

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ENACTING COMPREHENSIVE REGULATIONS FOR CANNABIS THROUGH THE AMENDMENT OF SANTA ROSA CITY CODE SECTIONS 20-23.030, TABLE 2-2 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS), TABLE 2-6 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS), SECTION 20-24.030, TABLE 2-10 (ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR INDUSTRIAL DISTRICTS), SECTION 20-36.040, TABLE 3-4 (AUTOMOBILE AND BICYCLE PARKING REQUIREMENTS BY LAND USE TYPE), SECTION 20-70.020 (DEFINITIONS), THE REPEAL AND REPLACEMENT OF CHAPTER 20-46 (MEDICAL CANNABIS CULTIVATION) WITH CHAPTER 20-46 (CANNABIS), AND THE REPEAL OF CHAPTER 10-40 (MEDICAL CANNABIS DISPENSARIES).

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. The Council finds, based on evidence and records presented, that:

A. Pursuant to its police powers, and as authorized by the California Compassionate Use Act, the California Medical Cannabis Regulation and Safety Act (“MCRSA”), the Adult Use of Marijuana Act (“AUMA”), SB 94 and the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”), the City may enact laws or regulations pertaining to cannabis cultivation, dispensing, manufacturing, distribution, transporting, and testing within its jurisdiction.

B. The City has previously adopted ordinances governing medical cannabis dispensaries and cultivation within the City, and the Zoning Administrator has issued a Zoning Interpretation concerning medical cannabis support uses in the City.

C. The City wishes to establish a uniform regulatory structure for all medical cannabis uses in the City in accordance with state law and to prohibit commercial nonmedical cannabis uses in the City at this time.

D. The proposed zoning amendments contained herein are consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan in that the amendments will direct commercial medical cannabis businesses to appropriate commercial and industrial districts designated to support such uses. The proposed zoning amendments are internally consistent with other applicable provisions of Title 20 of the Code in that the entirety of the Code will apply to medical cannabis as a new land use classification, such as identifying where the use is allowed, under what permit authority development and parking standards and processes. The proposed zoning changes will result in land uses in residentially, commercially and industrially zoned areas that are compatible with existing and future uses and will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

E. Chapter 20-46 of the Code is a permissive ordinance and, except as otherwise expressly provided, the amendments adopted herein do not confer any additional rights or permits related to medical use or adult use cannabis activities.

Section 2. Amend Section 20-23.030, Table 2-2, to read and provide as follows:

| TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Zoning Districts | P | Permitted Use, Zoning Clearance required | | | | | |
|--|---|--|-----|-----|-----|------|--------------------------|
| | MUP | Minor Conditional Use Permit required | | | | | |
| | CUP | Conditional Use Permit required | | | | | |
| S | See Specific Use Regulations for permit requirement | | | | | | |
| — | Use not allowed | | | | | | |
| PERMIT REQUIRED BY DISTRICT | | | | | | | Specific Use Regulations |
| LAND USE (1) | RR | R-1 | R-2 | R-3 | MH | TV-R | |
| AGRICULTURAL & OPEN SPACE USES | | | | | | | |
| Adult use cannabis—personal cultivation | P | P | P | P | P | P | 20-46 |
| Agricultural accessory structure | P | — | — | — | — | — | |
| Animal keeping—Livestock, including aviaries | S | — | — | — | — | — | 20-42.040 |
| Crop production, horticulture, orchard, vineyard | P | MUP | — | — | — | — | |
| Initial crop processing | MUP | MUP | — | — | — | — | |
| Medical cannabis—personal cultivation | P | P | P | P | P | P | 20-46 |
| Plant nursery | CUP | — | — | — | — | — | |
| RECREATION, EDUCATION & PUBLIC ASSEMBLY USES | | | | | | | |
| Community garden (5) | P | P | P | P | P | P | |
| Equestrian facility | CUP | — | — | — | — | — | |
| Golf course/country club, public or quasi-public | CUP | CUP | — | — | — | — | |
| Health/fitness facility—Quasi-public | MUP | MUP | MUP | MUP | MUP | MUP | |
| Library/museum | MUP | MUP | MUP | MUP | MUP | P | |
| Meeting facility, public or private | MUP | MUP | MUP | MUP | MUP | MUP | |
| Park/playground, public or quasi-public | MUP | MUP | MUP | MUP | MUP | P | |
| Private residential recreation facility | MUP | MUP | MUP | MUP | MUP | MUP | |
| School, public or private | MUP | MUP | MUP | MUP | MUP | MUP | |
| Studio—Art, dance, martial arts, music, etc. | — | — | — | — | — | MUP | |
| RESIDENTIAL USES (See Section 20-28.080, Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments) | | | | | | | |
| Agricultural employee housing—6 or fewer residents | P | P | P | P | P | P | |
| Agricultural employee housing—7 or more residents | MUP | MUP | MUP | MUP | MUP | MUP | |
| Animal keeping—Domestic, exotic | S | S | S | S | S | S | 20-42.040 |
| Community care facility—6 or fewer clients | P | P | P | P | P | P | 20-42.060 |
| Community care facility—7 or more clients | MUP | MUP | MUP | MUP | MUP | MUP | 20-42.060 |
| Emergency shelter | CUP | CUP | CUP | CUP | CUP | CUP | |
| Home occupation | S | S | S | S | S | S | 20-42.070 |
| Live/work | — | — | — | — | — | P(3) | 20-42.080 |
| Mobile home park | CUP | CUP | CUP | CUP | CUP | — | 20-42.100 |
| Mobile home/manufactured housing unit | P | P | P | P | P | P | 20-42.094 |
| Multi-family dwellings | MUP | MUP | P | P | — | P | |
| Organizational house (dormitory, sorority, monastery, etc.) | MUP | MUP | CUP | CUP | — | CUP | |
| Residential accessory structures and uses | P | P | P | P | P | P | 20-42.030 |
| Residential component of a mixed use project | MUP | MUP | MUP | MUP | MUP | P | 20-42.090 |

| TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Zoning Districts | P | Permitted Use, Zoning Clearance required | | | | | |
|---|-----------------------------|---|--------|--------|----|--------|--------------------------|
| | MUP | Minor Conditional Use Permit required | | | | | |
| | CUP | Conditional Use Permit required | | | | | |
| | S | See Specific Use Regulations for permit requirement | | | | | |
| | — | Use not allowed | | | | | |
| LAND USE (1) | PERMIT REQUIRED BY DISTRICT | | | | | | Specific Use Regulations |
| | RR | R-1 | R-2 | R-3 | MH | TV-R | |
| Rooming or boarding house | P | P | P | P | — | P | |
| Rooming or boarding, accessory | P | P | P | P | — | P | |
| Second dwelling unit | S | S | S | S | — | S | 20-42.130 |
| Single-family dwelling | P | P | P(2) | P(2) | — | P(2) | |
| Small lot residential project | — | CUP | CUP(2) | CUP(2) | — | CUP(2) | 20-42.140 |
| Supportive housing | P(4) | P(4) | P | P | P | P | |
| Transitional housing | P(4) | P(4) | P | P | P | P | |
| Work/live | — | — | — | — | — | MUP | 20-42.060 |

RETAIL TRADE

| | | | | | | | |
|--|-----|-----|-----|-----|-----|-----|----------------------|
| Accessory retail uses | — | — | — | — | MUP | P | 20-42.024 |
| Alcoholic beverage sales | — | — | — | — | — | CUP | 20-42.034 |
| Artisan shop | — | — | — | — | — | MUP | |
| General retail—up to 20,000 sf of floor area | — | — | — | — | — | P | |
| Specialty food store—10,000 sf or less | — | — | — | — | — | P | |
| Neighborhood center | MUP | MUP | MUP | MUP | MUP | P | |
| Outdoor display and sales | — | — | — | — | — | MUP | 20-42.110 |
| Pharmacy | — | — | — | — | — | P | |
| Produce stand | MUP | — | — | — | — | MUP | |
| Restaurant, café, coffee shop—Counter ordering | — | — | — | — | — | P | |
| Restaurant, café, coffee shop—Outdoor dining | — | — | — | — | — | MUP | 20-42.110, 20-42.160 |
| Restaurant, café, coffee shop—Serving alcohol (no bar) | — | — | — | — | — | MUP | |
| Restaurant, café, coffee shop—Table service | — | — | — | — | — | P | |
| Second hand store | — | — | — | — | — | MUP | |

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

| | | | | | | | |
|--|-----|-----|-----|-----|-----|-----|-----------|
| ATM | — | — | — | — | — | P | 20-42.044 |
| Medical service—Health care facility—6 or fewer patients | P | P | P | P | P | P | 20-42.060 |
| Medical service—Health care facility—7 or more patients | MUP | MUP | MUP | MUP | MUP | MUP | 20-42.060 |
| Medical service—Integrated medical health center | — | — | MUP | MUP | — | MUP | |

SERVICES—GENERAL

| | | | | | | | |
|---|-----|-----|-----|-----|-----|-----|-----------|
| Accessory service uses | — | — | — | — | MUP | MUP | 20-42.024 |
| Adult day care | MUP | MUP | MUP | MUP | MUP | MUP | |
| Child day care—Large family day care home | MUP | MUP | MUP | MUP | CUP | MUP | 20-42.050 |
| Child day care—Small family day care home | P | P | P | P | P | P | |
| Child day care center (15 or more clients) | CUP | CUP | CUP | CUP | — | MUP | 20-42.050 |
| Extended hours of operation (11:00 p.m. to 6:00 a.m.) | — | — | — | — | — | CUP | |
| Lodging—Bed & breakfast inn (B&B) | MUP | MUP | — | — | — | — | |
| Personal services | — | — | — | — | — | MUP | |

| | | | | | | | |
|---|------------------------------------|---|------------|------------|-----------|-------------|---------------------------------|
| TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Zoning Districts | P | Permitted Use, Zoning Clearance required | | | | | |
| | MUP | Minor Conditional Use Permit required | | | | | |
| | CUP | Conditional Use Permit required | | | | | |
| | S | See Specific Use Regulations for permit requirement | | | | | |
| | — | Use not allowed | | | | | |
| | PERMIT REQUIRED BY DISTRICT | | | | | | Specific Use Regulations |
| LAND USE (1) | RR | R-1 | R-2 | R-3 | MH | TV-R | |
| Public safety facility | MUP | MUP | MUP | MUP | MUP | MUP | |

