

**Santa Rosa City Code**[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)[Title 20 ZONING](#)[Division 4 Standards for Specific Land Uses](#)**Chapter 20-46 CANNABIS****20-46.010 Purpose.**

This Chapter provides the location and operating standards for Personal Cannabis Cultivation and for Cannabis Businesses (Medical and Adult Use) to ensure neighborhood compatibility, minimize potential environmental impacts, provide safe access to medicine and provide opportunities for economic development. (Ord. 2017-025 § 6)

**20-46.020 Limitations on use.**

- A. Compliance with City Code. Personal Cannabis Cultivation and Cannabis Businesses shall only be allowed in compliance with this Chapter and all applicable regulations set forth in the City Code, including, but not limited to, the cannabis business tax ordinance and all regulations governing building, grading, plumbing, septic, electrical, fire, hazardous materials, nuisance, and public health and safety.
- B. Compliance with State laws and regulations. All Cannabis Businesses shall comply with all applicable State laws and regulations, as may be amended, including all permit, approval, inspection, reporting and operational requirements, imposed by the State and its regulatory agencies having jurisdiction over Cannabis and/or Cannabis Businesses. All Cannabis Businesses shall comply with the rules and regulations for Cannabis as may be adopted and as amended by any State agency or department including, but not limited to, the Bureau of Cannabis Control, the Department of Food and Agriculture, the Department of Public Health, the Department of Pesticide Regulation, and the Board of Equalization.
- C. Compliance with local and regional laws and regulations. All Cannabis Businesses shall comply with all applicable Sonoma County and other local and regional agency regulations, including, but not limited to, regulations issued by the Regional Water Quality Control Board, the Sonoma County Agricultural Commission, and the Sonoma County Department of Public Health.
- D. Cannabis Businesses shall provide copies of State, regional and local agency permits, approvals or certificates upon request by the City to serve as verification for such compliance.

(Ord. 2017-025 § 6)

**20-46.030 Personal Cannabis Cultivation.**

Personal Cannabis Cultivation for medical or adult use shall be permitted only in compliance with the provisions of Division 2 (Zoning Districts and Allowable Uses) and shall be subject to the following standards and limitations.

- A. Medical and adult use cannabis maximum limitation. The personal cultivation of medical and/or adult use cannabis is limited to no more than six mature plants per a primary residence, regardless of the number of residents and regardless of the presence of an accessory or junior accessory dwelling unit.
- B. Residency requirement. Cultivation of cannabis for personal use may occur only on parcels with an existing legal residence occupied by a full-time resident responsible for the cultivation.
- C. The following operating requirements are applicable to outdoor cultivation for personal use:

1. Maximum limitation. Outdoor cultivation for personal use is limited to no more than two mature plants.
  2. Cannabis plants shall not be located in a front or street side yard, unless fully screened from public view.
  3. Outdoor cultivation for personal use is prohibited on parcels located adjacent to a school property; "School" as defined by the [Health and Safety Code](#) Section 11362.768.
- D. The following operating requirements are applicable to personal cannabis cultivation:
1. Visibility. No visible markers or evidence indicating that cannabis is being cultivated on the site shall be visible from the public right-of-way at street level, or from school property.
  2. Security. All enclosures and structures used for cannabis cultivation shall have security measures sufficient to prevent access by children or other unauthorized persons.
  3. Prohibition of volatile solvents. The manufacture of cannabis products for personal non-commercial consumption shall be limited to processes that are solvent-free or that employ only non-flammable, nontoxic solvents that are recognized as safe pursuant to the Federal Food, Drug and Cosmetic Act. The use of volatile solvents to manufacture cannabis products for personal consumption is prohibited.
  4. All structures used for Personal Cannabis Cultivation (including accessory structures, greenhouses, and garages) must be legally constructed with all applicable Building and Fire permits (including grading, building, electrical, mechanical and plumbing) and shall adhere to the development standards within the base zone.
  5. Odor Control. All structures used for cultivation shall be equipped with odor control filtration and ventilation systems such that the odors of cannabis cannot be detected from outside of the structure.
  6. Lighting. Interior and exterior lighting shall utilize best management practices and technologies for reducing glare, light pollution, and light trespass onto adjacent properties and the following standards:
    - a. Exterior lighting systems shall be provided for security purposes in a manner sufficient to provide illumination and clear visibility to all outdoor areas of the premises, including all points of ingress and egress. Exterior lighting shall be stationary, fully shielded, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood. All exterior lighting shall be Building Code compliant and comply with [Section 20-30.080](#) (Outdoor Lighting).
    - b. Interior light systems shall be fully shielded, including adequate coverings on windows, to confine light and glare to the interior of the structure.
  7. Noise. Use of air conditioning and ventilation equipment shall comply with [Chapter 17-16](#) (Noise). The use of generators is prohibited, except as short-term temporary emergency back-up systems.
  8. All personal cannabis cultivation shall comply with the Best Management Practices for Cannabis Cultivation issued by the Sonoma County Agricultural Commission for management of waste, water, erosion control and management of fertilizers and pesticides.

