein individually as a “Party” and collectively as the “Parties.”

RECITALS

WHEREAS, On June 21, 2022, the City Council of the City of Woodland approved Ordinance Nos. 1685 and 1686 to allow consideration for up to four retail cannabis businesses within the City of Woodland.

WHEREAS, on February 27, 2023, the City of Woodland opened a competitive application review process for preliminary cannabis business permit applications, which closed on April 5, 2023. A total of 12 Preliminary Cannabis Business Permit applications were received.

WHEREAS, after conducting a complete, thorough, and objective review in consideration of all applications, the four top scoring applications were selected to continue through the final application review process, including the approval of an operating agreement to memorialize the requirements as provided for in the regulations governing commercial cannabis retail permits, Chapter 17.84.120 and 5.28 of the Woodland Municipal code, as well as statements and agreements provided in the application materials and as part of the interview process; and

WHEREAS, the Proposal Review Committee ranked Embarc Woodland as 5 out of 12, with a score of 92.13%, and as the fifth-ranking applicant in that process, Embarc Woodland’s application has been invited to advance to the next stage of review due to the recent withdrawal of an application by one of the top four selected applicants; and

WHEREAS, Cannabis Business has applied for and received a Conditional Use Permit concurrently with the approval of this Agreement for the operation of a retail cannabis business at 825 East Street, Suite 102-103, Woodland California, as more specifically described in Exhibit “A”, attached hereto and incorporated herein by this reference (the “**Subject Property**”).

WHEREAS, Section 5.28.180(A)(9) of the Woodland Municipal Code provides that the City shall enter into an Operating Agreement and Indemnification, in conjunction with the issuance of a Cannabis Business Permit, in which the Cannabis Business agrees to abide by the requirements of the Municipal Code and any other operating terms and conditions as mutually agreed by the parties; and

WHEREAS, the City Council of the City of Woodland has determined that there may be both community benefit and potential adverse impacts that may result from the operation of

cannabis businesses in the City, and therefore desires to ensure all such impacts are adequately mitigated and offset through the requirement for community benefits the businesses provide to the City and its residents; and

WHEREAS, the Cannabis Business and the City have mutually agreed to certain minimum payments or actions to the City of Woodland to provide for community support projects, programs, and other services and activities that will positively contribute to the community and minimize any adverse impacts or increases in need for services caused by the operation of the Cannabis Business in the community.

NOW, THEREFORE, in consideration of the mutual promises, conditions, and covenants set forth herein, the Parties agree as follows:

AGREEMENT

1. Incorporation of Recitals. The Recitals, and all defined terms set forth in this Agreement, are hereby incorporated into this Agreement as if set forth herein in full.

2. Definitions. The following terms shall have the following meanings for purposes of this Agreement, but other terms may be defined elsewhere in this Agreement.

- A. “Assignment” means: (i) a sale, exchange or other transfer of this Agreement, the Cannabis Business’s rights hereunder, or substantially all of the Cannabis Business’s assets dedicated to operation of the retail cannabis business under this Agreement to a third party; (ii) a sale, exchange or other transfer of thirty (30) percent or more of the outstanding common stock of the Cannabis Business; (iii) any reorganization, consolidation, merger re-capitalization, stock issuance or re-issuance, voting trust, pooling agreement, escrow arrangement, liquidation or other transaction to which Cannabis Business or any of its shareholders is a party which results in a change of ownership or control of thirty (30) percent or more of the value or voting rights in the stock of Cannabis Business; and (iv) any combination of the foregoing (whether or not in related or contemporaneous transactions) which has the effect of any such transfer or change of ownership, provided that the effect of such occurrence is to change control of Company or responsibility for this Agreement to an entity that is not controlled by Company’s ultimate parent entity (as defined on the Effective Date of this Agreement in 16 CFR § 801.1(a)(3)).
- B. “Cannabis business permit” means the regulatory permit issued by the City to the Cannabis Business pursuant to the provisions of Chapter 5.28 of the Woodland Municipal Code.
- C. Cannabis retailer” means a premises permanently located in the City licensed by the State of California pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act, California Business and Professions Code Section 26000 et seq., as may be amended, where cannabis is provided for retail sale to consumers, including an establishment that delivers cannabis as part of a retail sale, as permitted by Chapter 17.84.120 of the Woodland Municipal Code.

- D. "City" means the City of Woodland.
- E. "City Permits" means all building permits, conditional use permits, zoning amendments, operating agreements, and other permits, including the Cannabis Business Permit, licenses, entitlements, and agreements that the City, acting in its governmental capacity, must issue or approve for the Cannabis Business to operate in accordance with this Agreement.
- F. "Commencement Date" means the date that all of the following have occurred: (1) the City has issued all necessary City Permits; (2) the Cannabis Business has obtained all necessary State Licenses to operate; and (3) the Cannabis Business has obtained a certificate of occupancy.
- G. "Community Development Director" means the Community Development Director and his or her designee.
- H. "Conditional Use Permit" means the conditional use permit issued by the City to the Cannabis Business pursuant to Chapter 17.100.100 of the Woodland Municipal Code.
- I. "Effective Date" means the date first entered above as the Effective Date that both Parties have signed this Agreement.
- J. "Gross Receipts" means the total amount actually received or receivable from sales and the total amounts actually received or receivable for the performance of any act or service, of whatever nature it may be, for which a charge is made or credit allowed, whether or not such act or service is done as a part of or in connection with the sale of materials, goods, wares or merchandise. Included in "gross receipts" shall be all receipts, cash, credits and property of any kind or nature, without any deduction therefrom on account of the cost of the property sold, all cost of materials used, labor or service costs, interest paid or losses or other expenses. The following shall not be included in the definition of "Gross Receipts: (1) Cash discounts allowed and taken on sales; (2) Such part of the sale price of property returned by purchasers upon rescission of the contract of sale as is refunded either in cash or by credit; and (3) Receipts of refundable deposits, except that refundable deposits forfeited and taken into income of the business shall not be excluded.
- K. "Manager" means a person with responsibility and authority over the establishment, management, supervision, or oversight of the operation of the Cannabis Business.
- L. "State License" means all licenses required to be issued by the State of California for operation of the Cannabis Business pursuant to Division 10 of the Business and Professions Code and applicable state regulations, including Division 42 of Title 16, Division 8 of Title 3, and Division 1 of Title 17 of the California Code of Regulations, as those provisions may be amended.
- M. "Subject Property" means that certain property located at 825 East Street, Suites 102-103 Woodland California, as more specifically described in Exhibit "A", attached

hereto an incorporated herein by this reference, which is the location of the Cannabis Business's retail cannabis business.

- N. "Term" means the period of time this Agreement is in effect, and any renewal periods, as specified in Section 3.

3. Term of Agreement. The Term of this Agreement shall commence on the Effective Date and continue for a period of two (2) years therefrom ("Initial Term"), unless earlier terminated as specified in this Agreement. Prior to the expiration of the Initial Term and any subsequent Renewal Period, the Parties may mutually agree to extend the Term of this Agreement for up to two (2) additional two-year (2-year) terms to run consecutively (each a "Renewal Period").

4. General Terms and Conditions. The Cannabis Business shall comply with all of the following terms and conditions for the Term of this Agreement:

- A. This Agreement is only valid for the Cannabis Business at the Subject Property identified in this Agreement. An assignment of this Agreement or any interest herein by the Cannabis Business is not permitted unless consented to in advance in writing by the City, which consent may be conditioned, granted or withheld in City's sole and absolute discretion.
- B. The applicant shall apply for and receive approval for a final Cannabis Business Permit and all other required City permits, such as building permits, including receipt of a Certificate of Occupancy, prior to commencement of operations.
 - i. Submission of Complete Tenant Improvement Plans: The applicant shall submit a complete submittal to the City Building Division for all applicable tenant improvements within three (3) months following the Effective Date of this agreement. The submission must include all necessary documentation, plans, and approvals required by the City to ensure compliance with applicable codes and regulations.
 - ii. Commencement of Construction: All construction related to the applicable building permits must commence within six (6) months of the Effective Date of this agreement. Failure to meet these timelines will result in the termination of the Operating Agreement.
- C. Any conditions placed on the Cannabis Business Permit and the Conditional Use Permit are hereby incorporated as conditions of this Agreement. Violations of the Cannabis Business Permit, the Conditional Use Permit and/or applicable State Licenses shall be deemed violations of this Agreement and shall constitute a material breach of this Agreement.
- D. The applicant shall commence operation of the cannabis business within 12 months of the approval date of the CUP consistent with Section 17.96.130 of the Woodland Municipal Code, or the City will withdraw the preliminary business permit award and this agreement shall be null and void.

- E. The Cannabis Business shall obtain and maintain at all times a valid Cannabis Business Permit, Conditional Use Permit, and applicable State License(s) prior to and during operation of the Cannabis Business.
 - i. As soon as practicable, the Cannabis Business shall inform the City when it obtains its necessary State License(s), and shall provide a copy of the State License(s) to the Community Development Director. The City shall cooperate with the Cannabis Business as appropriate and as needed to facilitate the State's issuance of a State License(s) to the Cannabis Business.
 - ii. The City shall diligently process the Cannabis Business's applications for all City Permits. This Agreement does not commit the City in advance to approve the City Permits; nor does this Agreement constrain the City's discretion to determine compliance with all requirements regarding issuance of any City Permits. Nothing in this Agreement relieves the Cannabis Business of the obligation to comply with all requirements and application procedures set forth in Chapter 5.28 and Section 17.84.120 of the Woodland Municipal Code.
- F. The Cannabis Business understands, acknowledges and agrees to comply with all applicable then-existing state and local laws and regulations applicable to operation of the Cannabis Business, including Chapter 5.28 of the Woodland Municipal Code.

5. Operational Requirements. In addition to all operating requirements set forth in Article IV of Chapter 5.28 of the Woodland Municipal Code, the Cannabis Business shall comply with the following specific operational requirements:

- A. The Cannabis Business shall immediately notify the City Police Department of any criminal activity, or suspected criminal activity, occurring at the Subject Property. In the event of any internal security system breach, including a faulty alarm system, broken or damaged surveillance cameras or other video recording equipment, or broken or damaged locks, doors, or lighting which may increase risk of criminal activity at the Subject Property, the Manager of the Cannabis Business shall notify the City Police Department as soon as practicable after becoming aware of the security system breach. The Cannabis Business shall diligently attempt to fix or resolve any such security breach immediately; if circumstances require additional time and delay to remedy, the Cannabis Business shall so notify City police and provide an estimated timeline the breach will be cured.
- B. If the Cannabis Business receives any criminal threats, or otherwise suspects any criminal targeting related to movement of product or cash from or to the Subject Property, the Cannabis Business shall immediately notify the City Police Department.
- C. The City's Chief of Police, or his or her designee, may perform site inspections of the Cannabis Business during hours of operation, upon reasonable notice. The scope of the inspection shall be to ensure compliance with all conditions on the Cannabis Business, including compliance with state rules and regulations, such as but not limited to, track and trace requirements, product storage, labeling, and disposal of product, as well as

accounting, ledgers for distribution, and other records and operating procedures. Upon reasonable notice by the City, the Cannabis Business shall provide proof, including through visual observation and confirmation by City staff, of any storage, disposal or distribution of product as may be necessary to ensure business compliance. Should the City discover any evidence of falsification of records or other practices inconsistent with City or State requirements, the Cannabis Business shall, upon written notice from the City, immediately cease and desist operations until such time that the issues have been resolved, to the satisfaction of the City, in accordance with state and local regulations.

6. Consideration. As consideration for the rights and benefits it enjoys under this Agreement, including its operation of approved cannabis uses in the City during the Term, the Cannabis Business shall do all of the following:

- A. Tax Payment. The cannabis business shall pay the required ten (10%) percent tax as required per Woodland Municipal Code Chapter 3.36, Cannabis Business Tax.
 - i. Monthly Payments shall be calculated per calendar month, due and payable on the 15th day of the subsequent calendar month in accordance with Woodland Municipal Code Section 3.36(B). By way of example only, a Monthly Payment for the month of September would be calculated from September 1 through September 30, due and payable on October 15.
 - ii. If a Monthly Payment is not paid in full within fifteen (15) days after it is due and payable, penalties and interest shall accrue as set forth in Woodland Municipal Code Section 3.36.100.
 - iii. Monthly Payments shall be made to the City's Finance Department. In the event the Cannabis Business intends to pay a Monthly Payment in cash in an amount that exceeds \$5,000, the Cannabis Business shall notify the City in advance to make prior arrangements.
 - iv. Accompanying the Monthly Payment, the Cannabis Business shall deliver to the City a report ("the Monthly Report") showing (1) Gross Receipts of the Cannabis Business for the immediate prior month; 2) a cumulative total of all amounts of Gross Receipts received by the Cannabis Business to date for the calendar year, (3) a calculation of the Monthly Payment currently due to the City; and (4) a calculation of the cumulative total of all Monthly Payments made to the City to date for the calendar year.
- B. Community Benefits Plan. Pursuant to Section 5.28.180 (A)(6)(b), Exhibit "B" to this agreement, Community Benefit Plan, which is attached hereto and incorporated into this Agreement by this reference, describes the benefits the cannabis business has provided or will provide to the local community including direct aid, participation in, and commitment to funding the work of local nonprofits, community, civic, or social service based organizations, as well as the development of public outreach and education program related to risks of youth and drugs, and any other agreed upon

community benefit between the City and applicant. The Cannabis business shall comply with and implement that Community Benefit Plan as a requirement of this Agreement.

