



**CITY OF SAN PABLO**  
*City of New Directions*

# PUBLIC HEARING

CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION DECISION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW A RETAIL CANNABIS BUSINESS USE AT AN EXISTING COMMERCIAL BUILDING LOCATED AT 13041 SAN PABLO AVENUE, APNS: 526-020-011, 526-020-014, & 526-020-015.

## PLAN 2604-0004

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SPECIAL CITY COUNCIL MEETING

JUNE 3, 2026



# PROJECT DESCRIPTION

## PLAN2604-0004:

- New retail cannabis business proposed by STIIIZY
- Property zoned San Pablo Avenue Specific Plan - Commercial Mixed Use
  - Conditional Use Permit (CUP) is required for retail cannabis uses in this zone
- CUP application approved by Planning Commission March 24, 2026
- Decision appealed to City Council





# BACKGROUND

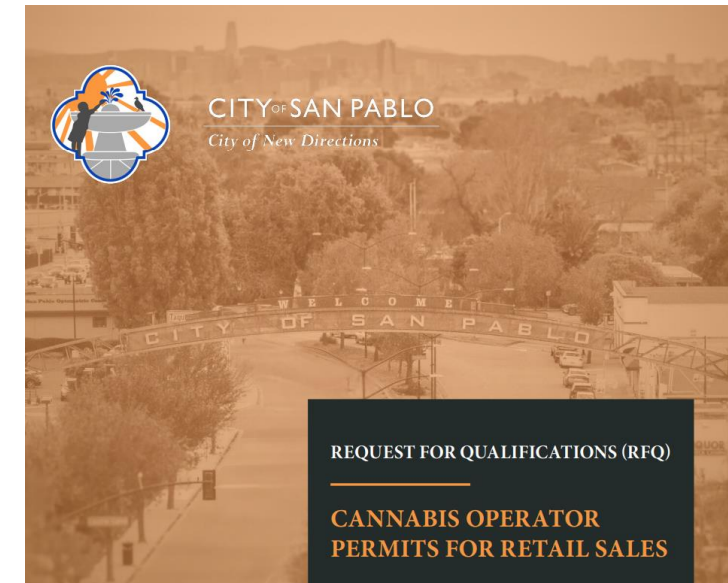
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- 2025-2027 Council Priority Workplan includes Priority 409, Adopt and Implement Regulatory Framework and City Permitting for Cannabis Commercial Uses and Impacts
- July 15, 2024 – City Council adopted Resolution 2024-105 on Cannabis tax ballot measure (M)
- November 5, 2024 – Voters passed Measure M with 72% of the vote during the General Municipal Election
  - Imposed cannabis business license tax
- January 28, 2025 – Planning Commission approved Resolution PC25-01 to change existing regulations to allow retail cannabis business in the City
- February 18, 2025 – Ordinance with changes introduced to City Council
- March 3, 2025 – City Council passed, adopted, and ordered the Ordinance be published



# BACKGROUND

- April 21, 2025 – City Council authorized release of an RFQ process to select up to three (3) Cannabis Operator Permits
- April 22, 2025 – Economic Development and Housing division released the RFQ
- September 2, 2025 – City Council approved Resolution 2025-114 establishing a ranked eligibility list with the top three (3) applicants invited to proceed with Cannabis Operator Permit application
- January 27, 2026 – STIIIZY submitted their Cannabis Operator Permit application to the Planning Division
- March 19, 2026 – Zoning Administrator approved STIIIZY's Operator Permit per Section 17.62.130(H)(9) of the Zoning Ordinance
- March 24, 2026 – Planning Commission approved Conditional Use Permit for STIIIZY





# GENERAL PLAN CONFORMANCE

***LU-I-25*** Integrate a vibrant mix of residential and commercial uses and promote redevelopment within Priority Development Areas to revitalize San Pablo's commercial corridors, support economic vitality, and foster new uses to serve the community.

***ED-G-2*** Pursue the Major Goals identified in the 2024 Economic Development Strategy, including the following:

- *Expand economic opportunities for San Pablo's resident workforce*
- *Revitalize and diversify San Pablo's older commercial and industrial areas*
- *Promote expanded opportunities for home ownership*
- *Strengthen the City's fiscal position*

***ED-I-1*** Annually monitor economic trends and leading indicators to identify emerging industries and new market opportunities, so that City policies and strategies can be proactive and timed to market changes.