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

| | | | | | | | |
|----------------------------|-----|-----|-----|-----|-----|-----|-------|
| Telecommunications antenna | S | S | S | S | S | S | 20-44 |
| Utility facility | CUP | CUP | CUP | CUP | CUP | CUP | |
| Utility infrastructure | P | P | P | P | P | P | |

Key to Zoning District Symbols

| | | | |
|------------|---|-------------|-----------------------------|
| RR | Rural Residential | R-3 | Multi-Family Residential |
| R-1 | Single-Family Residential | MH | Mobile Home Park |
| R-2 | Medium Density Multi-Family Residential | TV-R | Transit Village-Residential |

Notes:

- (1) See Division 7 for land use definitions.
- (2) Single-family dwellings allowed only as attached units.
- (3) A building permit is required to verify occupancy standards.
- (4) A Minor Use Permit is required for the construction of new multi-family supportive and transitional housing units in an RR or R-1-6 Zoning District, similar to construction of a new traditional multi-family unit in an RR or R-1-6 Zone. A new supportive or transitional housing use occupying an existing multi-family residence in an RR or R-1-6 Zoning District is a permitted use requiring only a Zoning Clearance.
- (5) A community garden is allowed on the same property as an existing permitted meeting facility provided that the establishment of the garden does not trigger a grading permit or affect the operation and design of the meeting facility.

Section 3. Amend Section 20-23.030, Table 2-6, to read and provide as follows:

| TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts | P | Permitted Use, Zoning Clearance required | | | | | | | |
|--|-----|---|-----|-----|--------|---------|------|---------------------------|--|
| | MUP | Minor Conditional Use Permit required | | | | | | | |
| | CUP | Conditional Use Permit required | | | | | | | |
| | S | See Specific Use Regulations for permit requirement | | | | | | | |
| | — | Use not allowed | | | | | | | |
| PERMIT REQUIRED BY DISTRICT | | | | | | | | | |
| LAND USE (1) | CO | CN (7) | CG | CV | CD (3) | CSC (2) | TV-M | Specific Use Regulations | |
| INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING | | | | | | | | | |
| Artisan/craft product manufacturing | — | MUP | P | — | — | P | — | | |
| Brewery—Brew pub | — | MUP | MUP | — | MUP | MUP | MUP | | |
| Laboratory—Medical, analytical | MUP | — | — | — | — | — | — | | |
| Medical cannabis—testing laboratory | MUP | — | — | — | — | — | — | 20-46 | |
| Printing and publishing | — | — | — | — | MUP | — | — | | |
| Recycling—Reverse vending machines | — | P | P | — | — | P | — | 20-42.120 | |
| Recycling—Small collection facilities | — | — | MUP | — | — | MUP | — | 20-42.120 | |
| Storage—Accessory | P | P | P | P | P | P | P | | |
| Storage—Personal storage facility (mini-storage) | — | — | MUP | — | — | — | — | 20-42.180 | |
| Winery—Boutique | — | — | MUP | — | MUP | MUP | MUP | | |
| Winery—Production | — | — | CUP | — | CUP | — | CUP | | |
| RECREATION, EDUCATION & PUBLIC ASSEMBLY USES | | | | | | | | | |
| Adult entertainment business | S | S | S | S | S | S | S | 20-40 | |
| Commercial recreation facility—Indoor | — | — | MUP | — | MUP | MUP | MUP | | |
| Community garden (6) | P | P | P | P | P | P | P | | |
| Conference/convention facility | — | — | CUP | — | CUP | — | CUP | | |
| Health/fitness facility—Commercial | — | MUP | P | — | P | P | MUP | | |
| Health/fitness facility—Quasi-public | — | MUP | P | — | P | P | MUP | | |
| Library, museum | P | P | P | MUP | P | P | P | | |
| Meeting facility, public or private | MUP | MUP | MUP | MUP | MUP | MUP | MUP | | |
| Park, playground | P | P | P | MUP | P | P | P | | |
| School, public or private | MUP | MUP | MUP | MUP | MUP | MUP | MUP | | |
| Sports and entertainment assembly facility | — | — | CUP | — | CUP | — | — | | |
| Studio—Art, dance, martial arts, music, etc. | MUP | P | P | — | P | P | MUP | | |
| Theater, auditorium | — | — | CUP | — | CUP | CUP | MUP | | |
| RESIDENTIAL USES (See Section 20-28.080, Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments) | | | | | | | | | |
| Animal keeping—Domestic and exotic | S | S | S | — | S | S | S | 20-42.040 | |
| Community care facility—6 or fewer clients | P | P | P | — | P | P | P | 20-42.060 | |
| Community care facility—7 or more clients | MUP | MUP | MUP | — | MUP | MUP | MUP | 20-42.060 | |
| Emergency shelter—50 or fewer beds | CUP | CUP | P | CUP | CUP | CUP | CUP | 20-42.190 | |
| Emergency shelter—51 or more beds | CUP | CUP | CUP | CUP | CUP | CUP | CUP | 20-42.190 | |
| Home occupation | S | S | S | — | S | S | S | 20-42.070 | |
| Live/work | MUP | MUP | MUP | — | MUP | MUP | MUP | 20-42.080 | |
| Multi-family dwelling | CUP | P | MUP | — | MUP | P | P(5) | | |
| Residential accessory uses and structures | P | P | P | — | P | P | P | 20-42.030 | |
| Residential component of a mixed use project | MUP | P | MUP | — | MUP | P | P(5) | 20-42.090 | |
| Single-family dwelling—Attached only | CUP | P | CUP | — | MUP | P | P(5) | | |
| Single room occupancy facility | | | CUP | | CUP | CUP | — | 20-42.164 | |
| Transitional housing | CUP | CUP | CUP | CUP | CUP | — | CUP | | |
| Work/live | MUP | MUP | MUP | MUP | MUP | MUP | MUP | 20-42.060 | |
| RETAIL TRADE | | | | | | | | | |
| Accessory retail uses | P | P | P | P | P | P | P | 20-42.024 | |

