

From: [Isaac Kos-Read](#)
To: [Griffen Dempsey](#)
Cc: [Libby Tyler](#); [Damian A. Martin](#)
Subject: RE: Cannabis inquiry - feedback/input and meeting request
Date: Thursday, February 13, 2025 9:48:01 AM
Attachments: [image001.png](#)
[image002.png](#)
[image006.png](#)

Griffen:

I'm writing to provide some input on the draft ordinance and to request a meeting to discuss – we could even make this afternoon work (4 PM?) and certainly have flexibility tomorrow, especially in the morning (10 AM?).

Looping in Damian Martin, co-founder of Catalyst, copied here, who is a recognized expert in the state on local cannabis ordinances. He put together the following points that hopefully you'll find helpful:

1. Regarding the proposed Section 17.62.130.F.2, is the provision that all cannabis retail businesses must be located “[a]t least 1,000 feet from any other another commercial cannabis business” meant to apply during the operator permit application process such that the highest ranked applicant would “buffer out” any lower ranked applicant within 1,000 feet of the highest ranked applicant’s location?
2. Regarding the proposed Section 17.62.130.F.2, (1) are the State law default (B&P 26054) sensitive use buffers of 600 feet from day care centers and 600 feet from youth centers meant to apply to cannabis businesses in San Pablo and (2) if so, how should those buffers be measured (the State law default is parcel line to parcel line)? . . . if so, that should be clarified.
3. What is the intention behind the proposed Section 17.62.130.G.8? . . . (1) offensive litigation falls within an applicant’s and its owners’ constitutional right to free speech / petition the government, (2) defensive litigation not fully adjudicated falls within the presumption of innocence, (3) investigations typically occur without the knowledge of the person being investigated, and (4) license suspensions / revocations are not even a grounds for denying an operator permit application under the proposed Section 17.62.130.H.4.
4. What is the definition of “owner” (i.e., investors in the applicant required to provide electronic fingerprint images and related information under the proposed Section 17.62.130? . . . for reference, please see B&P 26001 for the State law definition of “owner”, which places the threshold for background checks at 10% ownership or direction, control, or management.
5. Regarding the proposed Section 17.62.130.G.10, certificates of insurance are generally not issued to not yet operational businesses like most, if not all, the applicants for an operator permit will be . . . will a letter of intent from an insurance company saying the insurance company will provide the insurance required under Section 17.62.130.I.4 suffice to satisfy the requirement under Section 17.62.130.G.10 for the purpose of an operator permit application / during the operator permit application process?
6. Regarding the proposed Section 17.62.130.H.4.b, the phrase “an offense that is substantially related to the qualifications, functions, or duties, of the cannabis retail business for which the application is made” is a term of art from B&P 26057, such that the proposed Section 17.62.130.H.4.b should reference B&P 26057 . . . to illustrate, “an offense that is substantially related to the qualifications, functions, or duties, of the cannabis retail business for which the application is made’ as that phrase is defined in Section 26057 of the State Business & Professions Code.”
7. Regarding the proposed Section 17.62.130.I.3.d, the State law requirement for retaining surveillance video is 90 days . . . see Section 15044 from the State Department of Cannabis Control regulations . . . https://cannabis.ca.gov/wp-content/uploads/sites/2/2024/08/dcc_commercial_cannabis_regulations-1.pdf.
8. Regarding the proposed Section 17.62.130.I.10, like other retail businesses, cannabis retail businesses have staffing changes regularly, basically weekly, such that the Chief of Police may find it administratively onerous to receive notice of every staffing change, rather than simply doing background checks on any new employee.

Please confirm receipt and let us know when you can connect by Zoom. Looking forward to it.

Respectfully,

Isaac

Isaac Kos-Read | [Kos Read Group, Inc.](#) | [REDACTED]

From: Griffen Dempsey <GriffenD@sanpabloca.gov>
Sent: Wednesday, February 5, 2025 12:00 PM
To: Isaac Kos-Read [REDACTED]
Cc: Libby Tyler <LibbyT@sanpabloca.gov>
Subject: Cannabis inquiry

Hi Isaac,

It was great talking to you today; we are happy to hear of your interest in potentially bringing Catalyst Cannabis to San Pablo. For more information about the proposed ordinance to facilitate retail cannabis businesses in the city, please refer to the Planning Commission agenda packet from last week:

[City of San Pablo - File #: PC24-34](#)

Note that the ordinance may still be subject to change.

The ordinance will be going to City Council on February 18th. The city will be putting together the RFP process later this month, with outreach to potential operators likely beginning in March. I will make sure that we have your email as part of that outreach.

Please feel free to follow up if you have any further questions!

Best regards,

Griffen Dempsey
(he/him)
Assistant Planner



COMMUNITY DEVELOPMENT

510.215.3030 | Main

510.215.3059 | Direct

510.215.3014 | Fax

1000 Gateway Avenue, San Pablo, CA 94806

Email: griffend@sanpabloca.gov

Website: www.sanpabloca.gov

Public Counter Hours:

Monday thru Thursday – 7:30 am to 4:00 pm, closed Fridays.

-

Effective July 1st, 2024, Building, Planning and Public Works will have new fee schedules.

For more information and to view the new schedules, please visit our website at

<https://www.sanpabloca.gov/906/Master-Fee-Schedule>

-

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the IT Help Desk at – itmaaic@sanpabloca.gov. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the City of San Pablo. Finally, the recipient should check this email and any attachments for the presence of viruses. The City of San Pablo accepts no liability for any damage caused by any virus transmitted by this email.