**San Pablo General Plan 2035**

Adopted July 7, 2025



# ZONING CONFORMANCE

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- ✓ Use is allowed in the Commercial Mixed Use designation with CUP
- ✓ Meets all buffer requirements
- ✓ Meets parking requirements: 19 spaces required, 25 provided (including on-street spaces)
- ✓ Re-use of existing commercial building; no new development is proposed
- ✓ Operator permit issued
- ✓ CEQA exempt under Section 15301, Existing Facilities



# CONDITIONAL USE PERMIT (CUP)

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San Pablo Zoning Ordinance Section 17.62.130(K) requires a Conditional Use Permit for cannabis storefront retail businesses.

**In order to grant a Conditional Use Permit for a Retail Cannabis use, The City Council must make the following findings:**

- Use will not be detrimental to health, safety, peace, morals, comfort and general welfare of persons working/residing nearby
- Use will not be detrimental or injurious to nearby property or improvements, or to general welfare of the city
- Use will not cause traffic, parking, noise, blight, or crime impacts greater than that of a comparable use
- Use will not place a burden on the provision of public services, including police resources, that is greater than comparable uses

Planning Commission made these findings in approving the Conditional Use Permit.

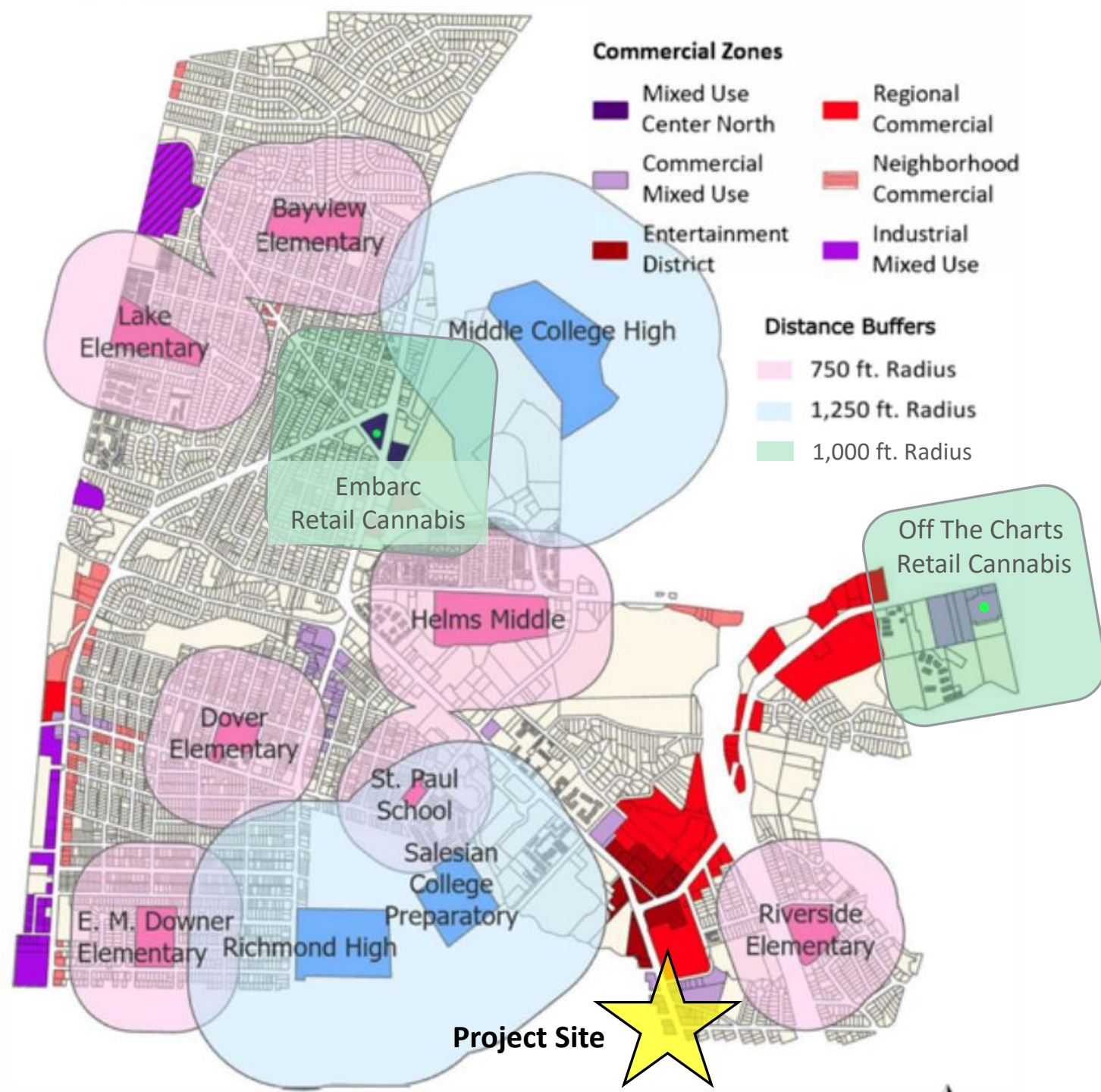
# LAND USE & BUFFER REQUIREMENTS

Eligible zoning districts and sensitive use buffers are shown on the map.

State guidelines set a 600ft buffer around K-12 schools.

San Pablo requires buffers as follows:

- Kindergarten, elementary, and middle schools: 750 ft
- High schools: 1,250 ft
- Other cannabis uses: 1,000 ft





# SITE CHARACTERISTICS



- Two-story commercial building at the corner of San Pablo Ave and Rheem Ave
- Adjacent to City of Richmond boundary
- Site includes surface parking area
- Proposed leased space is 5,639sf; second floor not included
- Currently vacant (former church, cabinetry shop)







# BUSINESS PLAN

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- **Hours of Operation:** Monday – Sunday 8:00 AM – 10:00 PM
- 15-25 employees; up to 10 on-site during peak hours
- In the process of obtaining a Type 10 *Storefront Retail with Delivery license with both Adult Use (A) and Medical (M) designations* from the California Department of Cannabis Control (DCC)