| | | | | | | | | |
|--|---------|---------|---------|-----|------|---------|------|--|
| Alcoholic beverage sales | — | CUP | CUP | — | CUP | CUP | CUP | 20-42.034 |
| Artisan shop | — | P | P | — | P | P | P | |
| Auto and vehicle sales and rental | — | — | MUP | P | — | — | — | |
| Auto parts sales (no installation services) | — | — | P | P | — | P | — | |
| Bar/tavern | — | CUP | CUP | — | CUP | CUP | CUP | 20-42.034 |
| Building and landscape materials sales—Indoor | — | — | P | — | — | P | — | |
| Building and landscape materials sales—Outdoor | — | — | MUP | — | — | MUP | — | 20-42.100 |
| Construction and heavy equipment sales and rental | — | — | — | MUP | — | — | — | |
| Drive-through retail sales | — | CUP | CUP | — | — | CUP | — | 20-42.064 |
| Farm supply and feed store | — | — | MUP | — | — | MUP | — | |
| Fuel dealer (propane for home and farm use, etc.) | — | — | — | CUP | — | — | — | |
| Furniture, furnishings, appliance/equipment store | — | — | P | — | P | P | MUP | |
| Gas station | CUP | CUP | CUP | CUP | CUP | CUP | — | 20-42.150 |
| General retail—Up to 20,000 sf of floor area | — | P | P | — | P | P | P | |
| General retail—More than 20,000 sf, up to 50,000 sf | — | MUP | P | — | P | P | MUP | |
| General retail—More than 50,000 sf of floor area | — | — | CUP | — | — | P | — | |
| Grocery store, small—Less than 20,000 sf | — | P | P | — | P | P | P | |
| Grocery store, large—20,000 sf and greater | — | CUP | CUP | — | P | P | CUP | 20-42.200 |
| Medical cannabis—retail | CUP(10) | CUP(10) | CUP(10) | — | — | CUP(10) | — | 20-46 |
| Mobile food vending | — | — | MUP(9) | — | — | — | — | 20-42.210 |
| Mobile home, boat, or RV sales | — | — | MUP | P | — | — | — | |
| Neighborhood center | MUP | P | P | CUP | P | P | MUP | |
| Night club | — | — | MUP | — | MUP | MUP | MUP | |
| Office—Supporting retail | MUP | P | P | — | P | P | P | |
| Outdoor display and sales | — | MUP | MUP | — | CUP | CUP | CUP | 20-42.110 |
| Pharmacy | MUP | P | P | — | P | P | MUP | |
| Restaurant, café, coffee shop—Counter ordering | MUP | P | P | — | P | P | P | |
| Restaurant, café, coffee shop—Outdoor dining | P(8) | P(8) | P(8) | — | P(8) | P(8) | P(8) | 20-42.110 , 20-42.160 |
| Restaurant, café, coffee shop—Serving alcohol (no bar) | P | P | P | — | P | P | P | |
| Restaurant, café, coffee shop—Table service | MUP | P | P | — | P | P | P | |
| Second hand store | — | MUP | MUP | — | MUP | MUP | MUP | |
| Shopping center | — | — | P | — | P | P | — | |
| Tasting room | — | MUP | P | — | P | P | P | |
| Tobacco or smoke shop | — | — | MUP | — | MUP | MUP | — | |
| Warehouse retail | — | — | CUP | — | — | CUP | — | |

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

| | | | | | | | | |
|--|-----|-----|-----|-----|-----|-----|------|---------------------------|
| ATM | P | P | P | P | P | P | P | 20-42.044 |
| Bank, financial services | MUP | P | P | — | P | P | P(5) | |
| Business support service | MUP | MUP | P | — | P | P | P | |
| Medical service—Clinic, urgent care | P | MUP | P | — | P | P | MUP | |
| Medical service—Doctor office | P | P | P | — | P | P | P(5) | |
| Medical service—Health care facility | MUP | — | MUP | — | — | — | — | 20-42.060 |
| Medical service—Hospital | CUP | CUP | CUP | CUP | CUP | CUP | CUP | |
| Medical service—Integrated medical health center | P | MUP | P | — | P | P | MUP | |
| Medical service—Lab | P | — | P | — | — | MUP | — | |
| Medical service—Veterinary clinic, animal hospital | MUP | — | MUP | — | — | MUP | — | |
| Office—Accessory | P | P | P | P | P | P | P | |
| Office—Business/service | P | P | P | — | P | P | P(5) | |
| Office—Government | P | MUP | MUP | MUP | P | MUP | MUP | |
| Office—Processing | MUP | — | MUP | — | MUP | — | MUP | |
| Office—Professional | P | MUP | P | — | P | — | P(5) | |
| SERVICES—GENERAL | | | | | | | | |