(Ord. 2017-025 § 6)

#### **20-46.040 Cannabis Businesses.**

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Cannabis Businesses (Medical and Adult Use) shall be permitted only in compliance with the provisions of Division 2 (Zoning Districts and Allowable Uses) and shall be subject to the following standards and limitations.

A. Land use. For purposes of this Chapter, Cannabis Businesses shall include the following land use classifications, all of which are further defined in Chapter [20-70](#) (Definitions):

1. Cannabis – Commercial Cultivation up to 5,000 sf
2. Cannabis – Commercial Cultivation 5,001 sf or greater
3. Cannabis – Retail (Dispensary) and Delivery
4. Cannabis – Distribution
5. Cannabis – Manufacturing – Level 1 (non-volatile)
6. Cannabis – Manufacturing – Level 2 (volatile)
7. Cannabis – Microbusiness
8. Cannabis – Testing Laboratory

B. Where allowed. Cannabis Businesses (Medical and Adult Use) shall be located in compliance with the requirements of Division 2 (Zoning Districts and Allowable Uses) and as designated on Tables 2-6 and 2-10 of the Zoning Code. With regard to required setbacks of a cannabis business to another land use, the City asserts its right to establish different radius requirements than what is provided by [Business and Professions Code](#) Section 26054(b).

C. Land use permit requirements. The uses that are subject to the standards in this Chapter shall not be established or maintained except as authorized by the land use permit required by Division 2.

D. Development standards. The standards for specific uses in this Chapter supplement and are required in addition to those in Division 2 and Division 3 (Site Planning and General Development Regulations), and the City Code. In the event of any conflict between the requirements of this Chapter and those of Division 2 or 3 or other applicable provisions of this Code, the requirements of this Chapter shall control.

(Ord. 2017-025 § 6)

#### **[20-46.050 General operating requirements.](#)**

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The following general operating requirements are applicable to all Cannabis Businesses. In addition, requirements specific to each Cannabis Business subtype are set forth in Sections [20-46.060](#) (Cannabis Cultivation), [20-46.070](#) (Cannabis Support Uses) and [20-46.080](#) (Cannabis Retail and Delivery).

A. Dual licensing. The City recognizes that State law requires dual licensing at the State and local level for all Cannabis Businesses (Medical and Adult Use). All Cannabis Operators shall therefore be required to diligently pursue and obtain a State cannabis license at such time as the State begins issuing such licenses, and shall comply at all times with all applicable State licensing requirements and conditions, including, but not limited to, operational standards such as, by way of illustration but not limitation, background checks, prior felony convictions, restrictions on multiple licenses and license types, and locational criteria.

1. Operators in good standing. Cannabis Businesses which have received land use permit approval pursuant to this Chapter prior to or within 10 months of date the State begins issuing State licenses shall be considered “operators in good standing”. Operators in good standing shall be allowed to obtain building occupancy permits and commence operations in compliance with City permit approvals while diligently pursuing all necessary State licenses and subject to any deadlines

established by the State. Operators in good standing shall demonstrate to the City that complete applications for all necessary State licenses and agency permits have been filed and are being pursued by the applicant in compliance with deadlines established by the State.

2. New operators. Cannabis Businesses which have received land use permit approval pursuant to this Chapter after the State begins issuing State licenses and after the 10-month transition period noted in Subsection A.1 above, shall not be allowed to commence operations until the Cannabis Business can demonstrate that all necessary State licenses and agency permits have been obtained in compliance with any deadlines established by the State.

3. Existing permitted operators. Cannabis Businesses which have received land use permit approval prior to the adoption of this Chapter shall be required to comply with all operational requirements set forth in this Chapter. In addition, a Cannabis Business that has obtained a valid land use permit for medical use issued prior to the adoption of this Chapter may incorporate adult use into their land use permit upon issuance of a Zoning Clearance by the Department. The Zoning Clearance shall, as a condition of issuance, require compliance with all operational provisions of this Chapter. The Zoning Clearance to incorporate adult use in addition to or in place of medical use shall not authorize any physical or operational expansion of the facility unless determined in compliance with this Chapter.

