



*Following appropriate review, the applicable Review Authority shall provide the decision with the findings of fact on which the decision is based in writing. It is the responsibility of the applicant to establish evidence in support of the required findings. The use permit (Commission or administrative) shall be approved, with or without conditions, only if all of the following findings of fact can be made:*

*A. General Findings. The following findings shall be made for all use permits:*

*1. The proposed use is allowed within the subject zoning district with the approval of a use permit and complies with all other applicable provisions of this Development Code and the Municipal Code;*

**RESPONSE:**

The proposed cannabis retail storefront is permitted within the Commercial General (CG) zoning district with approval of a use permit and complies with all applicable provisions of the Stockton Municipal Code and Development Code. The site also carries a General Plan designation of Commercial (C), which supports the proposed land use. The project involves the use of an existing commercial suite in a developed shopping center and does not include any expansion of the building footprint.

The project fully complies with the location requirements set forth in SMC §16.80.195(A)(6) and exceeds the minimum required separation from sensitive uses by a significant margin. Specifically:

- No cannabis business operator may be located within 300 feet of a residential zone or use, measured from the nearest property lines.
  - The subject site is located more than 2,000 feet away from the nearest residential zone, which is over six times the minimum required distance.
- Cannabis businesses may also not be located within 600 feet of sensitive uses at the time the land use permit is issued. The subject site far exceeds this requirement:
  - The nearest K–12 school is over 3,000 feet away—more than five times the minimum required distance.
  - The nearest public park is over 1,500 feet away—more than 2.5 times the minimum.
  - The nearest religious facility is located over 5,000 feet away—more than eight times the requirement.
  - The nearest drug abuse or alcohol recovery/treatment facility is more than 16,000 feet away, which is over 26 times the minimum required buffer.

This substantial separation ensures that the proposed use is not only compliant with the specific distance requirements outlined in the Stockton Municipal Code, but also appropriate in context, demonstrating alignment with the City's intent when implementing such zoning requirements.

*2. The proposed use would maintain or strengthen the integrity and character of the neighborhood and zoning district in which it is to be located;*

**RESPONSE:**

The proposed cannabis retail storefront will operate within an active, neighborhood-serving commercial center that includes Starbucks, Subway, FreshSlice Pizza, and Tacos Chapala, with nearby businesses such as



Burger King, ARCO, and AMPM. This well-trafficked, convenience-oriented corridor attracts a diverse customer base and is anchored by fast-casual establishments that support the day-to-day needs of community members. Importantly, while some nearby businesses may serve families, they are not classified as “sensitive uses” under the Stockton Municipal Code. The presence of a professionally operated, highly regulated cannabis business will not detract from the family-serving nature of the area. On the contrary, it will strengthen the integrity and vitality of the neighborhood by introducing increased oversight, safety, and economic activity.

Embarc operates in 17 communities throughout California and has demonstrated consistent success integrating into neighborhood-serving shopping centers without incidents or concerns related to youth access, community compatibility, or co-tenancy. These retail environments share many similarities with the proposed Stockton location. For example:

- Embarc Fairfield (opened February 2022) — Located in a shopping center anchored by the local DMV, smog shop, and auto insurance provider.
- Embarc Sacramento (opened November 2022) — Part of a shopping plaza with Carl’s Jr., Big 5 Sporting Goods, a dental office, karaoke bar, nail salon, and several small eateries.
- Embarc Tracy (opened December 2023) — Co-located with a martial arts studio, spa, furniture store, and nail salon.
- Embarc Martinez (opened March 2021) — Although housed in a standalone building, the store is located directly next to a Dutch Bros coffee shop.
- Embarc Woodland (opened August 2025) — Situated within a center near a beauty salon, barber shop, spa, jewelry store, clothing stores, and various eateries.

This track record proves Embarc’s ability to seamlessly integrate into mixed-use, family-oriented commercial centers without disruption, enhancing neighborhood character through security, professionalism, and thoughtful operations.

The Stockton location is also consistent with the siting of other cannabis businesses approved and operating in the City of Stockton, many of which are located in busy commercial corridors with similar nearby uses frequented by families and minors. Coastal Dispensary, Connected Cannabis, Zen Garden Wellness, Packs, Off the Charts, and Vibe by California all operate in centers that include fast-casual dining, salons, and other convenience retail. This precedent underscores that the City has historically found cannabis uses compatible with vibrant, mixed-use commercial environments. Embarc’s proposed location upholds this same standard.

