

Medical Cannabis Support Uses Zoning Code Interpretation

City Council

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Planning and Economic Development

- Direct the Zoning Administrator to issue a Zoning Code Interpretation to allow medical cannabis support uses; and
- Direct staff to work with Council Subcommittee to bring back a permit compliance program for existing medical cannabis related businesses

Background on Medical Cannabis

- 1996 - Proposition 215 & the Compassionate Use Act
- 2003 - Medical Marijuana Program Act
- 2015 - Medical Marijuana Regulation and Safety Act (MMRSA)
 - Assembly Bill 266
 - Assembly Bill 243
 - Senate Bill 643

Medical Marijuana Regulation and Safety Act (MMRSA)

- MMRSA establishes a comprehensive State licensing and regulatory framework for the ***cultivation, manufacture, testing, transportation, storage, distribution, and sale*** of medical marijuana. MMRSA maintains existing exemptions for qualified patient and caregivers.
- MMRSA will require **dual licensing** for cultivation, however state licenses won't be available until **January 2018**.

City Response to MMRSA

- 2016 - City Council Priorities - Medical Cannabis
- January 19, 2016 - Council initiated a **comprehensive policy** effort and reconvened Medical Cannabis Policy Subcommittee.
- February 23, 2016 - Council adopted an interim ordinance allowing commercial **cultivation** with a Conditional Use Permit.
- The City continues to support medical cannabis **dispensaries** (sale) through previously approved regulations.

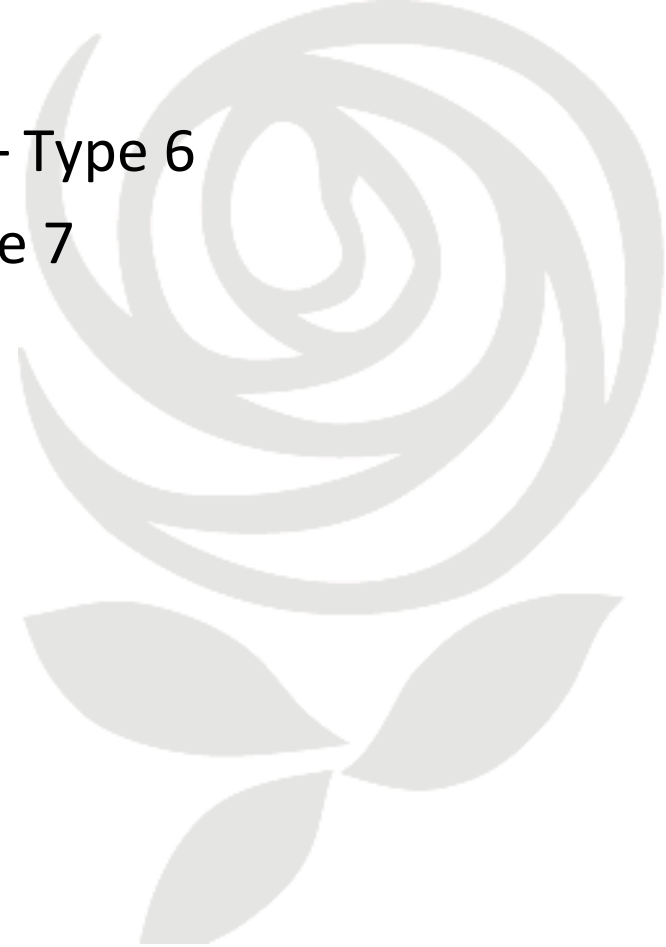
- Meets monthly – Track progress on srcity.org/cannabis
- Technical Advisory Committee
- Organized efforts into Phase One and Phase Two
- Phase One – address gap created between cultivation and sale; interim options for addressing support uses – **manufacturing, testing, distribution and transportation**
- Phase Two – work plan and schedule for **comprehensive policy**

Zoning Code Interpretation

- City Code Section 20-12.030 - Zoning Administrator has authority to interpret and relate existing Zoning Code policy to a general topic, or to a specific case.
- The Zoning Code provisions to be interpreted include the Land Use Tables Section and Definitions Section.
- *How may **existing policy** regarding land use classifications and permit regulations apply to medical cannabis support uses?*

Medical Cannabis Support Uses

- Testing/Labs – Type 8
- Manufacturing/Processing (Non-volatile) – Type 6
- Manufacturing/Processing (Volatile) – Type 7
- Distributor/Warehouse – Type 11
- Transporter – Type 12



MMRSA		CITY OF SANTA ROSA Zoning Code				
<i>Use Type</i>	<i>License Type</i>	<i>Related Land Use Classification</i>	<i>Permit Required by Zone</i>			
			CO	BP	IL	IG
Testing/lab	Type 8	Laboratory – Medical, Analytical	MUP	P	P	--
Manufacturer (non-volatile)	Type 6	Manufacturing/Processing – Light	--	P (3)	P (3)	P (3)
Manufacturer (volatile)	Type 7		--	--	--	--
Distributor	Type 11	Warehouse, Wholesaling and Distribution	--	MUP (4)	P (3)	P (3)
Transporter	Type 12	Truck or Freight Terminal	--	--	MUP	MUP (3)

- Interpretations are effective immediately
- Next steps:
 - Frequently Asked Questions (FAQs)
 - Process Flow Chart
 - Building & Fire Code Compliance Checklists
 - Outreach & Education



- Relationship to state law and state licensing
- Limits on where uses are allowed
- Standard Conditions
- Need for a Building Permit & Annual Fire Inspection
- Existing operators



How do existing operators seek permit compliance?

- **Goals/benefits of a Permit Compliance Program:**
 - ✓ Provide certainty to the compliance process
 - ✓ Provide a framework with timelines
 - ✓ Prevent economic hardship to existing businesses
 - ✓ Incentivize existing operators to seek permits
 - ✓ Initiates an “operator in good standing” relationship between the City and the operator
 - ✓ Address the fear of existing operators of prosecution/code enforcement

- It is recommended by the Medical Cannabis Policy Subcommittee, the Technical Advisory Committee, and the Department of Planning & Economic Development, that the Council, by motion:
 - Direct the Zoning Administrator to issue a Zoning Code Interpretation to allow medical cannabis support uses, specifically non-volatile manufacturing, testing, distributor, and transporter; and
 - Direct staff to bring back a proposal for a permit compliance program for existing medical cannabis related businesses.

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