4. Grounds for revocation. Once State licenses and agency permits become available, failure to demonstrate dual licensing in accordance with this Chapter and within any deadlines established by State law shall be grounds for revocation of City approval. Revocation of a local permit and/or a State license shall terminate the ability of the Cannabis Business to operate until a new permit and/or State license is obtained.

B. Minors. Medical Cannabis Businesses shall only allow on the premises a person who is 18 years of age or older and who possesses a valid government-issued photo identification card. Adult Use Cannabis Businesses shall only allow on the premises a person who is 21 years of age or older and who possesses a valid government-issued photo identification card.

C. Inventory and tracking. Cannabis Operators shall at all times operate in a manner to prevent diversion of Cannabis and shall promptly comply with any track and trace program established by the State.

D. Multiple permits per site. Multiple Cannabis Businesses proposed on any one site or parcel shall be granted permit approval only if all of the proposed Cannabis Businesses and their co-location are authorized by both local and State law. Cannabis Operators issued permits for multiple license types at the same physical address shall maintain clear separation between license types unless otherwise authorized by local and State law.

E. Building and fire permits. Cannabis Operators shall meet the following requirements prior to commencing operations:

1. The Cannabis Operator shall obtain a building permit to conform with the appropriate occupancy classification and be in compliance with Chapter 18 of the City Code.

2. The Cannabis Operator shall obtain all annual operating fire permits with inspections prior to operation.

3. The Cannabis Operator shall comply with all applicable [Health and Safety Code](#) and [California Fire Code](#) requirements related to the storage, use and handling of hazardous materials and the generation of hazardous waste. Cannabis Operators shall also obtain all required Certified Unified Program Agency (CUPA) permits including completing a California Environmental Reporting System (CERS) submission for hazardous materials inventory that meet or exceed State thresholds and any waste generation for accountability.

4. Access with a Fire Department lock box for keys to gates and doors shall be provided.
- F. Transfer of ownership or operator. A permittee shall not transfer ownership or operational control of a Cannabis Business or transfer a permit for a Cannabis Business to another person unless and until the transferee obtains a zoning clearance from the Department stating that the transferee is now the permittee. The zoning clearance shall commit the transferee to compliance with each of the conditions of the original permit.
- G. Security. Cannabis Businesses shall provide adequate security on the premises, including lighting and alarms, to insure the public safety and the safety of persons within the facility and to protect the premises from theft. Applications for a Cannabis Business shall include a security plan that includes the following minimum security plan requirements:
1. Security cameras. Security surveillance video cameras shall be installed and maintained in good working order to provide coverage on a 24-hour basis of all internal and exterior areas where Cannabis is cultivated, weighed, manufactured, packaged, stored, transferred, and dispensed. The security surveillance cameras shall be oriented in a manner that provides clear and certain identification of all individuals within those areas. Cameras shall remain active at all times and shall be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and shall be maintained for 60 days.
  2. Alarm system. A professionally monitored robbery alarm system shall be installed and maintained in good working condition. Section [6-68.130](#) of the City Code requires that an alarm permit be obtained by the Santa Rosa Police Department prior to installing an alarm system. The alarm system shall include sensors to detect entry and exit from all secure areas and all windows. Cannabis Operators shall keep the name and contact information of the alarm system installation and monitoring company as part of the Cannabis Business's on-site books and records. Cannabis Operators shall identify a local site contact person who will be responsible for the use and shall provide and keep current full contact information to the Santa Rosa Police Department dispatch database as part of the alarm permitting process.
  3. Secure storage and waste. Cannabis Products and associated product waste shall be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.
  4. Transportation. Cannabis Businesses shall implement procedures for safe and secure transportation and delivery of Cannabis, Cannabis Products and currency in accordance with State law.
  5. Locks. All points of ingress and egress to a Cannabis Business shall be secured with Building Code compliant commercial-grade, non-residential door locks or window locks.
  6. Emergency access. Security measures shall be designed to ensure emergency access in compliance with the [California Fire Code](#) and Santa Rosa Fire Department standards.
- H. Odor control. Cannabis Businesses shall incorporate and maintain adequate odor control measures such that the odors of Cannabis cannot be detected from outside of the structure in which the Business operates. Applications for Cannabis Businesses shall include an odor mitigation plan certified by a licensed professional engineer that includes the following:
1. Operational processes and maintenance plan, including activities undertaken to ensure the odor mitigation system remains functional;
  2. Staff training procedures; and
  3. Engineering controls, which may include carbon filtration or other methods of air cleansing, and evidence that such controls are sufficient to effectively mitigate odors from all odor sources.
- All odor mitigation systems and plans submitted pursuant to this subsection shall be consistent with

accepted and best available industry-specific technologies designed to effectively mitigate cannabis odors.