- i. Each year, at the time of the annual Cannabis Business Permit review, the Cannabis business shall submit a Community Benefits Plan Summary Report in which all activities in support of local community organizations or events as outlined in the Community Benefit Plan (Exhibit “B”), including the Community Benefit Payment, shall be identified, including the community service hours provided by the cannabis business (inclusive of staff service volunteer hours) in the year, and the Cannabis Business shall provide to City or its designee all appropriate receipts, payment verification and any other documentation requested by City as deemed necessary by City in its discretion to verify the Cannabis business’s compliance with the Community Benefit Plan.
- C. Social Policy and Local Enterprise Plan. Pursuant to Section 5.28.180(A)(6)(c), Exhibit “C” to this Agreement describes the Cannabis Business’s Social Policy and Local Enterprise Plan.
 - i. Each year, at the time of the annual Cannabis Business Permit review, the Cannabis Business shall submit an updated Social Responsibility and Local Enterprise Plan in which the employee benefits, workforce development actions, local hiring practices, and minimum employee wage paid are identified for the prior year.
 - i. Minimum agreed upon hourly wage (living wage). The Cannabis Business hereby agrees to provide a minimum hourly working wage in the amount of \$20.50 for remainder of the calendar year following the Effective Date of this Agreement. The wages for employees of the Cannabis Business shall increase at the same rate as the state minimum wage.
- D. Cannabis Business agrees to abide by the requirements of Chapter 5.28 of the Woodland Municipal Code and any other operating terms and conditions as mutually agreed by the parties to ensure that the social policy and local enterprise plan commitments and community benefits derived from the proposed cannabis business adequately address potential adverse impacts stemming from the operation of the Cannabis Business.
- E. Records. The Cannabis Business shall keep accurate and adequate records and documentation to reflect its monthly gross receipts and information concerning required payments. Pursuant to section 5.28.340 of the Woodland Municipal Code, the Cannabis Business shall maintain all such records for at least three (3) years, and shall produce those records to the City within 24 hours after receipt of the City’s request.

7. Termination. The City and/or Cannabis Business may terminate this Agreement prior to expiration of the Term for the reasons and subject to the requirements set forth below. The Cannabis Business understands and acknowledges that the right to operate the Cannabis Business is expressly contingent on full execution of an Operating Agreement, as required by section 5.28.180(A)(9) of the Woodland Municipal Code. As such, termination of this Agreement shall result in the immediate termination of the Cannabis Business's operations, unless and until a new Operating Agreement is executed by the Parties

A. City's Termination Rights. Without prejudice to its other remedies at law or in equity, the City may terminate this Agreement, at any time and in its sole discretion, effective thirty (30) days after the City provides written notice of termination to the Cannabis Business, if any of the following circumstances occurs:

- i. The Cannabis Business breaches its obligation to pay the Monthly Payments of the Cannabis business tax when due and fails to cure the breach within thirty (30) days after the City provides the Cannabis Business with a written notice of default.
- ii. The Cannabis Business breaches its obligation to perform in accordance with any material provision of this Agreement, other than the obligation to pay the Monthly Payment, and: (A) does not cure the breach within thirty (30) days after the City provides the Cannabis Business with a written notice of breach or, if the breach cannot reasonably be cured within 30 days, (B) does not begin work to cure the breach within thirty (30) days after the City provides the Cannabis Business with a written notice of breach. The Parties may mutually agree in writing to extend the time period to cure the breach. The express designation in this Agreement of a provision as "material" does not imply that other provisions are not material.
- iii. The Cannabis Business fails to obtain and maintain at all times prior to and during operation of the Cannabis Business a valid Cannabis Business Permit and State License(s) or violates any condition of approval of the Conditional Use Permit.
- iv. The uses and business activities of the Cannabis Business are declared unlawful by order of Court or become illegal by operation of State law.

B. Cannabis Business's Termination Rights. The Cannabis Business may, at any time and in its sole discretion, effective thirty (30) days after the Cannabis Business provides written notice of termination to the City, may terminate this Agreement if the Cannabis Business has permanently ceased operations, or intends to cease operations within thirty (30) days, in the City of Woodland.

8. Release & Indemnification. The Cannabis Business shall release and hold harmless the City, its agents, officers, elected officials, staff and employees (collectively, "City Parties") from any and all claims, injuries, damages, or liabilities of any kind arising from: (i) any repeal or amendment of Chapter 5.28 of the Woodland Municipal Code, or any provision of the Zoning Code relating to the Cannabis Business, and (ii) any arrest or prosecution of the Cannabis Business

or its owners, Managers, staff, employees, or members for violation of state or federal laws. The Cannabis Business shall further defend, indemnify and hold harmless the City Parties from and against any and all claims or actions: (i) brought by adjacent or nearby property owners or any other parties for any damages, injuries, or other liabilities of any kind arising from or related to the Cannabis Business operations at the Subject Property, and (ii) brought by any party for any problems, injuries, damages, or other liabilities of any kind, including bodily injury, death or property damage, arising out of the distribution of cannabis or cannabis products at the Subject Property. The obligations in this Section 8 Release & Indemnification shall survive any expiration or termination of this Agreement.

9. Insurance.

A. Time for Compliance. The Cannabis Business shall not begin operations until it has provided evidence satisfactory to the City that it has secured all insurance required under this section. Failure to provide and maintain all required insurance shall constitute a material breach of this Agreement.

B. Types of Required Coverages. Without limiting the indemnity provisions of this Agreement, the Cannabis Business shall procure and maintain in full force and effect during the term of the Agreement, the following policies of insurance:

- i. Commercial General Liability. Commercial General Liability Insurance which affords coverage at least as broad as Insurance Services Office “occurrence” form CG 0001, with minimum limits of at least \$1,000,000 per occurrence. Defense costs shall be paid in addition to the limits.

The policy shall contain no endorsements or provisions limiting coverage for (1) products and completed operations; (2) contractual liability; (3) third party action over claims; or (4) cross liability exclusion for claims or suits by one insured against another.

- ii. Automobile Liability. Automobile Liability Insurance with coverage at least as broad as Insurance Services Office Form CA 0001 covering “Any Auto” (Symbol 1) with minimum limits of \$1,000,000 each accident.
- iii. Workers’ Compensation. Workers’ Compensation Insurance, as required by the State of California and Employer’s Liability Insurance with a limit of not less than \$1,000,000 per accident for bodily injury and disease.

If coverage is written on a claims-made basis, the retroactive date shall precede the effective date of the initial Agreement and continuous coverage will be maintained or an extended reporting period will be exercised for a period of at least three (3) years from termination or expiration of this Agreement.

C. Endorsements.

- i. The policy or policies of insurance required by this section for Commercial General Liability and Automobile Liability shall be endorsed to provide the following:
 - a. Additional Insured. The City's indemnified parties shall be additional insureds with regard to liability and defense of suits or claims arising out of the performance of the Agreement. Additional Insured Endorsements shall not (1) be restricted to "ongoing operations"; (2) exclude "contractual liability"; (3) restrict coverage to "sole" liability of Consultant; or (4) contain any other exclusions contrary to the Agreement.
 - b. Primary Insurance and Non-Contributing Insurance. This insurance shall be primary and any other insurance, deductible, or self-insurance maintained by the indemnified parties shall not contribute with this primary insurance.
 - c. Severability. In the event of one insured, whether named or additional, incurs liability to any other of the insureds, whether named or additional, the policy shall cover the insured against whom claim is or may be made in the same manner as if separate policies had been issued to each insured, except that the limits of insurance shall not be increased thereby.
 - d. Cancellation. The policy shall not be canceled or the coverage suspended, voided, reduced or allowed to expire until a thirty (30) day prior written notice of cancellation has been served upon the City except ten (10) days prior written notice shall be allowed for non-payment of premium.
 - e. Duties. Any failure by the named insured to comply with reporting provisions of the policy or breaches or violations of warranties shall not affect coverage provided to the indemnified parties.
 - f. Applicability. That the coverage provided therein shall apply to the obligations assumed by the Cannabis Business under the indemnity provisions of this Agreement, unless the policy or policies contain a blanket form of contractual liability coverage.
- ii. The policy or policies of insurance required by this section for Workers' Compensation shall be endorsed, as follows:
 - a. Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of subrogation against the City's indemnified parties.
 - b. Cancellation. The policy shall not be canceled or the coverage suspended, voided, reduced, or allowed to expire until a thirty (30) day prior written notice of cancellation has been served upon the City except

ten (10) days prior written notice shall be allowed for non-payment of premium.

- D. Deductible. Any deductible or self-insured retention must be approved in writing by the City and shall protect the City's indemnified parties in the same manner and to the same extent as they would have been protected had the policy or policies not contained a deductible or self-insured retention.
- E. Evidence of Insurance. The Cannabis Business shall, concurrently with execution of this Agreement or as soon thereafter as may be authorized by the City, deliver either certified copies of the required policies, or original certificates and endorsements on forms approved by the City. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. At least fifteen (15) days prior to the expiration of any such policy, evidence of insurance showing that such insurance coverage has been renewed or extended shall be filed with the City. If such coverage is canceled or reduced, the Cannabis Business shall, within ten (10) days after receipt of written notice of such cancellation or reduction of coverage, file with the City evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies.
- F. Failure to Maintain Coverage. The Cannabis Business agrees to suspend and cease all operations hereunder during such period of time if the required insurance coverage is not in effect and evidence of insurance has not been furnished to the City.
- G. Acceptability of Insurers. Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and authorized to do business in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.
- H. Insurance for Subcontractors. All subcontractors shall be included as additional insureds under the Cannabis Business's policies, or the Cannabis Business shall be responsible for causing subcontractors to purchase the appropriate insurance in compliance with the terms of this Agreement, including adding the City as an Additional Insured.

10. Notice. Any notice or other communication provided pursuant to this Agreement must be in writing and shall be considered properly given and effective only when mailed or delivered in the manner provided by this Section 11 to the persons identified below. A mailed notice or other communication shall be considered given and effective on the third day after it is deposited in the United States Mail (certified mail and return receipt requested). A notice or other communication sent in any other manner will be effective or will be considered properly given when actually delivered. A Party may change its address for these purposes by giving written notice of the change to the other Party in the manner provided in this Section 11.

If to the City:

City of Woodland
City Manager's Office
300 First Street
Woodland, California 95695
Attention: Ken Hiatt

If to Cannabis Business:

11. Force Majeure.

- A. "Force Majeure Event" means a cause of delay that is not the fault of the Party who is required to perform under this Agreement and is beyond that Party's reasonable control, including the elements (such as floods, earthquakes, windstorms, and unusually severe weather), fire, energy shortages or rationing, riots, acts of terrorism, war or war-defense conditions, acts of any public enemy, epidemics, the actions or inactions of any governmental entity (excluding the City) or that entity's agents, litigation, labor shortages (including shortages caused by strikes or walkouts), and materials shortages.
- B. Except as otherwise expressly provided in this Agreement, if the performance of any act required by this Agreement to be performed by either the City or Cannabis Business is prevented or delayed because of a Force Majeure Event, then the time for performance shall be extended for a period equivalent to the period of delay, and performance of the act during the period of delay will be excused.

12. Waiver. A Party's failure to insist on strict performance of this Agreement or to exercise any right or remedy upon the other Party's breach of this Agreement shall not constitute a waiver of any performance, right, or remedy. A Party's waiver of the other Party's breach of any provision in this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of the same or any other provision. A waiver is binding only if set forth in writing and signed by the waiving Party.

13. Relationship of Parties. This Agreement does not create any employment relationship, ownership interest, or other association between the City and Cannabis Business. Nothing herein shall be construed to create the relationship of principal and agent, partnership or other joint venture between the City and Cannabis Business.

14. Attorneys' Fees. The Party prevailing in any litigation concerning this Agreement, the Subject Property, or the Cannabis Business operations, shall be entitled to an award by the court of reasonable attorneys' fees and litigation costs. If the City is the prevailing party, then this Section shall apply whether the City is represented in the litigation by the designated City Attorney or by outside counsel.

15. Severability. If a court with jurisdiction finds any provision of this Agreement to be invalid, void, or unenforceable, then the remaining provisions shall remain in full force and effect, and to this end this Agreement shall be severable.

16. Counterparts. The parties may execute this Agreement in counterparts, each of which shall constitute an original, but all of which shall collectively constitute this same Agreement.

17. Integration and Modification. This Agreement sets forth the Parties' entire understanding and agreement regarding the matters addressed herein. This Agreement supersedes all prior or contemporaneous agreements, representations, and negotiations (written, oral, express, or implied) and may be modified only by written agreement signed by both Parties.

(Signature Page Follows)

DRAFT

IN WITNESS WHEREOF, the parties enter into this Agreement as of the date first set forth on this Agreement.

City of Woodland

**Cannabis Business:
Embarc Woodland**

By: _____
Ken Hiatt, City Manager
Dated: _____, 2025

By: _____
Dated: _____, 2025

Approved as to Form
Woodland City Attorney

By: _____
Dated: _____, 2025

By: _____
Ethan Walsh, City Attorney

EXHIBIT "A"

DESCRIPTION OF SUBJECT PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF WOODLAND, COUNTY OF YOLO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

That portion of the North one-half of the Southwest quarter of section 33, Township 10 North, Range 2 East, M.D.B.&M., according to the Official Plat thereof, described as follows:

Beginning at a point which is located South $00^{\circ}40'58''$ West a distance of 660.89 feet from the quarter corner common to sections 32 and 33, Township 10 North, Range 2 East, M.D.B. & M., as shown on Record of survey Recorded in Book 8 of Maps and surveys, at Page 124, Yolo County Records, California; thence from said point of beginning South $89^{\circ}30'49''$ East 660.49 feet, more or less, to the Southwest corner of Fairway Estates subdivision Unit 1, as shown on the Map Recorded August 1, 1955, in Book 5 of Maps, at Page 25, thence North $00^{\circ}38'55''$ East along the West line of said Fairway Estates subdivision Unit 1, 330.00 feet to a point; thence West 660.49 feet, more or less, to a point being situate South $00^{\circ}40'58''$ West 330.89 feet from the quarter corner common to section 32 and 33, Township 10 North, Range 2 East, M.D.B.& M., thence South $00^{\circ}40'58''$ West 330.00 feet to the point of beginning.

Excepting therefrom that portion thereof, described as follows:

Beginning at a point which is located South $00^{\circ}40'58''$ West 660.89 feet from the quarter corner common to sections 32 and 33, Township 10 North, Range 2 East, M.D.B. & M., as shown on Record of survey Recorded in Book 8 of Maps and surveys, at Page 124; thence from said point of beginning South $89^{\circ}30'49''$ East 155.00 feet; thence North $00^{\circ}40'58''$ East 155.00 feet; thence North $89^{\circ}30'49''$ West 155.00 feet; thence South $00^{\circ}40'58''$ West 155.00 feet to the point of beginning.

APN: 066-111-028

EXHIBIT “B”

COMMUNITY BENEFIT PLAN

Embarc Woodland

Community Benefit

Embarc Woodland commits to allocate 1% of gross receipts to its Community Investment Fund in perpetuity, generating ongoing funding for local community organizations through the efforts and allocations of a designated Community Advisory Board consisting of community members local to Woodland. Funding areas of focus will include mentorship and job training for young adults, youth clubs, youth athletic activities, youth arts, prevention of juvenile crime, youth drug education and prevention programs, and supporting healthy and stable households.