This project will activate the last remaining vacant suite in the center—contributing to the site’s vibrancy, improving foot traffic to surrounding businesses, and strengthening the commercial fabric of the property. Embarc’s retail model reflects modern consumer expectations, where cannabis is increasingly integrated into normalized commercial environments. This integration supports a thriving, mixed-use landscape that enhances the area’s appeal and functionality for the broader community.

Embarc is led by a Stockton-born policy and compliance professional and supported by a team with deep expertise in cannabis regulation, safety, and community engagement. The company’s business model



prioritizes responsible operations, education, and public safety. A comprehensive Youth Prevention Plan will be implemented to ensure that no cannabis products are accessed by minors. This plan includes:

- Controlled entry protocols and security checkpoints monitored by trained professionals;
- A neutral, discreet exterior aesthetic with no cannabis imagery or youth appeal;
- Detailed employee training on diversion prevention and youth engagement protocols;
- Ongoing community engagement, including a 24-hour hotline and proactive outreach to neighboring businesses and schools.

To further strengthen the character of the neighborhood, Embarc will implement its proven Community Benefits Program, through which 1% of gross receipts will be invested directly back into the local community. Funds will be allocated by a Community Advisory Board composed of volunteer local stakeholders, ensuring that reinvestments reflect the priorities of the neighborhood, including support of youth and arts programming and neighborhood-serving nonprofits. This ensures that local commerce directly impacts the local community in positive ways.

Embarc recognizes that the surrounding area has experienced some challenges related to unhoused individuals in nearby parcels. While we understand this is a broader community issue that extends beyond the scope of one business, the project's operations are expected to contribute positively to neighborhood conditions. Through continuous on-site security, comprehensive video surveillance, and regular perimeter patrols, Embarc will help discourage nuisance activity and promote a sense of safety and stability. In addition, the company's commitment to routine maintenance, clean-up efforts, and collaboration with neighboring tenants will ensure the property remains orderly, well-kept, and welcoming for all visitors.

Embarc has a long-standing practice of supporting and cross-promoting nearby businesses, organizing beautification efforts, and hosting regular employee volunteer clean-up events to improve public spaces and enhance the surrounding environment. These proactive commitments to public safety, economic development, and neighborhood partnerships ensure the proposed use will not only align with, but meaningfully improve, the area's character and long-term success.

Embarc's presence will not just meet, but exceed, expectations for a responsible cannabis retailer. Its robust operations plan, community-first approach, and track record of thoughtful integration will deter nuisance activity, increase security, and contribute positively to the integrity and sustainability of the commercial district.

*3. The proposed use would be consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable specific plan or master development plan;*

The subject site has a General Plan Land Use designation of Commercial (C), which is intended to accommodate a broad range of commercial activities, including retail, services, professional, and public-oriented uses. The proposed cannabis retail storefront and delivery business is fully consistent with the intent of this land use designation and will enhance the area's commercial viability while aligning with several key goals and policies of the Envision Stockton 2040 General Plan.



Specifically, the proposed use supports the following General Plan objectives:

- Goal LU-6: To provide for orderly, well-planned, and balanced development.
  - The project activates the last remaining vacant suite within an established commercial center, contributing to the long-term success and efficient use of the site.
  - The location also supports the City's goal of balanced and orderly cannabis retail distribution. The nearest operational cannabis retailer, Connected Cannabis, is located over 24,000 feet (approximately 4.5 miles) from the proposed site. This significant distance ensures compliance with the City's 1,000-foot buffer requirement between cannabis storefront retailers and contributes to the geographic dispersion of cannabis businesses throughout the city.
  - By expanding access in a new part of the city, this project improves equitable service coverage, reduces unnecessary travel, and supports a diversified and thoughtfully planned commercial cannabis ecosystem.
- Goal CH-3: Expand opportunities for local enterprise, entrepreneurship, and gainful employment.
  - Embarc prioritizes hiring within the community, pays competitive wages, and offers comprehensive benefits. Embarc employees are represented by the United Food and Commercial Workers (UFCW) union, ensuring workplace protections and economic mobility. We believe this would make Embarc the first unionized cannabis operator in the City of Stockton—an important partnership for the continued maturation of employment practices within a nascent industry. These practices align with the City's goals of creating high-quality employment opportunities and supporting local economic growth.
  - The proposed use supports local enterprise and entrepreneurship because Embarc Stockton's owner was born in Stockton, raised in the San Joaquin Valley, and currently owns a home in Stockton. His deep roots in the region reflect a long-standing and personal commitment to upholding the integrity of the community through responsible business operations.
- Policy LU-4.2: Attract employment and tax-generating businesses that support the economic diversity of the city.
  - As a cannabis business, Embarc contributes directly to the City of Stockton's General Fund through the City's cannabis tax of 5% on gross receipts. This creates a sustainable source of local revenue while diversifying the types of commercial tenants within the center, which is otherwise composed primarily of food establishments.
- Policy LU-6.5: Improve and maintain the City's fiscal health.
  - The cannabis industry is a proven source of economic activity, and Embarc's compliance-forward, efficient operations are expected to generate substantial ongoing taxable revenue, strengthening the City's financial position.
  - As detailed above, Embarc also demonstrates a long-term commitment to community reinvestment through its Community Benefits Program, under which 1% of gross receipts are allocated to local initiatives. In Stockton, this will include a specific emphasis on supporting youth and partnering with local nonprofits to uplift community priorities. This proven model has already directed approximately \$2 million to community organizations in other California cities where Embarc operates, ensuring that the financial benefits of legal cannabis are meaningfully invested in the neighborhoods that host its operations.