I. Lighting. Interior and exterior lighting shall utilize best management practices and technologies for reducing glare, light pollution, and light trespass onto adjacent properties and the following standards:

1. Exterior lighting systems shall be provided for security purposes in a manner sufficient to provide illumination and clear visibility to all outdoor areas of the premises, including all points of ingress and egress. Exterior lighting shall be stationary, fully shielded, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood. All exterior lighting shall be Building Code compliant and comply with Section [20-30.080](#) (Outdoor Lighting).

2. Interior light systems shall be fully shielded, including adequate coverings on windows, to confine light and glare to the interior of the structure.

J. Noise. Use of air conditioning and ventilation equipment shall comply with the Chapter [17-16](#) (Noise). The use of generators is prohibited, except as short-term temporary emergency back-up systems.

(Ord. 2017-025 § 6)

#### **[20-46.060 Cannabis Commercial Cultivation.](#)**

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In addition to the General Operating Requirements set forth in Section [20-46.050](#), this section provides additional requirements for Cannabis Commercial Cultivation.

A. Outdoor commercial cultivation prohibited. The cultivation of Cannabis for commercial use may only be cultivated within a fully enclosed space.

B. Conditional use. Depending on the size of the facility, and in accordance with Table 2-10, a Conditional Use Permit or Minor Conditional Use Permit shall be required for Cannabis Commercial Cultivation. For purposes of determining the facility size, and thus the appropriate permit, square footage shall be defined by calculating the gross square footage of the structure or portion of the structure occupied by the Cannabis Business, not the canopy area.

C. Microbusiness. In addition to compliance with permit and operating requirements set forth in this Chapter for Cannabis Cultivation, a Cannabis Microbusiness which includes cultivation, manufacturing distribution and/or retail within one State license shall comply with all permit and operating requirements set forth in this Chapter for Cannabis Manufacturing, Distribution, and/or Retail (Dispensary) and Delivery as applicable to the combination of uses within the license.

D. Pesticides. The cultivation of Cannabis must be conducted in accordance with all applicable Federal, State, and local laws and regulations governing the use of pesticides. Any fumigation or insecticidal fogging shall comply with the [California Fire Code](#) Chapter 26 (Fumigation and Insecticidal Fogging).

(Ord. 2017-025 § 6)

#### **[20-46.070 Cannabis Manufacturing.](#)**

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In addition to the General Operating Requirements set forth in Section [20-46.050](#), this section provides additional operational requirements for Cannabis Manufacturing.



- A. Extraction processes. Cannabis Manufacturers shall utilize only extraction processes that are: (1) solvent-free or that employ only non-flammable, nontoxic solvents that are recognized as safe pursuant to the Federal Food, Drug, and Cosmetic Act; and/or (2) use solvents exclusively within a closed loop system that meets the requirements of the Federal Food, Drug, and Cosmetic Act including use of authorized solvents only, the prevention of off-gassing, and certification by a California licensed engineer.
- B. Loop systems. No closed loop systems shall be utilized without prior inspection and approval of the City's Building Official and Fire Code Official.
- C. Standard of equipment. Extraction equipment used by the Cannabis Manufacturer must be listed or otherwise certified by an approved third-party testing agency or licensed professional engineer and approved for the intended use by the City's Building Official and Fire Code Official.
- D. Annual re-certification required. Extraction equipment used by the Cannabis Manufacturer must be recertified annually and a report by a licensed professional engineer on the inspection shall be maintained on-site.
- E. Food handler certification. All owners, employees, volunteers or other individuals that participate in the production of edible Cannabis Products must be State certified food handlers. The valid certificate number of each such owner, employee, volunteer or other individual must be on record at the Cannabis Manufacturer's facility where that individual participates in the production of edible Medical Cannabis Products.
- F. Edible product manufacturing. Cannabis Businesses that sell or manufacture edible medical cannabis products shall obtain a Sonoma County Health Permit. Permit holders shall comply with [Health and Safety Code](#) Section 13700 et seq., and Sonoma County Health permit requirements. These requirements provide a system of prevention and overlapping safeguards designed to minimize foodborne illness, ensure employee health, demonstrate industry manager knowledge, ensure safe food preparation practices and delineate acceptable levels of sanitation for preparation of edible products.