- All cannabis goods would be packaged and labeled in their final form and in compliance with State Law
- Thorough inventory control and waste management



# SECURITY

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The proposed **Security measures approved by SPPD** include but are not limited to:

- At least 2 on-site guards during operating hours and 1 after hours
- Signage and active monitoring from trained staff and licensed Security Officers to prevent loitering on the premises
- Exterior analytics cameras with real-time “talk-down” features to deter after-hours activity
- A secured entry lobby, physically separated from the Retail Sales Area
- Access-controlled doors and back-of-house areas
- Intrusion detection system
- Full interior and exterior video surveillance
- Manager contact for neighbors to report any impact experienced in relation to STIIIZY’s operations



# COMMUNITY BENEFITS

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- Commitment to outreach to neighboring residents and businesses
- Commitment to hire San Pablo residents 70% of employees
- Employees encouraged to volunteer in the community
- Employees are unionized with competitive wage and benefits
- Workforce development program for employees
- Youth cannabis prevention program
- 1% annual gross sales towards community benefit initiatives
  - 0.5%: Nonprofits that support San Pablo business owners and/or provide cannabis abuse prevention programs
  - 0.5%: Revolving Business Loan Fund



# OPERATOR PERMIT

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- ❖ Approved by Planning, City Attorney, Police Department
- ❖ Performance standards include:
  - ❖ Limits on hours of operation, not to exceed 8am-10pm daily
  - ❖ Alarm and video surveillance requirements
  - ❖ Insurance coverage and ledger requirements
  - ❖ City inspections
  - ❖ Prohibition of on-site cannabis consumption
  - ❖ Notification requirements
  - ❖ Requests for regular meetings with City officials
- ❖ Failure to comply with performance standards is grounds for suspension or revocation of Operator Permit



# APPEAL TO CITY COUNCIL

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- Appeal of Planning Commission approval was filed and fees paid on April 2, 2026
- Appellant is Warsame Mohamed, representing the Islamic Society of West Contra Costa County
- City Council may confirm, modify, or reverse the decision of the Planning Commission
- Council may add or amend such conditions as it deems necessary