- Policy SAF-1.2 & Action SAF-1.2D: Reduce community violence and crime by fostering community connectivity, creating a sense of place, and encouraging social interactions between residents, employees, and business owners.
  - Cannabis businesses are permitted to operate between 7:00 a.m. and 8:00 p.m., creating steady foot traffic throughout the day and encouraging activity at times when other businesses may be less active. Embarc's presence will deter loitering and vacancy-related nuisances while providing a safe, well-lit, and secure environment that invites lawful community engagement.

Furthermore, the project aligns with the Community Vision set forth in the General Plan, which emphasizes improving community health and safety, enhancing neighborhood character, and promoting economic opportunity. Embarc's operating model supports this vision through its commitment to transparency, youth prevention, and ongoing local engagement.

In summary, the proposed use is not only consistent with but actively furthers the goals and policies of the General Plan by introducing a safe, union-supported, tax-generating business that activates a currently vacant commercial space and strengthens the surrounding neighborhood.

*4. The subject site would be physically suitable for the type and density/intensity of use being proposed including the provision of services (e.g., sanitation and water), public access, and the absence of physical constraints (e.g., earth movement, flooding, etc.);*

**RESPONSE:**

The proposed site is located within an existing developed commercial center and is already served by essential infrastructure, including sanitation, water, stormwater drainage, and public access roads. The building is easily accessible from State Route 99 Frontage Road, and the parking lot provides adequate on-site vehicle access.

There are no known physical constraints at the site that would limit its suitability for the proposed cannabis retail use. The site is not located within a flood zone or area subject to known geological instability. Utility services, including electricity, water, and wastewater, are already available at the property and will continue to serve the proposed use.

The project will require a Building Permit for interior tenant improvements, during which compliance with applicable California Building Code and Fire Code standards will be reviewed and verified by City staff. The proposed use is commercial in nature and consistent with both the building's design and its surrounding uses, making the subject site physically appropriate for the type and scale of activity proposed.

*5. The establishment, maintenance, or operation of the proposed use at the location proposed and for the time period(s) identified, if applicable, would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, peace, or general welfare of persons residing or working in the neighborhood of the proposed use;*

**RESPONSE:**



The establishment, maintenance, and operation of the proposed cannabis retail storefront will not pose a hazard to the public convenience, health, safety, or general welfare. In fact, its introduction is expected to improve overall safety and stability at the site by replacing a vacant suite with a well-regulated, secured business. All cannabis activity will occur entirely indoors, and the premises will be designed with multiple layers of physical security and operational controls that far exceed those required of traditional retail businesses.

The storefront will incorporate a highly secure infrastructure, including heavy-duty steel scissor gates, reinforced commercial-grade doors with multi-point locking systems, and access control systems at all entry points. The facility will be equipped with high-resolution surveillance cameras covering all interior areas as well as the entire building exterior and parking lot, with analytics-enabled cameras that include real-time talk-down capabilities to deter loitering or unwanted activity. The site will also feature a centrally monitored alarm system and panic buttons to ensure rapid response in the event of an emergency. Cannabis inventory will be securely stored in a locked storage room with restricted access and monitored continuously. During operating hours, professional security guards will be on-site, monitoring customer activity, enforcing age restrictions, and performing regular checks throughout the property, including youth deterrence patrols and observation for potential diversions.

The safety and professionalism of the operation extend beyond hardware. Embarc employs management personnel with security certifications and implements rigorous employee training focused on access control, emergency response, and youth prevention. Every member of the team is trained to ensure that the site is safe for employees, customers, and neighboring businesses alike.