(Ord. 2017-025 § 6)

#### **20-46.080 Cannabis Retail (Dispensary) and Delivery.**

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In addition to the General Operating Requirements set forth in Section [20-46.050](#), this section provides location and operating requirements for Cannabis Retail (Dispensary) and Delivery.

- A. Conditional use. A Conditional Use Permit shall be required to operate Cannabis Retail (Dispensary) and Delivery in accordance with Tables 2-6 and 2-10. The use permit application shall clearly specify if the use is for medical and/or for adult use retail.
- B. Delivery services. In addition to the requirements established in this Chapter for Cannabis Retail, the delivery of Cannabis and Cannabis Products shall be subject to the following requirements:
  - 1. Commercial delivery to patients at locations outside a permitted Cannabis Retail facility shall only be permitted in conjunction with a permitted Cannabis Retail facility that has a physical location and a retail storefront open to the public.
  - 2. A Cannabis Retail facility shall not conduct sales exclusively by delivery.
  - 3. Conditional Use Permit applications for Cannabis Retail shall include a statement as to whether the use will include delivery of Cannabis and Cannabis Products to patients located outside the Cannabis Retail facility.

4. If delivery services will be provided, the application shall describe the operational plan and specific extent of such service, security protocols, and how the delivery services will comply with the requirements set forth in this Chapter and State law.
- C. Drive-through services. Drive-through or walk-up window services in conjunction with Cannabis Retail are prohibited.
- D. Location requirements. In addition to the requirements established in Tables 2-6 and 2-10, Cannabis Retail shall be subject to the following location requirements:
  1. Overconcentration. To avoid overconcentration, a Cannabis Retail use shall not be established within 600 feet of any other Cannabis Retail use established within and permitted by the City of Santa Rosa. The Department shall establish evaluation criteria and selection procedures as necessary to avoid overconcentration of Cannabis Retail uses where competing applications are submitted within a 600-foot radius of each other.
  2. Setback to schools. Cannabis Retail shall be subject to a 600-foot minimum setback from any K-12 "school," as defined by the [Health and Safety Code](#) Section 11362.768.
  3. Measurement of distance. The distance between Cannabis Retail and a school shall be made in a straight line from the boundary line of the property on which the Cannabis Retail is located to the closest boundary line of the property on which a school is located.
  4. Location of a new school after permit issued. Establishment of a school within the required setback of a Cannabis Retail facility after such facility has obtained a Conditional Use Permit for the site shall render the Cannabis Retail facility legal non-conforming and subject to the protections and provisions of Chapter [20-61](#) (Non-Conforming Uses, Structures and Parcels).
  5. Visibility of entrance. The storefront entrance of a Cannabis Retail facility shall be in a visible location that provides an unobstructed view from the public right-of-way.
- E. Edible products. Cannabis Businesses that sell or manufacture edible medical cannabis products shall obtain a Sonoma County Health Permit. Permit holders shall comply with [Health and Safety Code](#) Section 13700 et seq., and Sonoma County Health permit requirements. These requirements provide a system of prevention and overlapping safeguards designed to minimize foodborne illness, ensure employee health, demonstrate industry manager knowledge, ensure safe food preparation practices and delineate acceptable levels of sanitation for preparation of edible products.
- F. Operational requirements. In addition to project specific conditions of approval, Cannabis Retail shall comply with the following operational requirements:
  1. Employees. The Cannabis Retail Operator shall maintain a current register of the names of all employees employed by the Cannabis Retailer, and shall disclose such register for inspection by any City officer or official for purposes of determining compliance with the requirements of this section.
  2. Recordkeeping. The Cannabis Retail Operator shall maintain patient and sales records in accordance with State law.
  3. Protocols and requirements for patients and persons entering the site. No person shall be permitted to enter a Cannabis Retail facility without government issued photo identification. Cannabis Businesses shall not provide Cannabis or Cannabis Products to any person, whether by purchase, trade, gift or otherwise, who does not possess a valid government-issued photo identification card and a valid physician's recommendation under Section 11362.712 of the [Health and Safety Code](#).
  4. Hours of operation. Cannabis Retail may operate between the hours of 9:00 a.m. to 9:00 p.m. up to seven days per week unless the review authority imposes more restrictive hours due to the



particular circumstances of the application. The basis for any restriction on hours shall be specified in the permit.