Community Support for Local Non-Profits and Organizations

Embarc Woodland commits to contributing to community-based projects and with guidance from the City identifies local funding opportunities and commits to partnering with charities and non-profit organizations to support and fund projects through grants and volunteerism.

Embarc Woodland Plans to provide Further Benefits to the Local Community through commitment to:

- host educational panels, informational workshops, and non-profit partnership events as part of an ongoing community education and engagement effort.
- Prioritize outreach to Seniors.
- Creating a subcommittee at the Chamber of Commerce or a local cannabis industry association.
- Creating a neighborhood discount program by encouraging customers to dine, shop, and enjoy other businesses when in the area to visit Embarc Woodland.
- Create local business partnerships
- Embarc Woodland is committed to encouraging employees to participate in company-sponsored community activities.
- Embarc Woodland commits to compensating employees for up to ten (10) hours per month for volunteer work with designated organizations.

Public Outreach and Education Program Related to Risks to Youth of Exposure to Drugs:

Embarc Woodland commits to partnering with local government to create a comprehensive approach that reaches youth, families, schools, neighborhoods, and communities and reflects the diversity of the city. Embarc Woodland commits to establishing a public outreach and education program that is based on the following foundations:

- Prevention programs tailored to address risk specific to population or audience characteristics, such as age, gender, and ethnicity, to program effectiveness.
- Prevention programs aimed at general populations in key transition points (e.g. transition to middle school)

- Community transition programs reaching populations in multiple settings.
- Community prevention programs that combine two or more effective programs such as family-based programs combined with school-based programs.
- Employment of interactive techniques
- Teacher training that focuses on best practices in areas such as classroom management,
- The adaptation of programs that meet community needs

DRAFT

EXHIBIT “C”

SOCIAL POLICY AND LOCAL ENTERPRISE PLAN

Local Hiring

Embarc Woodland is committed to hiring all employees directly from the City of Woodland, starting with creating sixteen (16) jobs. The company is committed to target recruitment efforts on those living within a five-mile radius of the store. Embarc Woodland intends to develop and host a job fair with a variety of local and regional partners, including the United Food and Commercial Workers Union (UFCW). Potential partners for this include Woodland’s YoloWorks Career Center as well as organizations such as Woodland’s PRIDE industries, and YES! (Yolo Employment Services) to identify a diverse pool of potential employees.

Employee Wages and Compensation

Embarc Woodland is committed to offering a living wage starting at \$20.50 per hour, which may be higher based on experience, knowledge, and position, and employees will also be able to receive tips and gratuities.

Embarc Woodland is committed to providing employees with monthly volunteer hours with local non-profits. The company is committed to paying employees for each hour they participate in community service, up to forty (40) hours per year.

Continuing Education

Embarc Woodland is committed to paying all employees at their regular rate of pay for onboarding, initial training, mentorship/mentee hours, apprenticeships, approved educational courses, workforce development programs, job-specific skills coursework, and Flight School: Embarc’s Proprietary Education Hub (education and training platform) courses.

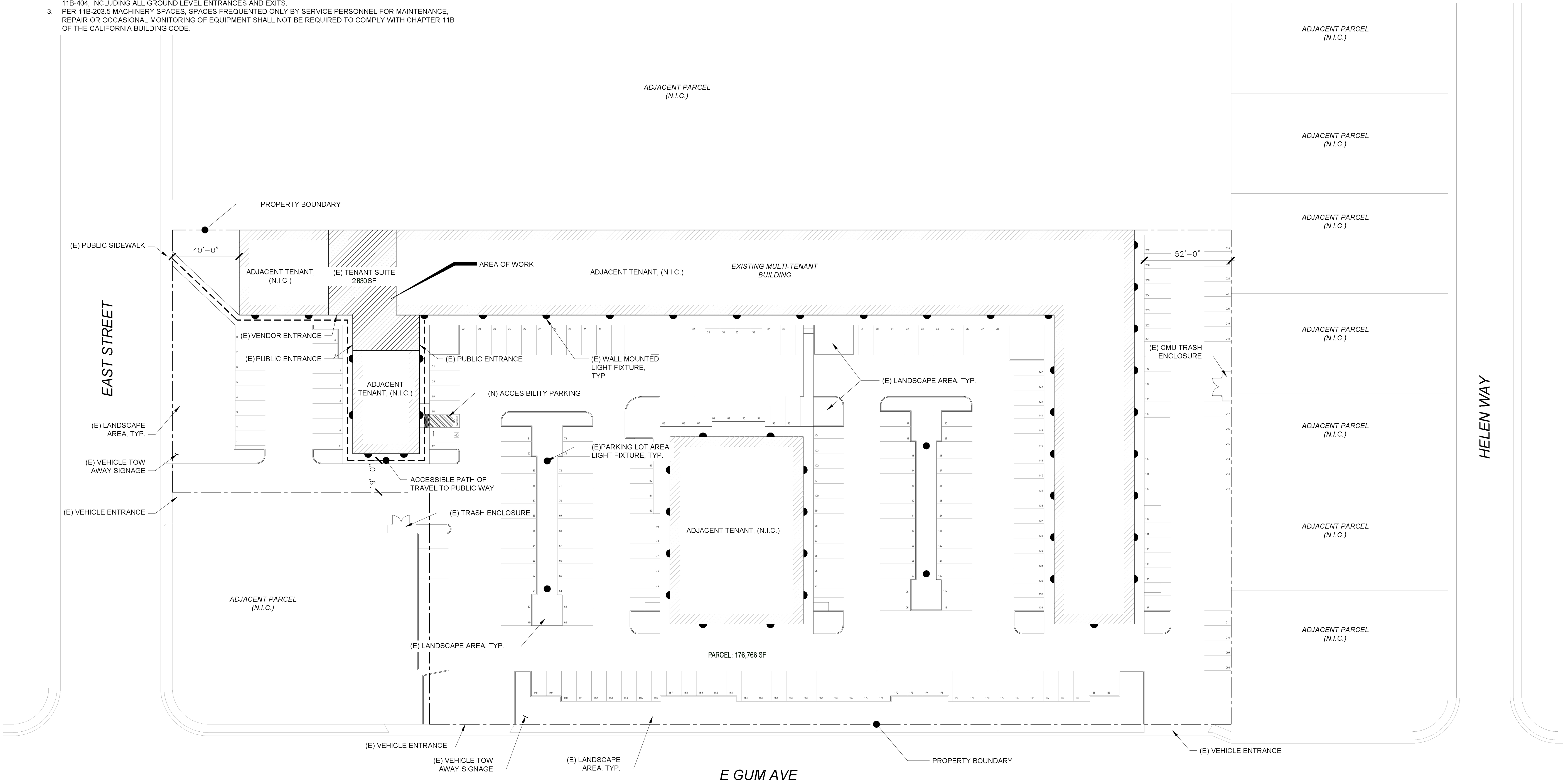
Embarc Woodland is committed to offering tuition assistance and a scholarship program for qualifying employees, as well as provide scholarships to local residents in coordination with local residents in coordination with local community colleges.

Support for Local Enterprises

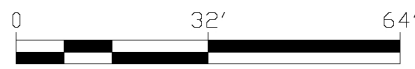
Embarc Woodland commits to sourcing a minimum of 15% of products from local Woodland cannabis businesses.

SITE ACCESSIBILITY NOTES

1. ACCESSIBLE PATH OF TRAVEL (POT), AS INDICATED SHALL COMPLY WITH 11B-402 OF THE CALIFORNIA BUILDING CODE. POT SHALL BE AN IDENTIFIABLE ACCESSIBLE ROUTE WITHIN AN EXISTING SITE, BUILDING OR FACILITY BY MEANS OF WHICH A PARTICULAR AREA MAY BE APPROACHED, ENTERED AND EXITED, AND WHICH CONNECTS A PARTICULAR AREA WITH AN EXTERIOR APPROACH (INCLUDING SIDEWALKS, STREETS AND PARKING AREAS), AN ENTRANCE TO THE FACILITY, AND OTHER PARTS OF THE FACILITY. ACCESSIBLE PATH SHALL BE:
1.1. THE RUNNING SLOPE OF WALKING SURFACES SHALL NOT EXCEED 1:20 EXCEPT FOR SIDEWALKS, WHICH SHALL NOT EXCEED THE GENERAL GRADE ESTABLISHED FOR THE ADJACENT STREET OR HIGHWAY)
1.2. CROSS SLOPE SHALL NOT EXCEED 1:48 (PER 11B-403.3)
1.3. CLEAR WIDTH OF SIDEWALKS AND WALKS SHALL BE 48" WIDE MINIMUM (PER 11B-403.5.1)
1.4. VERTICAL CHANGES IN LEVEL SHALL COMPLY WITH 11B-303.2 AND SHALL NOT EXCEED 3/4" MAXIMUM.
1.5. BEVELED CHANGES IN LEVEL SHALL COMPLY WITH 11B-303.3 AND SHALL NOT EXCEED 3/8" MAXIMUM, TO INCLUDE A 3/4" VERTICAL AND 3/4" BEVELED WITH A SLOPE NOT EXCEEDING 1:2.
2. DOORS, DOORWAYS, AND GATES THAT ARE PART OF AN ACCESSIBLE ROUTE SHALL COMPLY WITH SECTION 11B-404, INCLUDING ALL GROUND LEVEL ENTRANCES AND EXITS
3. PER 11B-203.5 MACHINERY SPACES, SPACES FREQUENTED ONLY BY SERVICE PERSONNEL FOR MAINTENANCE, REPAIR OR OCCASIONAL MONITORING OF EQUIPMENT SHALL NOT BE REQUIRED TO COMPLY WITH CHAPTER 11B OF THE CALIFORNIA BUILDING CODE.



1 SITE PLAN
1/32" = 1'-0"



SITE PLAN DISCLAIMER:
ALL SITE INFORMATION NOTED ON THIS PAGE WAS COLLECTED THROUGH COUNTY IMAGERY, GIS DATA, AND PARCEL RECORDS. NO SURVEY OF THE PROPERTY HAS BEEN CONDUCTED.



KM Architecture, Inc.
A Full Service Architectural Practice

3420 COACH LN, SUITE 9
CAMERON PARK, CA 95682
(530) 344-4073

WOODLAND RESPONSIBLE AND COMPLIANT RETAIL LLC

EMBARC - WOODLAND

825 EAST STREET,
SUITES 102-103
WOODLAND, CA
95776

CONSTRUCTION
DOCUMENTS

APN:
066-111-028

Drawn By
JOSH MINKEL
Project Architect
KIRK MILLER
Scale
AS NOTED
Date
03/23/2023
Project Number
20112.18

This drawing is not final, or to be used for construction until the Architect or Engineer's seal and signature appear above.

SHEET TITLE

OVERALL SITE
PLAN

DATE OF PREPARATION: 03/23/2023
INITIAL DATE OF COMPLETION: 03/23/2023

MARK	DESCRIPTION	DATE

SHEET NO.

A-000

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED WORK OF KM ARCHITECTURE, INC. AND MAY NOT BE DUPLICATED WITHOUT WRITTEN CONSENT OF KM ARCHITECTURE, INC.

SECTION E: NEIGHBORHOOD COMPATIBILITY PLAN

Embarc believes operating a cannabis business is a privilege and not a right and that a successful business model is predicated on the ability to consistently engage the community to ensure transparency, integrity, and collaboration. By putting the community first, Embarc ensures a positive relationship with the City, local leaders, and the neighborhood, ultimately allowing us to participate in—and give back to—the community in meaningful ways.

Our commitment to earning the community's trust is embodied in ways large and small, from neighborhood benefits and volunteerism to empowering community members to provide feedback and direction on our operational model through our Community Advisory Board.

Based on our experience operating compliant retail and delivery operations in eight other California communities, we understand the importance of proactivity in resolving potential issues before they arise and that being accessible is vital to prevent concerns from escalating to issues. Embarc has a proven approach to neighborhood engagement and responsiveness, as well as a detailed plan to prevent and/or appropriately address community concerns to prevent them from rising to the attention of the City.

Embarc Woodland will be maintained in accordance with the standards of the International Property Maintenance Code to ensure the licensed premises are safe, sanitary, and fit for occupation.

We will proactively work with community members, neighborhood leaders, and local businesses to build a synergistic relationship based on respectful dialogue and ongoing approachability and have already identified and/or initiated meaningful partnerships that will ensure our reimagining of the proposed location serves as a net benefit to the neighborhood's health, safety, aesthetics, and economic viability, both for our proposed business and neighboring uses.

Many cannabis operators are seeking to obtain the largest footprint in the country, applying for retail licenses in every community that opts to move forward with cannabis licensure. In contrast, Embarc is committed to expanding its footprint in this emerging industry while being mindful to build only in communities that share our values and where we can serve as genuine partners. We boast a strong track record of success, becoming one of the quickest-growing independent cannabis retailers in California, with our experience and dedication guiding the way.

Embarc has a track record and reputation as a community-oriented operator in eight nearby communities, such as Sacramento, Fairfield, and Chico, as well as more than half a dozen soon-to-open shops throughout California. Given its existing footprint, Embarc



is neither “too big” nor “too small.” Rather, our team can be trusted to operate in Woodland because we bring the experience of existing operations balanced with true local empowerment. Woodland will not be just another dot on an expansion map—our shop will reflect the community it calls home.

Embarc Woodland is the result of a collaboration between Jim and Josh Hilliard, longtime Woodland residents, and Lauren Carpenter and Dustin Moore, Embarc’s expert cannabis operators well-versed in navigating complex regulatory environments. We strongly believe that to effectively serve the community, it is important to be part of the community—to understand its needs, values, and priorities and make sure our business reflects them. With this approach, we can ensure not just compliance but also that our operations are truly beneficial for the surrounding neighborhood and beyond.

Why the East Street Corridor?