| | | | | | | | | |
|---|-----|------|------|------|------|-----|-----|---------------------------|
| Accessory services | P | P | P | P | P | P | P | 20-42.030 |
| Adult day care | — | P | MUP | — | MUP | P | MUP | |
| Catering service | — | — | P | — | — | — | — | |
| Child day care—Large family day care home | MUP | MUP | MUP | — | MUP | MUP | MUP | 20-42.050 |
| Child day care—Small family day care home | P | P | P | — | P | P | P | 20-42.050 |
| Child day care center | MUP | MUP | MUP | — | MUP | MUP | MUP | 20-42.050 |
| Drive-through service | — | CUP | CUP | — | — | CUP | — | 20-42.064 |
| Equipment rental | — | — | P(4) | — | — | — | — | |
| Extended hours of operation (11:00 p.m. to 6:00 a.m.) | — | MUP | MUP | — | P | MUP | MUP | |
| Lodging—Bed & breakfast inn (B&B) | — | — | MUP | — | P | — | MUP | |
| Lodging—Hotel or motel | — | — | MUP | — | P(4) | — | P | |
| Mortuary, funeral home | — | — | CUP | — | — | — | — | |
| Personal services | P | P(2) | P | — | P | P | P | |
| Personal services—Restricted | — | — | MUP | — | MUP | MUP | — | |
| Public safety facility | MUP | MUP | MUP | MUP | MUP | MUP | MUP | |
| Repair service—Equipment, large appliances, etc. | — | — | MUP | — | — | — | — | |
| Social service organization | MUP | — | MUP | — | MUP | — | — | |
| Vehicle services—Major repair/body work | — | — | — | P(4) | — | — | — | |
| Vehicle services—Minor maintenance/repair | — | — | MUP | P(4) | — | MUP | — | |

TRANSPORTATION, COMMUNICATION & INFRASTRUCTURE

| | | | | | | | | |
|--|-----|-----|-----|-----|------|-----|-----|-------|
| Broadcasting studio | P | — | P | — | P | P | P | |
| Parking facility, public or commercial | MUP | — | MUP | — | P(4) | — | MUP | |
| Telecommunications facilities | S | S | S | S | S | S | S | 20-44 |
| Transit station or terminal | MUP | MUP | MUP | MUP | MUP | MUP | MUP | |
| Utility facility | CUP | CUP | CUP | CUP | CUP | CUP | CUP | |
| Utility infrastructure | P | P | P | P | P | P | P | |

Key to Zoning District Symbols

| | | | | | |
|-----------|-------------------------|------------|------------------------------|-------------|---------------------------|
| CO | Office Commercial | CV | Motor Vehicle Sales | TV-M | Transit Village— Mixed |
| CN | Neighborhood Commercial | CD | Downtown Commercial | | |
| CG | General Commercial | CSC | Community Shopping Center | | |

Notes:

- (1) See Division 7 for land use definitions.
- (2) Each new development or project involving significant additions or reconstruction is required to be a mixed use project with a residential component in compliance with the residential density requirements for the CSC zoning district as described in Sections 20-23.040 and 20-23.080.
- (3) Each new development on a site shown in Figure 2-1, 20-23.060.C shall be a mixed use project, and each new development within the Courthouse Square Sub-Area of the Downtown Station Area Specific Plan shall provide activity-generating uses at the ground floor along all public streets.
- (4) Minor Conditional Use Permit required when site abuts residential zoning district or parcel with residential use.
- (5) Uses permitted on upper stories of building, Minor Use Permit required when proposed on ground floor.
- (6) A community garden is allowed on the same property as an existing permitted meeting facility provided that the establishment of the garden does not trigger a grading permit or affect the operation and design of the meeting facility.
- (7) Residential uses are encouraged as part of new development on sites zoned CN, as described in Section 20-23.050.
- (8) Administrative Design Review is required when a project is not part of a building permit application.

(9) Mobile food vending is permitted on private property, with the approval of a Minor Use Permit, only on sites located within the CG zoning district that have street frontage on Sebastopol Road, between Stony Point Road and Olive Street, as described in Section 20-42.210.

(10) Subject to a 600 feet minimum setback requirement to a “school,” as defined by the Health & Safety Code Section 11362.768.

Section 4. Amend Section 20-24.030, Table 2-10, to read and provide as follows:

| TABLE Allowed Land Uses and Permit Requirements for Industrial Districts | 2-10 | | | |
|--|-----------------------------|--|------|---------------------------|
| | P | Permitted Use, Zoning Clearance required | | |
| | MUP | Minor Conditional Use Permit required | | |
| | CUP | Conditional Use Permit required | | |
| | S | See Specific Use Regulations for requirement | | |
| | — | Use not allowed | | |
| LAND USE (1) | PERMIT REQUIRED BY ZONE (2) | | | Specific Use Regulations |
| | BP | IL | IG | |
| INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALE | | | | |
| Agricultural product processing | — | — | P(3) | |
| Artisan/craft product manufacturing | P | P | P | |
| Brewery—Brew pub | P | CUP | — | |
| Brewery—Production | P | P | P | |
| Community care facilities—6 or fewer clients | P | P | P | |
| Community care facilities—7 or more clients | MUP | MUP | MUP | |
| Furniture/fixtures manufacturing, cabinet shops | — | P(3) | P(3) | |
| Laboratory—Medical, analytical | P | P | — | |
| Laundry, dry cleaning plant | — | MUP | P | |
| Manufacturing/processing—Heavy | — | — | MUP | |
| Manufacturing/processing—Light | P(3) | P(3) | P(3) | |
| Manufacturing/processing—Medium | — | MUP | MUP | |
| Media production—Indoor only | P | P(3) | P(3) | |
| Media production—With outdoor uses | MUP | P(3) | P(3) | |
| Medical cannabis—commercial cultivation—up to 5,000 sq ft | — | MUP | MUP | 20-46 |
| Medical cannabis—commercial cultivation—5,001 sq ft or greater | — | CUP | CUP | 20-46 |
| Medical cannabis—distribution | MUP(4) | P(3) | P(3) | 20-46 |
| Medical cannabis—manufacturing level 1 | P(3) | P(3) | P(3) | 20-46 |
| Medical cannabis—manufacturing level 2 | — | CUP | CUP | 20-46 |
| Medical cannabis—testing laboratory | P | P | P | 20-46 |
| Petroleum product storage and distribution | — | — | MUP | |
| Printing and publishing | P(3) | P(3) | P | |
| Recycling—Large collection facility | — | — | MUP | 20-42.120 |
| Recycling—Processing facility | — | — | MUP | 20-42.120 |
| Recycling—Reverse vending machines | P | P | P(3) | 20-42.120 |
| Recycling—Scrap or dismantling yard | — | — | MUP | 20-42.120 |
| Recycling—Small collection facility | MUP | MUP | MUP | 20-42.120 |
| Research and development | P | P | MUP | |
| Storage—Accessory | P | P | P(3) | |
| Storage—Contractor’s yard | — | MUP | MUP | |
| Storage—Open during extended or transitional hours | — | MUP | MUP | |
| Storage—Outdoor | — | MUP | MUP | 20-42.170 |
| Storage—Personal storage facility (mini-storage) | — | P(3) | P(3) | 20-42.180 |
| Warehouse, wholesaling and distribution | MUP (4) | P(3) | P(3) | |
| Winery—Boutique | P | P | P | |
| Winery—Production | P | P | P | |
| RECREATION, EDUCATION & PUBLIC ASSEMBLY USES | | | | |
| Adult entertainment business | S | S | S | 20-40 |
| Commercial recreation facility—Indoor | MUP | P | P | |
| Commercial recreation facility—Outdoor | — | MUP | — | |
| Community garden (6) | P | P | P | |
| Conference/convention facility | MUP (4) | MUP | — | |
| Health/fitness facility—Commercial | MUP | MUP | — | |

| | | | | |
|--|-----|-----|-----|--|
| Health/fitness facility—Quasi-public | MUP | MUP | — | |
| Meeting facility, public or private | MUP | MUP | — | |
| School, public or private | MUP | MUP | MUP | |
| Sports and entertainment assembly facility | — | CUP | — | |
| Studio—Art, dance, martial arts, music, etc. | MUP | MUP | — | |
| Theater, auditorium | — | CUP | — | |

RESIDENTIAL USES (See Section 20-28.080, Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments)

| | | | | |
|---|--------|--------|--------|-----------|
| Animal keeping—Domestic/exotic | S | S | S | 20-42.040 |
| Caretaker unit | MUP(4) | MUP(4) | MUP(4) | |
| Emergency shelter | CUP | CUP | CUP | |
| Home occupation | S | — | — | 20-42.070 |
| Live/work unit | MUP | — | — | 20-42.080 |
| Mixed use project | MUP | — | — | |
| Mobile home/manufactured housing | CUP(4) | — | — | 20-42.094 |
| Multi-family dwellings | CUP(4) | — | — | |
| Organizational house | CUP(4) | — | — | |
| Residential accessory uses and structures | P(4) | — | — | |
| Second dwelling unit | P(4) | — | — | 20-42.130 |
| Single-family dwelling | CUP(4) | — | — | |
| Transitional housing | CUP | CUP | CUP | |
| Work/live unit | MUP | MUP | MUP | 20-42.080 |

RETAIL TRADE

| | | | | |
|--|--------|--------|--------|---------------------------|
| Accessory retail uses | P(4) | P | P | 20-42.024 |
| Alcoholic beverage sales | — | CUP | — | 20-42.034 |
| Auto and vehicle sales and rental | — | MUP | — | |
| Bar/tavern | — | CUP | — | |
| Building and landscape materials sales—Indoor | — | P | MUP | |
| Building and landscape materials sales—Outdoor | — | MUP | MUP | |
| Construction and heavy equipment sales and rental | — | MUP | MUP | |
| Farm supply and feed store | — | P | MUP | |
| Fuel dealer (propane for home and farm use, etc.) | — | — | MUP | |
| Gas station | — | CUP | CUP | 20-42.150 |
| Neighborhood center | MUP(5) | MUP(5) | CUP(5) | |
| Medical cannabis—retail | CUP(7) | CUP(7) | CUP(7) | 20-46 |
| Night club | — | CUP | — | |
| Office supporting retail | P | — | — | |
| Restaurant, café, coffee shop—Counter ordering | P(4) | P | CUP | |
| Restaurant, café, coffee shop—Outdoor dining | MUP(4) | MUP | CUP | |
| Restaurant, café, coffee shop—Serving alcohol (no bar) | P(4) | P | CUP | |
| Restaurant, café, coffee shop—Table service | P(4) | P | CUP | |
| Warehouse retail | CUP(4) | CUP | CUP | |