5. Secured access. A Cannabis Retail facility shall be designed to prevent unauthorized entrance into areas containing Cannabis or Cannabis Products. Limited access areas accessible to only authorized personnel shall be established.

6. Secured products. Cannabis and Cannabis Products that are not used for display purposes or immediate sale shall be stored in a secured and locked room, safe, or vault, and in a manner reasonably designed to prevent diversion, theft, and loss.

7. Sale and display of cannabis paraphernalia. No dispensary shall sell or display any cannabis related paraphernalia or any implement that may be used to administer Cannabis or Cannabis Products unless specifically described and authorized in the Conditional Use Permit. The sale of such products must comply with the City's zoning code and any other applicable State regulations.

8. On-site physician restriction. Cannabis Retail shall not have an on-site or on-staff physician to evaluate patients and provide a recommendation for Cannabis.

9. Site management. The Cannabis Retail Operator shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours if directly related to the patrons of the subject retailer. For purposes of this subsection, "reasonable steps" shall include calling the police in a timely manner; and requesting those engaging in nuisance activities to cease those activities, unless personal safety would be threatened in making the request.

10. Advertising and signs. A Cannabis Retail facility shall not advertise or market cannabis or cannabis products on an advertising sign within 1,000 feet of a day care center, school providing instruction in kindergarten or any grades 1 through 12, playground, or youth center.

11. Display of permit. Cannabis Retail shall maintain a copy of its permit on display during business hours and in a conspicuous place so that the same may be readily seen by all persons entering the facility.

G. On-site consumption. In addition to the requirements established in this Chapter for Cannabis Retail, the consumption of Cannabis and Cannabis Products shall be subject to the following requirements:

1. Patients or customers. Neither patients nor customers shall be permitted to consume cannabis on the site of a Cannabis Retail facility except as permitted in accordance with Chapter [9-20](#) (Smoking Regulations), in compliance with State law and as follows:

a. Conditional Use Permit applications for Cannabis Retail shall include a statement as to whether the use will include on-site consumption by patients or customers of Cannabis and Cannabis Products.

b. If on-site consumption will be included, the application shall describe the operational plan and specific extent of such provision, security protocols, and how the consumption will comply with the requirements set forth in this Chapter and State law.

2. Employees. Employees of a Cannabis Retail facility who are qualified patients may consume medical Cannabis or Cannabis Products on-site within designated spaces not visible by members of the public, provided that such consumption is in compliance with Chapter [9-20](#) (Smoking Regulations) and State law.

3. Signs regarding public consumption. The entrance to a Cannabis Retail facility shall be clearly and legibly posted with a notice indicating that smoking and vaping of Cannabis is

prohibited on site or in the vicinity of the site except as permitted in accordance with Chapter [9-20](#) (Smoking Regulations) and State law.

(Ord. 2018-002 § 3; Ord. 2017-025 § 6)

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#### **20-46.090 Cannabis special events.**

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A. Dual licensing. The City recognizes that State law requires Cannabis Businesses to obtain dual licensing at the State and local level for temporary special events that involve on-site cannabis sales to, and consumption by patients. Such events shall not be allowed to commence until the Cannabis Business can demonstrate that all necessary local permits, State temporary event licenses, and agency permits have been obtained in compliance with any regulations and deadlines established by the City and the State.

B. Conditional use. Applications for a cannabis special event shall be filed in a timely manner in accordance with Section [20-52.040](#) (Temporary Use Permit) or Chapter [11-40](#) (Special Events) depending on the location of the event.

(Ord. 2017-025 § 6)

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#### **20-46.100 Grounds for permit revocation or modification.**

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In addition to the grounds in Section [20-54.100](#) (Permit revocation or modification), the review authority may require modification, discontinuance or revocation of a Cannabis Business permit if the review authority finds that the use is operated or maintained in a manner that it:

- A. Adversely affects the health, peace or safety of persons living or working in the surrounding area;
- B. Contributes to a public nuisance; or
- C. Has resulted in repeated nuisance activities including disturbances of the peace, illegal drug activity, diversion of Cannabis or Cannabis Products, public intoxication, smoking in public, harassment of passerby, littering, or obstruction of any street, sidewalk or public way; or
- D. Violates any provision of the City Code or condition imposed by a City issued permit, or violates any provision of any other local, State, regulation, or order, including those of State law or violates any condition imposed by permits or licenses issued in compliance with those laws.

(Ord. 2017-025 § 6)

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