Concerns that cannabis retailers may attract crime are not supported by empirical data. A peer-reviewed study published in the *Journal of Studies on Alcohol and Drugs* found no association between the presence of dispensaries and increased violent or property crime<sup>1</sup>. In fact, a study published in *Regional Science and Urban Economics* found that the presence of dispensaries correlated with a 19% reduction in neighborhood crime<sup>2</sup>. Further, research from the IZA Institute of Labor Economics concluded that regulated dispensaries do not contribute to higher incidences of burglary, robbery, or assault<sup>3</sup>. These findings reflect Embarc's own experience operating in numerous communities across California, where its facilities have consistently operated without incident and with strong community support.

This is consistent with the perspective shared by the Stockton Police Department during the March 27, 2025, Planning Commission hearing for this site.

"We don't see—when we have a dispensary in an area—any specific increase in any type of crime in those areas. And as mentioned before, it's generally because they're better secured and bring a better security element generally than some other uses... The cannabis dispensaries do not bring the same call load for us or crimes that some of those other locations do."

— Captain Jonathan Swan, Investigations Division, Stockton Police Department

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<sup>1</sup> <https://pmc.ncbi.nlm.nih.gov/articles/PMC3364319/>

<sup>2</sup> <https://www.sciencedirect.com/science/article/abs/pii/S016604621830293X>

<sup>3</sup> <https://docs.iza.org/dp11567.pdf>



The City of Stockton has already approved and permitted multiple cannabis retailers located in similar commercial corridors with comparable adjacencies. These include Vibe by California, located directly off I-5, as well as Coastal Dispensary, Connected Cannabis, Zen Garden Wellness, Packs Dispensary, and Off the Charts—all of which share proximity to fast-casual eateries, salons, retail shops, and other family-serving businesses. For example, Coastal Dispensary operates next to a taqueria, Bonchon Korean restaurant, tea house, and nail salon, while Connected Cannabis is adjacent to a Hawaiian BBQ, T-Mobile store, and Dollar Tree. These examples demonstrate a consistent pattern in the City's land use decisions, validating that cannabis storefronts can operate safely and compatibly within high-traffic retail centers.

The proposed location within a developed commercial center with shared parking, lighting, and surveillance infrastructure further enhances site safety. Embarc's proposed use introduces a visible, staffed presence in a space that would otherwise remain vacant, and through this increased activity and security, the business will contribute positively to the area's sense of safety and order.

Embarc is also aware of ongoing community concerns related to unhoused individuals in the immediate vicinity, particularly in adjacent or nearby parcels. While we recognize that this is a complex social issue that extends beyond the scope of a single business, our presence is expected to help mitigate potential impacts at and around the project site. Through continuous on-site security, full-property surveillance, regular patrols, and close collaboration with neighboring tenants, we will maintain a clean, safe, and welcoming environment for all customers and nearby businesses. These measures are designed not only to improve site aesthetics, but also to discourage loitering and reinforce a broader sense of safety and stewardship.

In addition to maintaining a well-managed storefront, Embarc has a long-standing commitment to neighborhood beautification and maintenance. Across its operating locations, the company organizes regular employee-led clean-up days, partners with local groups for street and sidewalk beautification, and proactively addresses litter and blight around its stores. These efforts not only improve aesthetics but foster local pride and ownership of the space. Through this integrated approach to safety, stewardship, and activation, the project is positioned to elevate the physical environment and quality of life in the surrounding area.

Through thoughtful design, proven operational standards, and a demonstrated commitment to community wellbeing, the proposed use will not endanger or negatively impact the surrounding neighborhood. Rather, it will introduce a highly controlled, safety-conscious business that adds value to the broader commercial environment and supports the general welfare of those who live and work nearby.

*6. The design, location, size, and operating characteristics of the proposed use would be compatible with the existing and future land uses on-site and in the vicinity of the subject property;*

**RESPONSE:**

The design, location, size, and operating characteristics of the proposed cannabis retail storefront are fully compatible with the existing and future land uses on-site and in the surrounding vicinity. The project is located within a multi-tenant commercial center that includes fast-casual and convenience-oriented



businesses such as Starbucks, Subway, FreshSlice Pizza, and Tacos Chapala, with additional neighboring establishments like Burger King, ARCO, and AMPM. This retail environment is characterized by high visibility, steady customer traffic, and a mix of service-oriented uses that cater to a broad demographic, including working adults, commuters, and residents.