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

| | | | | |
|--|-----|-----|------|---------------------------|
| ATM | P | P | — | 20-42.044 |
| Bank, financial services | P | — | — | |
| Business support service | P | P | MUP | |
| Medical service—Clinic, urgent care | P | MUP | — | |
| Medical service—Doctor office | P | — | — | |
| Medical service—Health care facility | MUP | — | — | 20-42.060 |
| Medical service—Integrated medical health center | P | MUP | — | |
| Medical service—Lab | P | MUP | — | |
| Medical service—Veterinary clinic, animal hospital | — | MUP | MUP | |
| Office—Accessory | P | P | P(3) | |
| Office—Business/service | P | — | — | |
| Office—Government | P | — | — | |
| Office—Processing | MUP | — | — | |

| | | | | |
|---|--------|------|------|---------------------------|
| Office—Professional | P | — | — | |
| SERVICES—GENERAL | | | | |
| Accessory services | P(4) | P | MUP | 20-42.024 |
| Catering service | — | P | P | |
| Child day care center | MUP | MUP | — | 20-42.050 |
| Equipment rental | — | P(3) | P(3) | |
| Extended hours of operation (11:00 p.m. to 6:00 a.m.) | MUP | MUP | MUP | |
| Kennel, animal boarding | — | MUP | MUP | |
| Lodging—Hotel or motel | CUP(4) | — | — | |
| Maintenance service—Client site services | MUP | P | P | |
| Personal services | P | MUP | — | |
| Public safety facility | MUP(2) | MUP | MUP | |
| Repair service—Equipment, large appliances, etc. | — | MUP | P(3) | |
| Vehicle services—Major repair/body work | — | MUP | P(3) | |
| Vehicle services—Minor maintenance/repair | — | P | P(3) | |

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

| | | | | |
|--|------|------|--------|-------|
| Broadcasting studio | P | P | P | |
| Parking facility, public or commercial | — | — | MUP | |
| Taxi or limousine dispatch facility | — | MUP | MUP(3) | |
| Telecommunications facilities | S | S | S | 20-44 |
| Truck or freight terminal | — | MUP | MUP(3) | |
| Utility facility | — | P(3) | P(3) | |
| Utility infrastructure | P(3) | P(3) | P(3) | |
| Vehicle storage | — | MUP | P(3) | |

Key to Zoning District Symbols

| | | | |
|-----------|------------------|-----------|--------------------|
| BP | Business Park | IG | General Industrial |
| IL | Light Industrial | | |

Notes:

- (1) See Division 7 for land use definitions.
- (2) The reoccupancy of a building with an allowable use that is similar to or less intense than the former use may be permitted without MUP or CUP approval. See Section 20-24.030.B.
- (3) MUP required if the use, specific suite, or its associated operations abuts a residential zoning district or parcel with a residential use.
- (4) Use only allowed if ancillary and related to a primary or dominant use.
- (5) Allowed in any industrial district where the review authority first determines that a need exists, and that the proposed business will be economically viable.
- (6) A community garden is allowed on the same property as an existing permitted meeting facility provided that the establishment of the garden does not trigger a grading permit or affect the operation and design of the meeting facility.
- (7) Subject to a 600 feet minimum setback requirement to a “school,” as defined by the Health & Safety Code Section 11362.768.

Section 5. Amend Section 20-36.040, Table 3-4, to read and provide as follows:

TABLE 3-4—AUTOMOBILE AND BICYCLE PARKING REQUIREMENTS BY LAND USE TYPE

| Land Use Type: | Number of Parking Spaces Required | |
|---|---|---|
| | Vehicle | Bicycle |
| Agricultural and Open Space Uses (1) | | |
| Agricultural activities, including crop production, horticulture, orchard, vineyard, and animal keeping | None. | |
| Medical cannabis cultivation | 1 space per 1,000 sf or as determined by CUP. | 1 space per 14,000 sf. or as determined by CUP. |
| Plant nursery | 1.25 spaces per employee. | None. |
| Wildlife or botanical preserve or sanctuary | Determined by Conditional Use Permit. | |

| Land Use Type: | Number of Parking Spaces Required | |
|---|--|---|
| | Vehicle | Bicycle |
| Industry, Manufacturing and Processing, Wholesaling | | |
| Industrial and manufacturing, except the uses listed below: Less than 50,000 sf. | 1 space for each 350 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area. | 1 space per 7,000 sf. or as determined by CUP. |
| Equal to or greater than 50,000 sf. | 1 space for each 700 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area. | 1 space per 14,000 sf. or as determined by CUP. |
| Medical cannabis manufacturing: Less than 50,000 sf. | 1 space for each 350 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area. | 1 space per 7,000 sf. or as determined by CUP. |
| Equal to or greater than 50,000 sf. | 1 space for each 700 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area. | 1 space per 14,000 sf. or as determined by CUP. |
| Laboratory | 1 space for each 300 sf., plus 1 space for each company vehicle. | 1 space per 6,000 sf. |
| Medical cannabis testing laboratory | 1 space for each 300 sf., plus 1 space for each company vehicle. | 1 space per 6,000 sf. |