Our decision to select a property within the East Street Corridor was thoughtfully informed by the valuable input we received during our community listening tour. Numerous residents expressed concerns about cannabis businesses locating in Downtown Woodland, primarily due to limited parking availability. It’s important to acknowledge the considerable work that has already been invested in revitalizing the Downtown area. Our Local Owner, Jim Hilliard, and Community Advisory Board Member, Sean Denny, both actively contributed to these revitalization efforts during their tenure on the City Council. We firmly believe that by situating our cannabis business outside of Downtown, we can help promote the revitalization of and economic investment in other areas of the City, such as the East Street Corridor. This supports the City’s goal of sustainable growth through orderly, well-planned development that provides for economic growth, strong social ties, protection of the environment, enhanced quality of life, and preservation of Woodland’s community character.

We were fortunate to secure an exceptional property in the Fairgrounds Plaza, conveniently located at the intersection of East Street and Gum Avenue. This prime location offers ample parking, catering to the needs of a thriving retail establishment. We are proposing to transform our proposed suites in the Fairgrounds Plaza into an anchor tenancy through the creation of a reimagined cannabis retail boutique. We are known for creating unique retail expressions that reflect each of the communities we serve. Our proposal for the Woodland is no different and will meaningfully integrate into, and respectfully enhance, the surrounding community.

After a multi-month listening tour and community engagement with neighborhood leaders and community members City-wide, Embarc has coalesced a committed and engaged Community Advisory Board of local stakeholders who sat alongside us in the finalization (and hopeful implementation) of a community-oriented cannabis proposal that meets this neighborhood’s needs while

remaining approachable and accessible for those from throughout both Woodland and the region.

Ultimately, it is Embarc’s intention to be a contributing and responsible force in the community, and we are committed to ensuring that our dispensary never poses a nuisance to the neighborhood. Below we describe specific strategies, procedures, and equipment to ensure just that.

1. COMMUNITY DESIGNEE

Identify the person responsible for outreach and communication with the surrounding community, including the neighborhood and businesses, and how the designee can be contacted.

Embarc Woodland’s Local Owner, Josh Hilliard, and our General Manager (once hired will be our Community Designees responsible for outreach and communication with the surrounding community, including neighborhood residents and nearby businesses.

We will provide the Woodland Community Development Director with the names, primary and secondary telephone numbers, and e-mail addresses of both of our appointed Community Designees. These 24-hour on-call managers will be available to address and resolve complaints and respond to emergency operating problems or concerns associated with the cannabis business.

Our appointed Community Designee, Josh Hilliard, can be contacted by phone and by email. Upon hiring Embarc Woodland’s General Manager, their name, phone number, and e-mail address will also be provided to the City’s Development Director and all neighboring businesses and residents.

We will also provide this contact information to both the City Manager and Police Chief so emergency notice can be provided at any hour of the day. A 24-hour contact will also be readily available online and posted conspicuously on the exterior of the facility such that any passerby can contact management staff with issues at any time. Please note that 24/7 contact information will also be provided for all Owners and our Security Department, ensuring ample team members are available at any time.

Embarc’s Owners, Managers, and Community Designees are available to attend meetings with the Community Development Director, and City Manager to discuss costs, benefits, and other community issues arising as a result of retail cannabis implementation for the lifetime of the business.

2. PROACTIVE STEPS TO AVOID BECOMING A NUISANCE

Describe how the business will take proactive steps to avoid becoming a nuisance or having negative impacts on its neighbors or surrounding community. Additionally, describe how the business will react and respond to complaints specifically related to noise, light, odor, public consumption, loitering, littering, and vehicle and pedestrian traffic, and any other activities that could become a nuisance or have impacts on the surrounding community.

Embarc's best practices are rooted in proactive steps to ensure our cannabis operations avoid becoming a nuisance or having any negative impacts on our neighbors or the surrounding community. Embarc will proactively engage with our surrounding neighborhood to react and respond to potential complaints regarding any potential issue, including such factors as noise, light, odor, public consumption, loitering, littering, and vehicle and pedestrian traffic.

Embarc's best practices and Standard Operating Procedures (SOPs) ensure our business is a positive addition to the community and can be boiled down to three critical components—ensuring accountability and accessibility; proactively engaging the community and neighborhood; and creating tangible benefits for our neighbors.

Step 1: Accessibility & Accountability

The first step to avoiding becoming a nuisance or having negative impacts is accessibility and accountability with our neighbors and the City we serve. As noted above, Embarc will provide the City and all neighboring businesses and residents within 1,000 feet contact information for our Community Designees, to whom notice of any problems can be provided 24/7. This will ensure accessibility at all levels for the neighborhood and surrounding community. The Community Designees will be responsible for receiving, logging, and responding to any and all complaints and inquiries.

Embarc will encourage neighbors to report any impact, real or perceived, that they experience in relation to Embarc's operations and will dedicate all reasonable time and effort to resolving any such issue to the impacted neighbor's satisfaction. This mitigation could include making a roaming Security Guard available as a means of addressing any nuisance activities perceived as attributable to Embarc's business operations. Any such assigned Security Guard will be directed to mitigate the situation to the maximum limit permitted by the Private Security Services Act. Furthermore, Embarc will encourage neighboring residents to contact our personnel prior to contacting the City.

To ensure accountability, Embarc will maintain a log of any public nuisance activity on the premises or within 300 feet of the premises. The log will include information required by the Chief of Police, or their designee, including but not limited to the date and time of

the occurrence, the type of activity, the circumstances surrounding the activity, the identity of any persons involved in the activity, the corrective action taken by Embarc, and the police case number if applicable. The log will be available to the City upon request.

The inquiry will be managed by our Local Owner or General Manager depending on the nature of the issue and whether it is community or operationally based. Our Local Owner and/or the General Manager will be responsible for the timely resolution of any issues or concerns brought to our attention.

As discussed above, Embarc's Owners, Managers, and Community Designees welcome the opportunity to attend regular meetings at the request of the Community Development Director, City Manager, Chief of Police or any other relevant authority to discuss any and all issues associated with cannabis operations in Woodland, and in fact, have coalesced coalitions comprised of the local cannabis operators in other communities where we operate for the purpose of providing a centralized place for the City to work collaboratively with industry.

Ultimately, our goal is to mitigate any concerns before they arise to City leadership and will utilize our proven policies and tactics to achieve this goal.

Step 2: Proactive Community & Neighborhood Outreach

In our experience, proactive community and neighborhood engagement is a critical step in building trust and, in turn, positive relationships with our neighbors. We appreciate the importance of proactive engagement and ongoing collaboration with the community at large and the neighborhood surrounding our facility. As such, in addition to the extensive community benefits programs detailed in Section F – Community Benefits & Local Enterprise Plan, we have also identified proactive and ongoing engagement strategies to ensure thoughtful integration of our proposed operations into the neighborhood:

NEIGHBORING BUSINESS OUTREACH: Embarc will meet with neighboring businesses to detail proposed operations and identify opportunities for potential partnerships (where appropriate, given the use type). Embarc will document these meetings and provide a record should the City seek verification regarding neighboring business outreach. As part of this outreach plan, Embarc will provide the names, telephone numbers, and email addresses of the Community Designees to whom notice of problems associated with the cannabis business can be provided.

Additionally, once the General Manager has been hired, Embarc will solicit another meeting to facilitate an introduction and sharing of contact information between the General Manager and neighboring business owners. We have found that establishing this relationship is the single most important mechanism for managing neighbor relations, as neighbors feeling comfortable contacting us directly with issues or concerns ensures we are able to address them in real time.

OPEN HOUSES: We will host at least two open houses between receipt of the right to operate locally and the commencement of operations, designed to provide residents and other stakeholders with the opportunity to meet our Owners, ask questions about our proposed operations and get a better understanding of Embarc's vision. During these open houses, we will focus on impact mitigation and community benefits and be available to answer community questions and/or concerns. Having these direct engagement opportunities is important for addressing concerns related to operations.

One of these meetings will occur immediately prior to opening the store and will focus on those nearest to our property to afford them the opportunity to understand the myriad compliance and security measures in place governing operations. Based on our experience, this type of community outreach is essential to dispelling myths and creating awareness of how legal cannabis dispensaries operate.

INFORMATIONAL CANVASSING: To prepare for this submission, Embarc began canvassing the surrounding neighborhood to discuss our intended operations, compliance, security, and best practices. Specifically, we spoke with neighboring businesses within the Fairgrounds Plaza and residents around our proposed location. We will connect with more residents and nearby businesses before opening to provide contact information for team members and to engage directly to answer any questions about our operational plan. Doing so helps to proactively address comments and concerns prior to opening the business.

ONGOING ENGAGEMENT: Once operational, our ownership and management team will host annual "listening sessions" where members of the community will be able to voice opinions, ask questions, and meet the Embarc team. Our goal for these sessions is to address any unforeseen concerns and to ensure we are fulfilling our obligations as a good neighbor.

Step 3: Creating Benefits for Our Neighbors

The third step in ensuring nuisance avoidance is creating and delivering tangible benefits through our operations to our neighbors and the surrounding community.

NEIGHBORHOOD SAFETY: Increased safety surrounding the facility is a positive byproduct of the immense attention to detail given to our facility's security measures. Our presence in the neighborhood comes with patrolling Security Guards, an industry-leading surveillance system with coverage extending across the entirety of the interior and exterior of the facility and beyond, and advanced alarm systems with immediate access to local law enforcement. We are confident that the extreme importance placed on facility security and safety will result in a positive impact on the safety and well-being of our neighbors. In fact, other communities located near legal cannabis facilities have seen increased property values as a result of enhanced security and beautification efforts.

NEIGHBORHOOD BEAUTIFICATION: While engaging the neighborhood is critical, we also believe in the importance of rolling up our sleeves and participating in ongoing beautification efforts. As part of our paid employee volunteerism program, detailed further in Section F – Community Benefits & Local Enterprise Plan, our staff will serve as a volunteer Street Team on beautification projects near the store, which will be informed by ongoing discussions regarding neighborhood priorities with our Community Advisory Board and neighboring businesses.

COMMUNITY ADVISORY BOARD FEEDBACK LOOP: Embarc's Community Advisory Board is comprised of prominent local community members who will help shape best practices to innovate and improve operations and mitigate any potential for complaints from citizens, customers, other businesses, and the community at large. Given the Board members' insights into this community, they will be empowered to provide ongoing feedback, guidance, and accountability for our nuisance mitigation and proactive community engagement programs. This gives residents a seat at the table in addressing business operations in real time. Given our prioritization on neighborhood integration, we will gladly reserve a seat on the Community Advisory Board for a neighborhood representative, such as a resident located on one of the bordering streets of our location—Helen Way and Pacific Street—or from Bells Trailer Village on Gum Avenue.

PARTNERSHIP WITH WOODLAND POLICE DEPARTMENT: As we have done in every city where we operate, Embarc will form a positive and collaborative working relationship with local law enforcement to ensure trust and transparency with this nascent industry. We have reserved a non-voting seat on the Community Advisory Board for a representative from the Woodland Police Department to provide quarterly updates and insight into the business and its operations but thought it inappropriate to conduct outreach about such participation until after the conclusion of this process. In other communities, we have found this helpful in maintaining open communication.

COMMUNITY WELLNESS EVENTS: Embarc seeks to support Woodland's health and wellness industries. Through providing educational seminars and partnering on outreach, we are confident our team's knowledge and resources can benefit Woodland's health and wellness industry. As further detailed in Section F – Community Benefits & Local Enterprise Plan, Embarc is committed to hosting educational events on cannabis and welcomes the opportunity to include relevant wellness partners and businesses, when appropriate, in these efforts.

ENGAGING & UPLIFTING LOCAL BUSINESSES – NEIGHBORHOOD DISCOUNT PROGRAM: Encouraging our customers to dine, shop, and enjoy other businesses in the area when visiting our store is one way to create partnerships that support and uplift existing businesses in the community. Through our Neighborhood Discount Program, Embarc will offer a 10% discount to customers with same

day receipts from local businesses within our shopping center. Additionally, we have identified numerous neighboring businesses in immediate proximity for collaboration and amplification.

It is through this collaborative and proactive approach to business management, neighborhood engagement, and supporting local businesses that Embarc will ensure we do not pose a nuisance to our surrounding neighbors and are accessible, approachable, and transparent with the Woodland community at large.

Proposed Good Neighbor Policy

In every community where we operate, Embarc institutes a Good Neighbor Policy specific to mitigating local concerns and modeled to address local regulations. We have drafted proposed policies informed by Woodland Municipal Code but would also welcome the opportunity to discuss our Good Neighbor Policies with City staff to incorporate any guidance prior to finalization.

As a responsible cannabis operator, Embarc Woodland must:

- Create a safe exterior environment through design and site management.
 - Provide outside lighting in a manner that illuminates the outside street and sidewalk areas and adjoining parking as appropriate, without bothering neighbors;
 - Maintain the premises and adjacent sidewalk in good condition at all times;
 - Manage parking and traffic to negate impacts to surrounding areas;
 - Prohibit double parking directly outside the premises;
 - Prohibit loitering around the premises, within 50 feet of the premises, or in the parking lot;
 - Enforce appropriate customer behavior outside the facility and in adjacent areas;
 - Prohibit littering in or around the premises;
 - Prohibit the consumption of cannabis products in or around the premises;
 - Post notices at all public entrances to and exits from the establishment that are clear, well-lit, prominently displayed, and maintained;
 - Direct patrons to leave the establishment and neighborhood peacefully and in an orderly fashion;
 - Direct patrons to not litter or block driveways; and
 - Advise individuals that consuming cannabis of any kind is prohibited in public places;
 - Advise individuals of the prohibition on loitering.
- Provide the contact information for Embarc Community Designees, responsible for community relations and issue mitigation.
- Provide adequate and appropriate ventilation to ensure odor controls result in no emission of noxious odors.

- Be a benefit to surrounding parcels;
- Maintain the premises in a clean and orderly fashion; and
- Instruct security to secure the premises within 50 feet of any public entrance and exit.
- Implement youth education and prevention strategies.
 - Provide physical infrastructure, security, and tailored SOPs to discourage, mitigate and prohibit youth access and/or loitering; and
 - Provide ongoing investment for youth drug prevention and education to be deployed through community partners.

React & Respond to Complaints

Embarc employs a protocol for addressing and responding to complaints related to its business, including any potential complaint concerning noise, light, odor, public consumption, loitering, littering, and vehicle and pedestrian traffic. This protocol is critical to ensuring consistency in response and in providing the data we need to modify SOPs as needed to alleviate the likelihood of issue recurrence.