During preliminary outreach, Embarc met with neighboring tenants to share details about the business model and address any concerns. Tenants welcomed the additional security, increased customer traffic, and opportunities for cross-promotion that Embarc's operations are expected to bring to the center.

The proposed business will occupy the last remaining vacant suite in the shopping center, contributing to the site's long-term commercial success and eliminating a previously inactive frontage. The business itself will operate within the same parameters as other commercial tenants in the center—adhering to a standardized schedule, providing off-street parking, and generating consistent foot traffic—and will integrate seamlessly into the site without the need for exterior modifications or expansions.

What distinguishes this project is not only its physical compatibility but also the elevated operating standards that Embarc brings as an experienced, compliance-driven cannabis operator. The storefront has been carefully designed to ensure that it remains visually discreet, free from cannabis imagery, and respectful of neighboring uses. Security measures—including on-site professional guards, full-site surveillance, access control systems, and reinforced physical infrastructure—ensure that the operation will maintain a high degree of safety and oversight without disrupting or detracting from the customer experience of nearby tenants.

Embarc has successfully operated in 17 communities across California, including in several shopping centers with similar retail characteristics. These locations include co-tenants such as martial arts studios, fast-casual dining, salons, and other family-serving businesses. These experiences underscore Embarc's ability to integrate seamlessly into mixed-use, neighborhood-focused commercial environments without incident or disruption to surrounding businesses.

The proposed project is also consistent with the location characteristics of other cannabis retailers currently approved and operating in the City of Stockton. Each of the following dispensaries is located in or near a vibrant commercial corridor, family-serving retail establishments with similar types of neighboring businesses:

- Vibe by California — Located just off I-5 (Exit 473 for Fremont St), this dispensary is adjacent to major roadways and operates successfully in a highly visible area.
- Coastal Dispensary — Situated in a shopping center that includes a taqueria, Bonchon Korean restaurant, Szechuan restaurant, tea house, and nail salon, with additional nearby tenants such as El Pollo Loco, Walgreens, and Starbucks.
- Connected Cannabis — Located in a plaza with a Hawaiian BBQ restaurant, T-Mobile, and Dollar Tree. Panda Express and a shoe store are located directly across the street.
- Zen Garden Wellness — Surrounded by a pizzeria, a Mexican restaurant, a Cajun restaurant, an Indian restaurant, a Japanese restaurant, a dental office, and a nail spa.



- Packs Dispensary — Located next to an ice cream shop, Subway sandwich shop, Dunn-Edwards paint store, and a threading studio. A Taco Bell is across the street.
- Off the Charts — Neighbors include a donut shop, hair salon, spa, Mexican restaurant, and nail salon.

These sites demonstrate the City's longstanding approach of situating cannabis retailers in accessible, commercially active zones—often adjacent to food, beauty, and convenience-oriented services—without negative community impacts. Embarc's proposed location follows this precedent and is clearly aligned with both past City approvals and the evolving vision for compatible commercial land uses.

In Stockton, Embarc's presence will support the center's overall vitality by adding a new category of legal retail, one that is increasingly common in modern commercial developments throughout California. Its customer base overlaps significantly with that of neighboring tenants, and the project is expected to enhance economic synergy by drawing additional customers to the site—many of whom will patronize multiple businesses in a single visit. As cannabis becomes normalized within the regulated marketplace, well-managed dispensaries like Embarc's are being thoughtfully integrated into diverse commercial corridors, especially where their presence adds value without displacing more traditional uses.

Additionally, Embarc's commitment to youth protection, community engagement, and secure operations reinforces the business's long-term compatibility with future land uses that may emerge in the area. These features ensure that the use will not only function harmoniously with current tenants but also set a precedent for responsible commercial development going forward.

In summary, the proposed use is a natural and appropriate addition to the center's mix of retail offerings. Its design and operating characteristics reflect a high standard of care, safety, and professionalism, making it fully compatible with both existing and anticipated future uses in this location.

*7. The proposed action would be in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines.*

**RESPONSE:**

The proposed action complies with the provisions of the California Environmental Quality Act (CEQA) and the City of Stockton's CEQA Guidelines. The project qualifies for a Categorical Exemption pursuant to CEQA Guidelines Section 15301(a) – Existing Facilities, as it involves the occupancy and interior improvement of an existing commercial building with no expansion of the structure or change to its existing footprint. The proposed use will not result in any significant environmental impacts and does not trigger any of the exceptions to the exemption.

5. Thank you for the detailed context map.