# APPEAL TO CITY COUNCIL

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Appellant's Written Statement:

**1. "Proximity to Youth and Sensitive Uses:**

*The proposed dispensary is located approximately 50 feet from the Islamic Society of West Contra Costa County, which operates regular programming serving children ages 4-17, five days per week.*

*While the City has established buffer requirements for schools, the same underlying concern – protecting youth from exposure to cannabis-related activity – applies here. The approval fails to adequately consider the impact of placing such a use in immediate proximity to a facility that regularly serves minors."*



# APPEAL TO CITY COUNCIL

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## 2. “Adverse Impacts on Quality of Life:

*The proposed use is expected to generate impacts that were not adequately addressed in the approval, including:*

- *Noise disturbing mosque prayer times*
- *Neighborhood blight*
- *Potential increases in loitering and crime-related concerns*
- *Risk of on-site or nearby public consumption*
- *Parking constraints in an already impacted area*
- *Traffic impacts, particularly given the high-volume intersection at San Pablo Avenue and Rheem Avenue*

*These impacts are particularly significant given the immediate adjacency to a place of worship and youth-serving facility.”*

## 3. “Land Use Compatibility:

*The proximity of a cannabis dispensary to an active religious and youth-serving institution creates a fundamental incompatibility of uses, which was not sufficiently resolved through the approval or conditions imposed.”*



# STAFF RESPONSE TO APPEAL

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## 1. Proximity to Youth and Sensitive Uses

- Land use buffers clearly established through public process; religious institutions were not buffered
- Due to proliferation of religious institutions, buffering these uses would have resulted in a de facto citywide ban on cannabis retail
- Religious institutions are not a primarily youth-oriented use like schools; youth presence is more incidental
- Proposed business fully complies with all mandatory buffer zones defined in Ordinance 2025-001



# STAFF RESPONSE TO APPEAL

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## 2. Adverse Impacts on Quality of Life

- **Noise and Blight:** No evidence to suggest greater noise and blight impacts than comparable retail uses.
- **Loitering and Crime:** Security plan to ensure that no on-site loitering and consumption occurs. Cameras, guards, and inventory controls minimize crime risk.
- **Parking:** Sufficient on-site parking is provided per San Pablo Municipal Code Section 17.54.030. Unlikely to cause significant impacts as typical customer visit is 5 - 15 minutes. 18 on-site parking spaces provided.
- **Traffic:** Site located on major thoroughfare with significant capacity to move traffic; no parking entrance on Rheem Ave reduces conflicts with neighborhood traffic. Traffic impacts would be no greater than those of a comparable retail use.



# STAFF RESPONSE TO APPEAL

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## **3. Land Use Compatibility**

- Ordinance does not require use to be buffered from religious/community assembly uses
- Building orientation and site access ensure that customers entering/exiting the building are oriented away from the mosque; similarly, mosque entrance is oriented away from the back of the commercial building
- Sites are physically separated by Rheem Ave
- Proposed use functions as a standard retail store selling pre-packaged goods for off-site consumption, similar to other retail uses that could be anticipated in the commercial area where the project is located.



# SUMMARY

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- Hearing for STIIIZY CUP proposal; cannabis regulations not under consideration
- Proposed retail cannabis use meets all zoning: use, buffer zones, operator permit, parking
- Project consistent with CEQA under Existing Facilities
- Appeal concerns are addressed:
  - Use is outside of established buffers; religious institutions not a buffered use
  - No impacts to noise, blight, crime, loitering, traffic, parking beyond comparable uses
  - Land use is appropriate for the location
- CUP findings can be made



# STAFF RECOMMENDATION

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- **Conduct a Public Hearing**
- **Adopt the Resolution:**

Upholding the Planning Commission’s decision, denying the appeal, and approving the Conditional Use Permit to allow the retail cannabis business use at an existing commercial building located in the Commercial Mixed Use District in the San Pablo Avenue Specific Plan at 13041 San Pablo Avenue, and determining that the request is exempt from environmental review under the California Environmental Quality Act
- **Include recommended conditions of approval**



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QUESTIONS?