Embarc will implement comprehensive good neighbor and nuisance mitigation strategies to alleviate community concerns. Although we believe our Local Owner, General Manager, and the entire retail team will prevent these issues from arising by cultivating healthy and frequent communication with our neighbors, company policy will require that any staff receiving a complaint report the concern to their Manager immediately.

We understand other potential impacts may arise from normal business operations which are not currently contemplated. Should that occur, we will work closely with community members, neighborhood leaders, and local businesses to document and resolve any issue. All necessary actions will be taken to resolve a complaint, and all records of complaints will be kept onsite. Should a complaint occur, employees will be required to adhere to the following written policies and procedures:

STEP 1: DOCUMENT THE CONCERN OR COMPLAINT: Any employee receiving a complaint will first document the concern on a standardized form. The employee will record as much information as possible, including the source of concern and the length of time it has transpired. The employee will also ask for and record the individual's contact information for follow up. Employees will be trained to ensure the complainant understands that we are sympathetic to the concerns and seek to address them immediately and transparently.

STEP 2: IMMEDIATELY REPORT THE CONCERN OR COMPLAINT Employees will be trained and required to immediately report any concern or complaint to the General Manager, CEO, and Ownership Team by scanning and emailing the form with the subject line "FOR IMMEDIATE ATTENTION." Employees are encouraged to

provide their suggested solutions and potential mitigation strategies. Once emailed, the employee is also directed to speak with the General Manager in person, or with a Store Manager if the General Manager is not available. If the issue is truly urgent, a member of our Ownership Team will be called immediately. Chief Executive Officer, Lauren Carpenter, and President of Retail, Jason Pitts, will be notified so that the team can activate in real time.

STEP 3: DEVELOP & EXECUTE A PLAN OF ACTION

Next, the General Manager and employee will develop and execute an action plan to resolve the issue. The plan will articulate, and Embarc will implement, a short-term solution to alleviate the complainant's concern as well as a long-term solution to prevent the issue from arising in the future. Long-term solutions will be incorporated into our SOPs to prevent reoccurrence and employees will be trained on the new policy within one week of the solution being implemented.

STEP 4: FOLLOW UP WITH COMPLAINANT

Our Local Owner and/or General Manager will personally follow up with the complainant to ensure the concern was adequately and efficiently resolved. During the conversation, Embarc will identify actions taken to mitigate the concern and protocols developed to prevent the issue from occurring again. Finally, we will inquire if there are any additional concerns the complainant would like rectified or if the issue was resolved satisfactorily.

STEP 5: DOCUMENT THE INCIDENT & RESOLUTION

Lastly, our General Manager or designee will create a complaint report of the incident that documents the following:

- Concern, complaint, or grievance;
- Reporting employee's information;
- Complainant's contact information;
- Action plan and resolution;
- Protocols that were implemented to prevent the issue from re-occurring;
- Follow up conversation with the complainant and their disposition of the resolution; and
- Trainings that occurred as a result of any newly developed SOPs.

Reports will be distributed to the Ownership Team and the Community Advisory Board to ensure accountability and awareness. Embarc will keep all complaint reports for a minimum of five years, unless otherwise required by law. Periodically, our ownership team will audit these complaint reports to certify the efficacy of the response and subsequent policy alterations. This report log will be available to the City upon request.

To address and respond to complaints, Embarc will operate and maintain a 24-hour landline telephone number, or hotline, at the premises for receiving complaints and other inquiries regarding the cannabis business as well as multiple 24/7 contacts. The General Manager will be responsible for receiving, logging, and

responding to these complaints and other inquiries daily, following the protocol detailed in this section. The complaints will be logged and maintained in our business records in accordance with all local and State regulations. If any Embarc owner, manager, or employee logs any conduct which raises a reasonable suspicion of a violation of local or State regulations, Embarc will report the conduct to the Chief of Police, or their designee, within 24 hours of its discovery.

Noise

Embarc Woodland is taking several precautions and implementing a variety of measures guaranteed to combat and mitigate excessive noise. Embarc will never produce excessive or unnecessary noises that would detrimentally impact the public health, comfort, safety, welfare, or prosperity of the surrounding neighborhood and Woodland community.

All noise producing activities, including but not limited to construction, landscaping, and motor vehicle operation, will comply with all Woodland noise ordinances. No sound production or reproduction systems inside the facility will be maintained at a volume level higher than what is necessary for the convenient hearing of persons present, including receiving activities. We will prohibit the use of horns or signal devices on any of our company or employee vehicles, except as a danger signal or to give warning.

To minimize our neighborhood impact during renovation, construction activities will only occur with a special permit from the City and between reasonable or preapproved hours. The premises, including the parking lot, will be monitored under constant video surveillance, and routinely patrolled by our guards to ensure no inappropriate noise is produced.

If any person or vehicle is identified as causing a disturbance or being excessively noisy, that individual will immediately be escorted off the premises and, if necessary, reported to law enforcement. We will ensure all motor vehicles on our premises adhere to appropriate sound level decibels. Motor vehicles exceeding established limits will be asked to leave the premises by our security team. Our Security Guards will also work to ensure no motor vehicle on our premises is left idling.

Light

Embarc Woodland understands the community's desire for a safe and secure facility that blends seamlessly into the surrounding neighborhood, along with the ability to enjoy the night sky without obtrusive bright lights. In compliance with all regulations, the exterior of our facility, including the parking lot, will be adequately illuminated for security purposes while not posing a nuisance.

Exterior lighting will be balanced and will not result in glare on adjoining properties. It will complement the security systems and ensure that all areas of the premises and parking areas are visible while also providing increased lighting at all entrances to the premises. The exterior lighting required will be turned on from dusk

to dawn. Specific details regarding exterior light standards are further detailed in Section C – Security Plan of this proposal.

Should facility lighting give rise to a complaint, we will work to develop a compliant lighting solution that accommodates neighborhood concerns without sacrificing security. Our security, maintenance and operational teams will ensure that the electrical system and lighting comply with all applicable State and local laws, regulations, ordinances, and other requirements, are maintained in good repair, and do not present an electrical shock or fire hazard.

Odor

Through a combination of high-tech air scrubbing and carbon filtration systems, negative air pressure, and other odor mitigating techniques, Embarc Woodland will employ industry-leading best practices to ensure regulatory compliance and nuisance mitigation. Full details of Embarc's Odor Mitigation Plan can be found in Section A – 3. Odor Control of this proposal.

This plan ensures that our retail facility serves as an environmental steward for the community and does not create a public nuisance. Our Odor Mitigation Plan was created and refined through our teams' years of experience operating cannabis facilities. As a result of this experience, we know that, if not properly treated, cannabis odors can create a public nuisance in the surrounding community. Such a condition is antithetical to our goal of being a contributing member and good steward of our community. We will take all possible steps to treat odors before they become problematic, and proactively address any complaints of unpleasant or offensive odors arising from the facility.

As a component of our proposed Good Neighbor Policy, Embarc will be responsible for the development, implementation, and maintenance of an Odor Mitigation Plan. This includes maintenance of all records relating to odor management, including system installation, maintenance, equipment malfunctions, and deviations from the plan. The General Manager will verify the effectiveness of the air quality management system weekly by physically inspecting the system by listening for the sound of the system, visually ensuring the lights are on and the system is functioning, and verifying there is no odor. The General Manager will log that the system has been checked weekly in an odor control maintenance log.

In the event that Embarc receives an odor complaint, the General Manager will:

1. Log the date, time, source, contact information, and description of the complaint.
2. Within 30 minutes, the General Manager will identify the source of the odor by physically inspecting the facility for any unpackaged cannabis product that may be emitting odor. This includes inspection of all areas of the retail premises including the Secure Product Storage Room and Retail Sales Area, or any other areas where cannabis products are featured or stored.
3. Upon identification of the source of the odor, the General Manager

will dispose of the cannabis product in a secure and airtight waste disposal area and log the disposal in the track-and-trace system as well as the Odor Control Log.

4. The General Manager will also physically inspect the odor control system, within 30 minutes of receiving an odor complaint, to ensure it is functioning properly.
5. If the General Manager identifies that the odor control system is malfunctioning, the General Manager will immediately contact the manufacturer.
6. The General Manager will determine if the issue can be addressed with the manufacturer over the telephone and, if not, will schedule the first available appointment with the manufacturer to visit the retail facility to physically inspect the odor control system.
7. If the odor control system cannot be fixed, the General Manager will immediately place an order for the first available replacement part or new system. The General Manager will immediately communicate the complaint and resolution to Embarc's President of Retail and Facilities Team via email within two hours. The General Manager will discuss the source of the odor complaint or issue and its resolution with the retail team at the next team meeting to develop and implement procedures to avoid a future odor complaint.

Public Consumption

Embarc has clearly defined SOPs to ensure no public consumption surrounding its facilities, which is strictly enforced by both the Security Department and retail staff.

Specifically, Embarc prohibits the consumption of cannabis or cannabis products at or on the premises, in the parking areas of the premises, within 300 feet of the premises on the public right-of-way, or in those areas restricted under the provisions of California Health and Safety Code Section 11362.79.

This policy is enforced by rigorous monitoring of the dozens of surveillance cameras covering every inch of our parcel as well as by onsite Security Guards who are trained to prevent consumption in or around the premises, including but not limited to regular patrol of the premises. We will post clear and legible signs advising individuals that consuming cannabis of any kind is prohibited in public places.

If someone is consuming publicly, security immediately addresses the issue with a clear directive to cease consumption. If the behavior continues, patrons are warned that they will be banned from shopping at Embarc in the future. If, after being addressed by security, the consumption continues, security will notify the Woodland Police Department. To date, Embarc has never required Police intervention regarding any public nuisance, including but not limited to public consumption.

Security Guards will be aware of customers leaving the facility because all products must leave the store in an easily identifiable

exit bag. This allows security to utilize visual inspection and live surveillance camera feed monitoring to view customers exiting the facility. Because we will always have Security Guards with visual access to both our security monitors and exterior, such personnel will be aware of any individuals on our property and can respond immediately should public consumption occur.

While Embarc has control over its premises, the reality is that no operator has meaningful control of what happens beyond the four boundaries of its property. As such, we complement our rigorous onsite monitoring and protocols with public education efforts to ensure that the community's cannabis consumers are aware of where they can and cannot consume cannabis in Woodland. This educational information is intended to serve as an additional deterrent to public consumption.

Finally, deterring public consumption is part of actively monitoring for, and ultimately preventing, loitering, as further detailed below. It is coupled with onsite policies and procedures, including no opening of products onsite. By ensuring customers depart in a timely manner, loitering and on-premises consumption are avoided.

Loitering

Embarc prohibits all loitering outside the facility and will notify the Woodland Police Department if anyone continues to loiter after all reasonable actions have been taken to remove the individual(s). Embarc will post signage (in multiple languages if desired and/or warranted) noting age restrictions and the prohibition on loitering. Simply put, loitering will not be tolerated under any circumstances.

All employees will receive training and implement protocols to reduce the risk of disruptive, nuisance behavior and negative impacts on neighbors. This includes ensuring that customers immediately exit the premises upon completing their purchase.

Security and staff will be responsible for controlling patrons' conduct on the property. As noted above, Security Guards will be aware of customers leaving the facility who are carrying the easily distinguishable exit bags and will monitor their exit from the premises. Because we will always have Security Guards with visual access to both our security monitors and exterior, such personnel will be aware of any individuals on our property.

If any of our neighbors or members of the community feels that loitering on our premises is posing a nuisance to the community, we welcome them to reach out to our Community Designees, who will seek to rectify the situation immediately. Additional protocols will be implemented to adequately meet the community's needs.

Importantly, our Security Guards will also engage in periodic neighborhood sweeps, ensuring no littering, loitering, or other negative impacts on the neighborhood. However, in the event a member of the community is concerned with loitering, our Community

Designees, along with Security Guards, will immediately rectify the situation in real time.

Littering

We will utilize two primary methods for litter prevention and mitigation at our retail facility. The first method is providing ample waste receptacles for customers and staff. The second method is employee litter checks and hourly premises inspections.

In addition to these methods, we will adopt a strict no-littering policy for all employees and customers. Any employee who is discovered to be littering on the premises will first receive a written warning, followed by increasingly serious disciplinary actions. We believe the best tool in the fight against littering is to give our patrons and employees ample places to properly dispose of their refuse.

In the public facing portions of our facility, we will have multiple three-stream waste receptacles. These receptacles will allow customers to properly dispose of their non-cannabis waste in landfill, recycling, and compost compartments to streamline the disposal process. Similarly, Embarc will provide three-stream waste receptacles for non-cannabis waste in all back-of-house areas where only employees or authorized contractors will be present.

With ample access to proper receptacles, there will be no excuse for our employees to not dispose of waste properly. All cannabis product waste will be disposed of in compliance with all applicable State and local laws, regulations, ordinances, and other requirements and as detailed in our Waste Management Plan. In the event a neighbor or member of the community feels that litter is accumulating in or around our facility, our Community Designees will immediately rectify the situation.

Vehicle Traffic

Embarc Woodland does not anticipate impacts to vehicle traffic given the site's ample parking and thoughtful site layout. We have nevertheless considered vehicular turning movements in relation to traffic flow, proximity and relationship to intersections, adequacy of sight distances, location, and access of parking and, should impacts to vehicle traffic occur, Embarc will designate an employee to manage customer parking and traffic flow in the parking lot.

Furthermore, we will offer pre-ordering promotions and other discounts to encourage patrons to visit the store during non-peak hours to reduce vehicle traffic during peak hours. In the event a community member is concerned with vehicular traffic, our ownership and leadership team will immediately investigate the situation and develop a more robust response protocol.

Pedestrian Traffic

Our facility has been thoughtfully designed to ensure efficient customer flow to prevent pedestrian traffic from spilling out beyond the property or otherwise impacting the flow of traffic. In the

event that the store has a large gathering of customers, there will be clearly delineated lines and a waiting area to make certain that customers are waiting in an orderly fashion and avoid a pileup of pedestrian traffic outside the store. Security Guards will also be patrolling the property to help the flow of pedestrian traffic.

If there are still issues pertaining to pedestrian traffic, Embarc will engage an employee outside the store to manage the flow of pedestrian traffic and offer pre-ordering promotions and other discounts to encourage patrons to visit the store during non-peak hours. In the event a community member is concerned with pedestrian traffic, the General Manager will immediately investigate the situation and develop a more robust response protocol.

Importantly, as detailed above, our Security Guards will also engage in periodic neighborhood sweeps, ensuring no littering, loitering or other negative impacts on the neighborhood. However, in the event a member of the community is concerned with any component of our operations, our Owners, Managers, and Security Guards will immediately rectify the situation.

Embarc has developed a comprehensive approach to nuisance avoidance centered around proactive business management, easy-to-follow policies and procedures for its onsite team, and meaningful outreach to the surrounding neighborhood to ensure neighbors know whom to contact with questions or concerns. This approach is driven by lessons learned from existing operations and has proven effective in real-time. We welcome feedback or input from the City and our neighbors and view this plan as a living, breathing document. We will continue to evolve and adapt as we grow and ensure our policies remain rooted in best practices as our industry evolves.

3. YOUTH PREVENTION

Describe the policies that you would implement, and how you would enforce these policies, to ensure your cannabis products do not end up in the hands of underage youth.

Our Commitment to Protecting Woodland's Youth

It is incumbent upon us to implement a robust Youth Prevention Plan to ensure safety, security, and quality of life for the neighborhood, including for Woodland's most promising residents—its youth. With a former law enforcement officer and two dedicated parents as local owners, we are prepared to do just that.

As a cannabis retailer founded by policy and compliance experts, Embarc was born after the legalization and implementation of Proposition 64. We are not legacy operators—we worked with the State government to develop the policies that would inevitably lead to adult use legalization and industry-wide regulation. As part of that process, our team members have engaged with

communities across the State and are acutely aware of the need to protect youth. When selling a product that was illegal during our lifetimes, we believe it is incumbent upon us to implement a plan that protects our youth while educating our community—through action and continuous engagement—that legal, regulated cannabis can and should responsibly exist within a community.

While some studies and experiences from other regulated markets have found that youth cannabis use remains static or decreases in communities with access to legal, regulated cannabis, we believe that it is especially incumbent upon us as operators to proactively implement security and other deterrent measures to protect against youth exposure or access. We also believe in our responsibility to educate the community on the protocols and security measures we have in place to protect youth as a component of our ongoing commitment to supporting the successful implementation of youth drug prevention and education with our Community Advisory Board and non-profit partners.

We have many parents on our team and intimately understand the real concern parents face when sending their kids to school for a variety of reasons, including the proximity to retail cannabis and alcohol shops. We believe in our duty and commitment to the City, community partners, and neighbors to proactively engage, identify, educate, and address our local community's concerns regarding the safety and security of our neighborhood and the children that live, learn, play, and grow within it.

Embarc has developed a holistic, multifaceted approach to ensuring cannabis products do not end up in the hands of underage youth and that our storefront is safe, secure, and only frequented by those of appropriate age. A variety of physical features, staff protocols, and functional design concepts will be implemented at Embarc Woodland to ensure a secure, comfortable environment that poses no risk to Woodland's youth and positively contributes to the neighboring community. We will take a multi-layer approach to diversion prevention, including several state-of-the-art physical and bio-metric controls; detailed record keeping software; adequate and aesthetically pleasing exterior lighting; education for staff and the public; categorical access control; and dozens of other applied measures to ensure our products are only in the hands of authorized adults.

As responsible, community-oriented operators, we have developed a comprehensive Youth Prevention Plan to proactively take steps to ensure cannabis products do not end up in the hands of underage youth, detailed below.

INFRASTRUCTURE & SECURITY

- Implement physical infrastructure, security, and training protocols to ensure no youth enter or loiter outside or within 50 feet of the storefront;
- Post all required signage in easily identifiable locations to communicate age restrictions, identification requirements,

and to prevent loitering;

- Premises constructed and designed to prevent access by any unauthorized individual through a variety of security measures, including alarms, surveillance systems, and target hardening measures;
- Front public entrances always remain secured with commercial grade locks, and customers or authorized visitors will only be allowed access via remote unlock button (controlled by staff) after passing an initial visual inspection;
- Comprehensive surveillance system to provide full video coverage of the entire interior and exterior of the premises.
- Professional Security Guards enforcing age restrictions and preventing youth exposure or access; and
- Security Guards will conduct “youth prevention patrols” and will be trained to monitor against and prevent any shoulder tapping or potential third-party sales to minors.

PROMISES MADE, PROMISES KEPT: SUCCESSFULLY PREVENTING SHOULDER TAPPING

Our strict operational procedures and ongoing training protect against youth access and shoulder tapping activities, as proven time and again by our track record of operations in South Lake Tahoe. Our Embarc Tahoe location is on the main strip of South Lake, only a few blocks away from State-line. This hotspot for nightlife draws the attention of underage individuals seeking to gain access to alcohol or cannabis through fake IDs or shoulder tapping adults. Our team is trained to monitor all activities taking place in front of the shop for shoulder tapping, check ID validity using a dedicated ID scanner, and turn away customers attempting to make a third-party purchase for a group. We have caught attempted minor sales through these procedures and are confident in our ability to detect and deter attempted youth access to our storefronts. Additionally, we have made significant contributions to local youth activities that occupy minors during high-risk exposure times after school and on weekends to further protect against any potential youth access.

STANDARD OPERATING PROCEDURES & EMPLOYEE TRAINING

- Staff training and education on the hazards of youth cannabis use and how to identify and prevent potential youth access to the licensed premises;
- Tailored operational procedures and post orders to provide specific guidance to Security Guards and employees on interacting with youth and develop store protocols around the path of travel timeframes for Woodland's local students; and
- Stringent inventory control procedures will be put in place via an inventory tracking system, tools and forms for accounting and verification, and tasks and processes that will ensure accountability at every stage through the retail product cycle.

“The company met with representatives from the school district, City leadership, and the Martinez Police Department to discuss the ways in which the business would protect youth from exposure. The company also reserved seats for members of the school board to sit on Embarc's Community Advisory Board. Since opening and operating at their location on Alhambra Avenue in March 2021, Embarc Martinez has had no incidents of youth access or any compliance or public health and safety infractions. They are in good standing with the City of Martinez.”

ERIC FIGUEROA,
FORMER MARTINEZ CITY MANAGER

PRODUCT PACKAGING & LABELING:

- Embarc will only accept products from licensed distributors that conform to all packaging and labeling standards in the CCR § 17402-17412, including:
 - All packaging will be child-resistant and tamper-evident;
 - All packaging will have the California Universal Symbol;
 - All packaging will have the GOVERNMENT WARNING statement in bold print;
 - Package cannot imitate any package used for products typically marketed to children;
 - Edible products must be in opaque packaging;
 - Labeling must identify the product as a cannabis product or state “cannabis infused;”
 - If the package contains an amount of THC that exceeds the level allowed for adult use cannabis goods, it must state “FOR MEDICAL USE ONLY”
- Employees utilizes a check list at the time of product intake to ensure all proper packaging and labeling;
- All products sold to customers will be placed in an opaque child-proof exit bag before they are allowed to be carried out of the store;
- At check out, Embarc reminds all customers to safely store all cannabis products in their child-proof packaging and out of reach of children in their homes.

AESTHETICS

- Exterior design of the premises has been developed to be a neutral presence on the street, without bright colors, imagery, or any design feature that would appeal to youth;
- Exterior signage is for business identification only and does not feature any decals or other imagery intended to garner attention;

- Front windows are frosted and reinforced to allow natural light into the facility while preventing those outside from seeing what occurs indoors;
- No cannabis goods visible from the exterior; and
- Site has been designed to be discreet and cohesive with neighboring uses.

OVERSIGHT & ENGAGEMENT

- Provide marketing materials to our Community Advisory Board for review and feedback to ensure community sensitive, age-appropriate, non-youth attracting images and messaging;
- Marketing and social media will meet audience composition data requirements and be respectfully tailored to address our only audience—adults;
- Participate in Woodland Chamber of Commerce meetings to monitor local trends and identify opportunities of need to raise to the Board for consideration;
- Engage nearby school leadership to provide contact information for our Community Designees and to seek to provide youth drug prevention educational resources as we have in other communities; and
- Engage in regular check ins with City staff and/or Council to provide updates on our operations, receive feedback, and incorporate recommendations.

ACCESSIBLE, COLLABORATIVE, & TRANSPARENT

- Provide all neighbors within 1,000 feet of our proposed location with the contact information for our Community Designees and 24-hour community hotline;
- Facilitate transparent and accessible communications and relationships with our neighbors and surrounding community stakeholders; and
- Pursue a coordinated approach with neighboring and nearby businesses to collaboratively protect and support the youth in our community.

EDUCATE, EDUCATE, EDUCATE

- Educate all customers on the safe storage of cannabis in their home;
- Educate parents and community leaders by providing them with the resources to have difficult conversations with their kids about cannabis and the damages underage use can have on adolescent brain development as well as the increased potential of addiction in adolescent use;
- Partner with trusted community leaders to provide educational programming and resources to educators, community members, and non-profit stakeholders; and
- Fund a comprehensive, holistic approach to youth drug prevention and education programs (just as we do in every community where we operate).

In our experience, the most impactful way to address community concerns is to provide sustainable, dependable resources to educate youth both today and into the future. As such, we elaborate

on our “Educate” pillar in Section F – 3. Public Outreach & Education Program Related to Risks to Youth of Exposure to Drugs of this proposal. Embarc Woodland and our trusted Community Advisory Board members are committed to providing the tools and investment needed to protect and educate Woodland’s young people.

Through our comprehensive and holistic approach to infrastructure, community engagement, operational procedures, youth prevention programming, and our proven track record of responsibly operating in the communities we serve, we are confident that cannabis will not end up in the hands of underage youth. While many cannabis industry operators write checks but do not put in the work to build the partnerships and the infrastructure needed to make a lasting impact, Embarc has a proven track record of respectfully and impactfully integrating with our partner communities by prioritizing the safety and education of young people in our community investments as well as every aspect of our operations.

4. SURROUNDING NEIGHBORHOODS

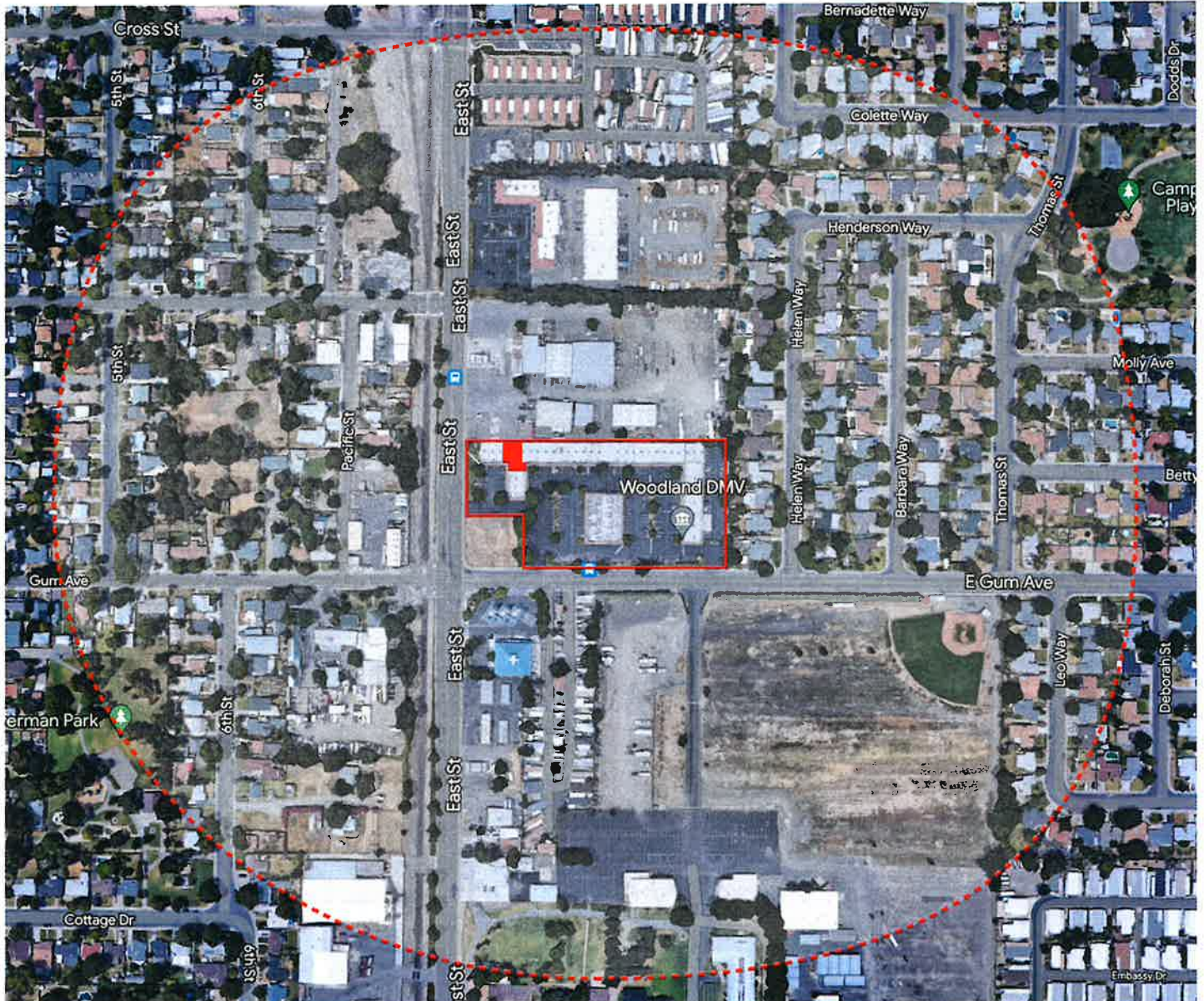
Provide a 1,000-foot radius map/aerial-photo of the proposed location, and a narrative description of the neighborhoods and/or business corridors immediately surrounding the proposed location.

Our proposed location is 825 East Street, Suites 102 & 103, located inside Fairgrounds Plaza at the northeast corner of the East Street and Gum Avenue intersection of the East Street Corridor. The Fairgrounds Plaza is a 176,766 square foot parcel (4.058 acres). Embarc’s proposed location is situated within the larger 46,732 square foot building on the parcel. The building features approximately 30 units, most of which are currently leased and include a pharmacy, dental office, convenience store, insurance offices, clothing stores, the DMV, and eateries. These businesses are described in more detail in Section G – 3.E. Description of Business Operating on the Parcel & Adjacent Parcels of this proposal. The smaller building on the parcel is approximately 12,968 square feet and is currently vacant. This location is ideally situated on a main artery with ample ingress and egress. It is conveniently located less than one mile from Main Street and State Route 113.

The East Street Corridor is highly auto-oriented with a mix of uses that include grain silos, the Yolo County Fairgrounds, the County Fair Mall, and several shopping centers. Railroad tracks line the west side of the corridor and the Crosstown Bike Connector path runs along Gum Avenue. Residential streets surround the corridor.

Several residential streets are situated around the intersection of East Street and Gum Avenue and Everman Park and Campbell Park are each located nearly 1,000 feet from our proposed location. Southeast of our proposed location along Gum Avenue is the

Yolo County Fairgrounds and Bells Trailer Village. Directly south of our location is a Chevron gas station and Power Market. Rol's Auto Bath is located next to the Chevron station along East Street. The County Fair Mall is located further down on East Street. Pecan Plaza is located southwest of our proposal at the intersection of East Street and Gum Avenue. Pecan Plaza's tenants include a real estate office, tax services, auto repair shop, and handyman service. Directly west of our location are showrooms and offices for Maple & Stone Cabinetry N' More and Woodland & Davis Garage Door. North of the Fairgrounds Plaza are several auto shops, including Woodland Tires & Wheels, Splash of Color Auto Body & Paint, and Lopez Quality Auto Repair. Comfort Check Heating & Air is also located on East Street. Further north is Kenny's Bar & Grill and Olive Tree Plaza. Olive Tree Plaza's tenants include El Torito Meat Market, Punjab Food & Spice, Boost Mobile, Quality Auto Care, Five30 Tattoo, Olive Tree RV Storage, VC Upholstery, Valley Oak Veterinary Hospital, Panaderia Mana Mexican Bakery, Corona Window Tint, Upper Cut Barber Shop, Adazay Hair Salon, and Taqueria La Bombonera.



improvements, and the structure is sound. Our construction team has completed all necessary diligence and our plan includes the following:

EXTERIOR: Roof repairs, exterior paint, installation of compliant signage, addition of a bicycle rack, and ensuring all existing exterior site conditions are ADA compliant, making repairs as necessary.

INTERIOR: Demolition to include removing the wall separating the two suites, a reimagining of the back of house areas, restroom remodel to ensure existing facilities meet current ADA standards, framing to define the space according to the proposed floor plan, complete electrical and systems upgrade—MEP engineers have confirmed existing electrical and utility service is sufficient for proposed improvements— possible plumbing to bring existing conditions to code, drywall, flooring, low voltage systems, and fire and security upgrades consistent with those proposed in the safety and security plans. Addition of fixtures to include all cabinetry and furniture as depicted in concept renderings as well as accessories and staging.

The scope outlined above ensures that the existing space will be reimagined into a modern, state-of-the-art retail facility with finishes consistent with modern upscale retail developments. Further, here is a specific timeline by which the construction will occur as provided by our contractor:

WEEK 1:

Mobilization
Demolition
Concrete/saw cut
Rough electrical
Metal stud framing

WEEK 2:

Inspect underground utility
Concrete pour back trench
Framing inspection
Security rough low voltage
Rough electrical (walls)
Rough mechanical
Rough electrical inspection
Insulate walls

WEEK 3:

Insulation inspection
Sheetrock
Nail inspection
Tape sheetrock
Door frame install
Acoustical ceiling grid

WEEK 4:

Paint
Glazing
Finish electrical
Finish security install
Millwork
Door install
Finish mechanical
Above grid inspection
Drop ceiling tiles
Point-of-sale and low voltage finish
Concrete sealer
Final inspections
Punch walk
Hand over
Move in

WEEKS 5-6:

Held for contingency should other activities face delays

3. ODOR CONTROL

Provide a detailed ventilation plan describing air treatment system, or other methods that will be implemented to prevent offensive odors generated from the storage of cannabis from being detected outside the building(s) on the site.

Embarc Woodland is committed to mitigating and controlling any odors associated with our facility and will be responsive to the odor control requirements set forth in the applicable State and local regulations.

Embarc utilizes odor control devices and techniques to ensure that odors from cannabis are not detectable off-site. Appropriate air purification systems, air scrubbers, odor mitigation equipment, and charcoal filtration systems will be utilized to prevent the odor of cannabis from emanating beyond the walls of the premises.

Embarc's odor mitigation practices are intended to serve the following purposes:

- To ensure that air circulation resulting from Embarc retail operations does not impact our employees' health and welfare;
- To ensure that air circulation resulting from Embarc retail operations does not impact surrounding businesses and outdoor areas; and
- To ensure thoughtful operations that demonstrate a true commitment to the health and welfare of the City and its residents.

Through our leadership team's years of operating cannabis facilities across the country, and the lessons learned at our existing eight Embarc locations, we have developed industry-leading protocols and procedures to mitigate and eliminate any potentially offensive odors that could be detectable by the surrounding community.

Per Woodland regulations, Embarc prohibits employees from consuming cannabis within or outside our licensed facility and no cannabis will be stored or displayed in an area accessible to the general public or stored overnight outside of the building.

Our Odor Mitigation Plan will be approved by the applicable City authorities prior to operation. The system will consist of an exhaust air filtration system utilizing fans and active carbon filters to prevent internal odors from escaping the facility. Generally, this means exhaust air will be filtered through active carbon filtration and, where applicable, HEPA filters prior to exterior release. Systems will be regularly inspected and maintained in accordance with manufacturer specifications. Embarc creates response protocols to effectively address any odor complaints that may arise. It is our intention to resolve any complaints received from neighbors in a timely and satisfactory manner.

Our administrative controls have been field-tested and proven effective. Our General Manager will ensure all odor-producing activities are isolated and mitigated and will perform routine audits to

ensure that odor mitigation systems are working effectively and in good order. Each employee will be trained to ensure that all doors remain closed and odor-emitting activities are isolated. If an employee notices any equipment malfunction, they are required to immediately report the situation to the General Manager, who will develop a plan of action to repair or replace the equipment.

Odor mitigation practices are only as good as their implementation. Thus, this Odor Mitigation Plan seeks to be all-encompassing, focused not only on the mitigation of odors but also on the ongoing maintenance of best practices with clearly defined process ownership, community engagement, and communications protocols. It is this level of detail that ensures effective ongoing odor management is achieved. Embarc's Odor Mitigation Plan, detailed below, contemplates the following critical components:

PHYSICAL INFRASTRUCTURE: Embarc's approach to retail design contemplates the importance of physical infrastructure necessary to mitigate odors. Techniques and devices used to mitigate odor in our physical infrastructure plans are detailed in the Odor Control Devices & Techniques section below.

BEST PRACTICES: Embarc will employ industry-leading best practices to prevent odors from being generated and/or detected inside or outside the facility. Embarc will provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the business that is distinctive to its operation is not detected anywhere outside of the facility. Techniques and devices used in Embarc's odor mitigation best practices are detailed in the Odor Control Devices & Techniques section below.

COMMUNITY ENGAGEMENT & RESPONSIVENESS: Another important component of our odor control plan is community engagement and responsiveness. While our facility is designed to eliminate odors, we recognize that any new cannabis use, even if that use is not odor-generating, can result in questions and concerns from community members. Thus, a critical component of our plan is a robust community responsiveness protocol designed to be proactive in addressing community questions and diligent in responding to concerns. Information on our community engagement and responsiveness to community complaints regarding odor are outlined in Section E – 2. Proactive Steps to Avoid Becoming a Nuisance of this proposal.

INTERNAL PROCESS OWNERSHIP: As required by WMC 5.28.360.f., and as Embarc's retail management structure ensures, there is at least one Manager onsite during all working hours. All Managers and staff are trained extensively on SOPs, including the odor management protocols outlined in this proposal. Managers are responsible for ensuring any odor issues are resolved promptly and that the resolution is communicated effectively both internally and externally.

Potential Sources of Odor

As cannabis is legalized across the country, significant research is being undertaken to better understand odor intensity at each point in the cannabis supply chain. These findings are integral to ensuring thoughtful air quality management best practices are in place specific to each point along the chain.

One example of the research driving the development of best practices can be seen in the City of Denver's Public Health and Environment Guide to reducing the impact of cannabis operations on air quality. Per this Guide, odor generation is typically associated with the cultivation and manufacturing of cannabis, as both processes are odor intensive and not with retail operations, given that all products arrive in their final packaged form. California law requires that all products arrive at a retail establishment fully processed, tested, packaged, and sealed in child-resistant packaging. Because all products arrive at Embarc retail facilities in their final packaged form, there are virtually no odors associated with this license type. Consequently, it is highly improbable that any onsite product will emit a strong odor. Nevertheless, this section contains a comprehensive plan designed to ensure odors are undetectable.

Odor Control Devices & Techniques

Odor control devices and techniques will be incorporated in all aspects of our facility to ensure cannabis odors are not detectable. Embarc Woodland will provide an odor absorbing ventilation and exhaust system so that odor generated inside the property is not detected anywhere outside the facility, including the adjacent property or public rights of way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other area available for use by common tenants or the visiting public, or within any other unit located inside the same building as Embarc Woodland.

Physical Infrastructure

Examples of the physical infrastructure that has been contemplated in the development of a proposed Odor Mitigation Plan for Embarc Woodland include, but are not limited to, the following:

- Reduced path of travel for deliveries of bulk cannabis goods, i.e. a reduced path of travel for distributor(s) to transport products from the distributor's vehicle to the Vendor Lobby.
- Installation of weather stripping on all doors and windows to prevent odor leakage.
- A sufficiently sized Secure Product Storage Room to allow for all (appropriately packaged and self-contained) product to be unpacked from bulk boxes within the Secure Product Storage Room to ensure interaction with cannabis products at a high volume are self-contained.

Odor Mitigation Techniques

Embarc Woodland will implement the following odor mitigation strategies:

NO ODOR-PRODUCING ACTIVITIES ONSITE: Embarc will not be conducting any cultivation, testing, packaging, extraction, or distribution of cannabis, and no noxious fumes or gases will be released.

CARBON CHARCOAL SCRUBBER: Embarc will use a carbon charcoal scrubber to remove contaminants and impurities using chemical absorption, which will prevent odor from escaping the facility. Carbon charcoal scrubbers are an industry best practice for effectively neutralizing and mitigating odor from cannabis and other industries.

AIR FILTRATION AND NEGATIVE AIR PRESSURE: Our HVAC consultant will design our air system to maintain negative air pressure between the interior and exterior of the building. The HVAC consultant will follow industry standard procedures that are summarized here, based on a study conducted by the California Department of Health Services and the Lawrence Berkeley National Laboratory:

- Maintain the interior as depressurized relative to the exterior of the building. Our pressure differentials will be between -5 to -7 Pa (-0.02 to -0.03 in. w.c.). Because of this, exhaust efficiencies of at least 90% will be achieved.
- Air from the Retail Sales Area will be filtered and exhausted to the outside without recirculation to other occupied spaces.
- Increasing the ventilation rate will diminish the concentration of contaminants in any air that happens to leak from the Retail Sales Area to the other areas of the building.

We will work with our vendor, Pure N Natural Systems, to procure industry-leading technology to implement the negative air pressure system, including the use of the Clean Leaf System. This system captures VOCs, odors, and more. As the air flows through three stages of filtration, it is cleaned of odors.

BIOFILTRATION: As a component of Embarc's commitment to sustainability, we will utilize biofiltration as a component of our broader odor control plans, effectively enhancing odor control efforts. A recent NASA Clean Air Study identified biofiltration as a powerful tool in controlling odors. Using "living walls" and beneficial microbes, Embarc will be able to filter indoor pollutants and odors from the air in a completely sustainable way.

ONSITE ODOR NEUTRALIZATION: Embarc will utilize industry-leading odor neutralization gel to eliminate odors. Odor neutralizers are different from air fresheners as they are chemically compounded gels that bind to and absorb terpenes, thus eliminating the cannabis smell. By utilizing these products in the Secure Product Storage Room and Retail Sales Area, Embarc is adding another layer of odor mitigation.

VENTILATION SYSTEM: Our facility will be equipped with a ventilation system to maintain air quality and prevent any cannabis odor from leaving the premises. The ventilation system is designed to control the facility's environment, taking into consideration the square footage, quantity of cannabis products onsite, and any odor-emitting activities that occur. Every occupied space will be ventilated by natural or mechanical means in accordance with the International Mechanical Code, International Building Code, and National Fire Protection Association Code. Odor control equipment utilized at the facility will include responsible ventilation design and activated carbon filtration technology.

VENTILATION INTAKE OPENING: The location of air intake openings will comply with the International Mechanical Code. All intake fans will be equipped with UV and insect filters. Air intake openings that terminate outdoors will be protected with corrosion-resistant screens, louvers, or grilles. Openings in screens, louvers, and grilles will be sized in accordance with the International Mechanical Code and will be protected against local weather conditions. Outdoor air intake openings located in exterior walls will meet the provisions for exterior wall opening protective measures in accordance with the International Building Code.

OUTDOOR AIR: The minimum outdoor airflow rate will be determined in accordance with the International Mechanical Code. Ventilation supply systems will be designed to deliver the required rate of outdoor airflow to the breathing zone within each occupied space.

AIR BALANCING: The ventilation air distribution system will be provided with a means to adjust the system to achieve at least the minimum ventilation airflow rate, as required by the International Mechanical Code. Ventilation systems will be balanced by an approved method. Embarc will maintain air balancing reports in the Facility Maintenance Log.

NEGATIVE AIR PRESSURE: As detailed above, negative air pressure will always be maintained inside the building. We will accomplish this by compartmentalizing the facility and by utilizing negative pressure airlocks. Airtight functionality will create pressure differentials that alleviate the permeation and spread of odors. Furthermore, doors and windows will always remain closed, except for the minimum time required to allow people to enter and exit the building.

EXHAUST OPENING PROTECTION: Exhaust openings that terminate outdoors will be protected with corrosion-resistant screens, louvers, or grilles. Openings in screens, louvers, and grilles will be sized not less than ¼" and not larger than ½". Openings will be protected against weather conditions. Outdoor openings located in exterior walls will meet the provisions for exterior wall opening protective measures in accordance with the International Building Code.

DUCT SYSTEMS: The ducting systems used for the facility's heating, air-conditioning, ventilating, and exhaust systems will conform to the provisions of the International Mechanical Code and National Fire Protection Association Code 90A.

Ultimately, Embarc Woodland commits to utilizing the best available technology, devices, and techniques to eliminate odors and to effectively maintain these systems to maximize their efficacy.

Staff Training Related to Odor

As part of operational training, the General Manager will train all employees on odor detection, mitigation, reporting, and general system maintenance as part of the pre-store opening training and on an ongoing basis throughout the lifetime of the business. Additionally, each new hire must complete an odor mitigation training curriculum prior to reporting to work. In addition to technical and procedural components, this curriculum includes de-escalation techniques for use in discussion with community members should odor rise to the level of concern. The General Manager will organize re-training on administrative and engineering activities for odor mitigation at least once a year or following any material change in odor mitigation equipment or policy.

Trainings will be conducted in person, using real world examples and hands-on learning activities. All Embarc Woodland employees will be trained on the company's specific administrative and engineering activities for odor mitigation, including but not limited to:

- Employee responsibilities;
- The importance of closing doors and windows;
- Recordkeeping;
- System design;
- Employee observation and reporting;
- Equipment cleaning;
- Ensuring exhaust and filtration systems are running as required;
- Equipment maintenance; and
- Equipment audits and checks.

Embarc will also hold refresher courses throughout the year to remind employees of best practices for odor mitigation. These refresher courses will be mandatory for all employees. During these trainings, Embarc will stress that odor mitigation is each employee's responsibility.

All employees will be trained to report any odors emitted or any discrepancies between our operations and our Odor Mitigation Plan. Embarc will also emphasize the fact that we are members of the Woodland community, and that each employee, therefore, has an obligation to monitor odors and make a positive impact on the neighborhood.

Embarc employee training practices have been proven successful at our existing dispensaries and this hands-on experience operating cannabis facilities has taken the guesswork out of developing

training protocols. To date, we have experienced no issues with odor management at our eight existing cannabis retail locations.

System Maintenance

Because each location is different, there is no one-size-fits-all maintenance schedule for retail operations. Rather, a customized plan is created for each location by the President of Development, President of Retail Operations, Facilities Manager, General Manager, and construction team, encapsulating odor control as well as general facilities maintenance and management specific to the unique characteristics of the location.

The Development Team oversees system maintenance for all Embarc locations, bringing years of operational experience in cannabis and a variety of highly regulated industries. The operational excellence, including precise system maintenance protocols, exhibited at existing Embarc locations is a testament to this team's ability to approach system maintenance proactively and efficiently.

In accordance with all applicable municipal code requirements and regulations, Embarc's system maintenance plan will include detailed maintenance policies, procedures, and timelines for odor control. At the conclusion of a store buildout, the Development Team will schedule a building walkthrough with key members of the construction team to review all components of the facility, including the odor mitigation systems, as well as all warranty and maintenance information. This site inspection and transfer of warranty and other documentation is required of the general contractor before final payment is made and is kept in a binder on the premises.

Upon finalizing the documentation and handover from the construction team, the Development Team will then meet with the General Manager to review the binder in detail and develop a comprehensive, preventative maintenance schedule. During this meeting, the team will also identify all relevant contractors and service personnel and initiate contracts with them to ensure regular service. Embarc Woodland seeks to achieve 100% local service providers and will utilize the Chamber of Commerce membership guide as a starting point for identifying service providers locally.

To ensure employee accountability and equipment maintenance, Embarc will maintain equipment cleaning and maintenance records which will include, at a minimum, the following information:

- Manufacturer information;
- Date equipment was put into service;
- Date and time of cleaning or maintenance;
- Detailed description of cleaning or maintenance;
- Name of employee who cleaned or maintained equipment;
- Name of tradesperson, if applicable; and
- Date of required next service.

The General Manager will be responsible for creating and submitting a Monthly Odor Mitigation Report, and Embarc Woodland will maintain complete records that can be provided upon request.



TO: THE MEMBERS OF THE PLANNING COMMISSION
AGENDA: Planning Commission
DATE: January 16, 2025
ITEM #: I.3
SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission

Recommendation for Action: Staff recommends that the Planning Commission: (1) hold elections; and (2) select and vote among current membership, the appointments of Chair and Vice-Chair of the Planning Commission.

Staff Contact:

Erika Bumgardner, Deputy Community Development Director, (530) 661-5886,
erika.bumgardner@cityofwoodland.gov

Discussion:

The positions of Chair and Vice-Chair are to be elected annually at the first meeting in September, as stated in the Planning Commission Rules and Regulations, Section IV (Attachment 1).

Conclusion:

Staff recommends that the Planning Commission: (1) hold elections; and (2) select and vote among current membership, the appointments of Chair and Vice-Chair of the Planning Commission.

Attachments:

1. Planning Commission Rules and Regulations

**CITY OF WOODLAND
PLANNING COMMISSION
RULES AND REGULATIONS
(Modified September 3, 2009)**

I. DUTIES AND RESPONSIBILITIES

The duties of the Planning Commission shall be those prescribed by the Government Code of the State of California and Ordinances adopted by the City. The Commission shall have the following functions:

- 101. Planning for the physical development of the City.
- 102. Maintaining the General Plan.
- 103. Maintaining the Subdivision and Zoning Ordinances.
- 104. Approving tentative subdivision maps.
- 105. Recommending amendments to the General Plan to the City Council.
- 107. Acting on other planning requests such as conditional use permits, variances, etc.
- 108. Administering the California Environmental Quality Act (CEQA).

II. MEMBERSHIP

- 201. The Commission, as provided by ordinance, shall be composed of seven (7) members, not officials of the City, appointed by the Mayor, with approval of the Council, to serve staggered terms, said terms to be determined by the City Council.
- 202. The Commission members shall serve the City as a whole, shall represent no special group or interest and they shall publicly state when they are interested in a matter before the Commission and, therefore, disqualify themselves from voting.

III. TERM AND CONDUCT

- 301. The term of appointment of any member of the Planning Commission who has been absent with unexcused absences from either three (3) consecutive regular or special meetings, or who has missed more than four (4) of the meetings in a 12-month period, shall automatically terminate. "Unexcused absence" shall mean a absence which was not a subject of a request by the appointee which, prior to such absence, has been approved by the majority vote of such board, commission or committee. Other acceptable cause for absence may include the following: personal or family illness, vacations, occasional business obligations, military leave or the loss of a loved one. If an absence will be unavoidable, a Commissioner should leave word with the Community Development Department no later than 12:00 PM on the day of the scheduled meeting.

It is also expected that Planning Commission members will be on time for meetings.

It is recommended that Commission members are ready a minimum of five minutes prior to the meeting time.

The Planning Commission conducts the business of the City with regard to land use and Zoning matters and as an advisory agency to the City Council. Actions of the Commission can have an impact on the City as well as on those coming before this body for review and determination. It is necessary for meetings to be conducted in a timely and efficient manner.

IV. OFFICERS

- 401. The officers of the Commission shall consist of a Chairperson and Vice-Chairperson. The Chairperson and Vice-Chairperson shall be elected annually at the first meeting in September by a majority of the Commission.
- 402. The Chairperson and Vice-Chairperson shall hold their respective offices until the next annual meeting after election and until their successors are elected. Their terms of office are limited to two (2) consecutive years.
- 403. Vacancies in the office of Chairperson and Vice-Chairperson shall be filled from the membership of the Commission by an election held at any meeting.

V. DUTIES OF OFFICERS

- 501. The Chairperson shall preside at all meetings. He or she shall appoint all standing committees each year following the election of officers and such special committees as from time to time may be authorized by the Commission. He or she may present to the Commission such matters as in his or her judgment require attention; and he or she need not vacate his or her chair for the purpose of actively discussing (as a member of the Commission) an item on the agenda or a subject for review, discussion and recommendation by the Commission.
- 502. The Chairperson (and the Commission) shall be guided by the Roberts Rules of Order, latest revision, on all questions of procedure and parliamentary law not covered by these rules and regulations.
- 503. At the request of any member of the Commission, the Chairperson shall direct that a written record be made and entered on any questions before the Commission.
- 504. The Chairperson shall exercise firm control and direction during the course of any Commission meeting or hearing. (No member of the Commission or of the general public shall address the Commission until recognized by the Chairperson.)
- 505. The Community Development Director shall exercise general supervision over the business papers and property of the Commission.
- 506. On the absence of the Chairperson, the Vice-Chairperson shall perform all duties of the Chairperson.
- 507. The Commission shall elect a temporary Chairperson from the members present in the event that both the Chairperson and Vice-Chairperson are absent.
- 508. The Commission may designate any of its members to represent its views with respect

to a particular issue. Without such authorization, however, the Commission shall be represented by the Chairperson or Vice-Chairperson. Individual members of the Commission should refrain from appearing before the City Council or other bodies interested in issues before the Planning Commission to discuss issues within the subject matter jurisdiction of the Commission.

VI. DUTIES OF STAFF

601. The Community Development Director shall keep a true and complete public record of the resolutions, transactions, findings, and determinations of the Commission, and with approval of the Commission, may delegate certain duties of his or her office to a Recording Secretary.
602. The Community Development Director shall attest all resolution executed by the Chairperson on behalf of the Commission.
603. The Community Development Director shall keep a permanent record of the meeting of the Commission and shall cause to be made such public notices as required and in the manner prescribed by statute, ordinance, or these rules, and to attend to all official correspondence of the Commission. He or she shall provide reports on subdivision plats, zoning changes, variances, and other planning and zoning matters. He or she shall submit reports on planning studies, general or master plan studies, progress reports on the work of the Planning Commission and on any other matters vital to the efficient and expeditious operation of the Planning Commission.
604. On their appointment to the Commission, new members shall be briefed by the Community Development Director on the general scope of City and regional planning and on the duties of the Commission.
605. The Community Development Director shall prepare for the Commission all letters of transmittal to the City Council relative to zoning changes, special permits and subdivision maps. All letters to the Council shall be signed by the Community Development Director.
606. Copies of Commission minutes, resolutions, and all recommendations required to the City Council shall be sent to the City Clerk by the Community Development Director for distribution to individual Council members.

VII. MEETINGS

701. Regular meetings of the Commission shall be held on the first and third Thursday of every month at 7:00 p.m. in the Council Chambers of the City of Woodland, provided, however, the City Planning Commission may adjourn to any other location within the City. On such adjournment, the Community Development Director shall cause to be posted on the main door of the City Hall a notice of the other location and the time of the meeting.
 - a. In order to assure the efficient use of time for scheduled meetings the Planning Commission will not commence the hearing of any item, whether scheduled for the agenda or not, after 10:30 p.m. unless a majority vote of the Commission agrees to extend the meeting. Further, The Chairperson shall have the authority to limit a presentation before the Planning Commission to not more than five

(5) minutes when, in the judgment of the Chairperson, a prolonged presentation fails to serve the public interest and would result in an unnecessary expenditure of time.

702. Special meetings may be called by the Chairperson or a majority of the members by delivering personally or by mail written notice of each member and to each local newspaper of general circulation, radio, or television station requesting such notice in writing. Such notice must be delivered personally or by mail at least seventy-two (72) hours before the time of such meeting as specified in the notice.

703. No business shall be transacted at any special meeting other than that named for consideration in said notice.

704. The Commission may adjourn from time to time, absentees being notified, and in case there shall be no quorum present at any meeting, the Commissioners present will adjourn from time to time until a quorum is obtained or will adjourn said meeting.

705. A quorum of the Commission shall consist of four (4) voting members. The affirmative vote of a majority of the members present and not disqualified as provided in Section 202 is required to approve and to transmit advice and recommendations to the City Council on planning matters and to approve any request or action within the power and scope of the Planning Commission excepting as set forth in Section 1101 herein.

706. The Chairperson shall have the same voting privilege as any other member including the right to make motions and to second motions.

707. An agenda shall be prepared by the Community Development Director for each regular meeting of the Commission, and the mailing of the agenda shall serve as notification of the meeting. A copy of same shall be sent by the Community Development Director to all members of the Commission in advance of each meeting.

708. The agenda for each meeting shall contain only those items which have been submitted to the Community Development Director in sufficient time for review, analysis, referrals to other interested departments, or public bodies and preparation of necessary reports.

- a. The Community Development Director shall have the authority to withhold from an agenda or to remove from a tentative agenda any item which is not complete and sufficient for Planning Commission action or any item which has been revised subsequent to the initial filing and has not received adequate time for a comprehensive review by responsible staff agencies.

VIII. OFFICIAL RECORDS

801. The official records shall include these rules and regulations and the minutes of the meetings of the Commission together with all resolutions adopted, findings, decisions, and other official action.

802. The official records shall be on file in the Community Development Director's office and shall be open to public inspection during customary working hours.

803. The Commission shall keep minutes of its proceedings which shall show the vote on every question on which it Acts. Roll call vote may be requested by any member of the Commission, or at the discretion of the Chairperson.

804. A copy of these rules and regulations and all amendments thereto shall be placed on permanent file in the office of the City Clerk within ten (10) days of adoption.

IX. ORDER OF BUSINESS

901. The Commission shall consider matters before it at its regular meetings according to the following schedule.

1. Calling the roll.
2. Approval of Minutes.
3. Director's Report.
4. Public Comment on non agenda items.
5. Items for Commission consideration with public comment.
6. Motion to adjourn.

X. COMMITTEES

1001. Committees shall aid the Commission in the review and disposition of Commission business within their assigned areas of responsibility.

1002. Special committees shall be appointed only to handle matters not otherwise assignable to a standing committee.

XI. POLICIES AND SUPPLEMENTAL PROCEDURES

1101. All matters of policy affecting the Commission shall be decided at regular meetings or at special meetings called for that purpose.

1102. Supplemental policies, rules, and procedures may be adopted in the same manner as provided for amendments to these rules and regulations.

XII. AMENDMENTS

1201. Amendments to these rules and regulations may be made by the Commission at any regular meeting or special meeting called for that purpose upon the affirmative vote of at least four (4) members, provided such amendment is proposed at a preceding meeting, and that all members have been formally notified thereof.

XIII. ADOPTION

1301. All other by-laws and regulations pertaining to the transaction of business are hereby repealed and these rules and regulations shall be in effect immediately upon adoption.

1302. Nothing in these rules and regulations shall be construed to overrule State or City laws and regulations.

N/COMSHARE/AGENDAPC/PCADMIN/PC RULES AND REGULATIONS