| | | |
|---|--|------------------------|
| Recycling facility | 1 space for each 1,000 sf. or as determined by CUP. The gross floor area may include incidental office space comprising less than 5% of the total gross floor area. | 1 space per 14,000 sf. |
| Research and development | 1 space for each 300 sf., plus 1 space for each company vehicle. | 1 space per 6,000 sf. |
| Self storage (personal storage and mini warehouse facilities) | 2 spaces for manager or caretaker unit, 1 of which must be covered, and a minimum of 5 customer parking spaces located adjacent or in close proximity to the manager's unit. | None required. |
| Warehouse, wholesaling, distribution, and storage (not including mini-storage for personal use) | 1 space for each 1,000 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area. | 1 space per 14,000 sf. |
| Medical cannabis distribution | 1 space for each 1,000 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area. | 1 space per 14,000 sf. |

| Land Use Type: | Number of Parking Spaces Required | |
|---|---|-----------------------|
| | Vehicle | Bicycle |
| Recreation, Education, and Public Assembly | | |
| Adult entertainment | As determined by CUP. | |
| Commercial recreation facility—Indoor | 1 space for each 250 sf. | 1 space per 5,000 sf. |
| Commercial recreation facility—Outdoor | As determined by MUP. | |
| Conference, convention facility | 1 space for each 4 fixed seats or 1 space for every 50 sf. of assembly area or meeting rooms, whichever is greater. | 1 space per 5,000 sf. |
| Golf courses/country club, public or quasi-public | 8 spaces for each hole. | None required. |
| Equestrian facility | As determined by CUP. | |
| Health club/fitness facility | 1 space for each 250 sf., not including that area devoted to athletic courts located within the building, plus 2 spaces per athletic court. | 1 space per 4,000 sf. |
| Library, museum | 1 space for each 300 sf., plus 1 space for each official vehicle. | 1 space per 6,000 sf. |
| Meeting facility, public or private | 1 space for each 4 fixed seats or 1 space for every 50 sf. of assembly area or meeting rooms, whichever is greater. | 1 space per 4,000 sf. |
| Park/playground, public or quasi-public | As determined by review authority. | |

| | | |
|---|---|--|
| School, public or private | | |
| Elementary/middle school | 1.5 spaces for each classroom, plus 1 space for every 200 sf. of assembly area in an auditorium. | 1 space per 4,000 sf. of assembly area in an auditorium. |
| High school | 0.33 spaces for each student, plus 1 space for each employee. | 1 space per 4,000 sf. of assembly area in an auditorium. |
| College | 0.5 spaces for each student, plus 1 space for each employee. | 1 space per 1,000 sf. of assembly area in an auditorium. |
| Trade and business schools | 1 space for each student. | 1 space per 10 students. |
| Sports and entertainment assembly facility | 1 space for each 4 fixed seats or 1 space for every 50 sf. of assembly area, whichever is greater. | 1 space per 4,000 sf. |
| Studio: art, dance, martial arts, music, etc. | 1 space for each 200 sf. | 1 space per 4,000 sf. |
| Theater, auditorium | 1 space for each 4 fixed seats or 1 space for every 50 sf. of assembly area or meeting rooms, whichever is greater. | 1 space per 4,000 sf. |

| Land Use Type: | Number of Parking Spaces Required | |
|--|--|--|
| | Vehicle | Bicycle |
| Downtown residential units (in CD zone) | 1 space per unit. | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |
| Duplex, multifamily dwelling, rowhouse, condominium and other attached multifamily and single-family dwellings, and including multifamily in a small-lot subdivision | Studio and 1-bedroom units—1 covered space plus 0.5 visitor spaces per unit. Visitor spaces may be in tandem with spaces for the unit; or on-street abutting the site, except on a street identified by the General Plan as a regional street. | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |
| | 2 or more bedroom units—1 covered space plus 1.5 visitor spaces per unit. Visitor spaces may be in tandem with spaces for the unit; or on-street abutting the site, except on a street identified by the General Plan as a regional street. | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |
| Emergency shelter | 1 space for every 10 beds provided, plus 1 space for each staff person on duty. | |
| Group quarters (including boarding/rooming houses, dormitories, organizational houses) | 1.5 spaces for each sleeping room or 1 space for each 100 sf. of common sleeping area. | 1 space per room. |
| Live/work and work/live units | 2 spaces for each unit. The review authority may modify this requirement for the re-use of an existing structure with limited parking. | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |
| Mixed-use projects | See Section 20-36.050.A (Shared parking for mixed uses). | |

| | | |
|---|--|--|
| Mobile home parks | 1.75 spaces for each unit, which may be in tandem, one of which must be covered. At least one-third of the total spaces required shall be distributed throughout the mobile home park and available for guest parking. | 0.5 spaces per unit. |
| Multifamily affordable housing project | Studio/1 bedroom unit—1 space per unit. | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |
| | 2 or more bedrooms—2 spaces per unit. | |
| Second dwelling units | 1 space in addition to that required for a single-family unit; the space may be uncovered, compact, or tandem, and within the front yard setback when located in the driveway. If not located in driveway, parking shall be located outside any setback (See Section 20-42.130). | None required. |
| Senior housing project (with occupancy for persons 55 or older, as set forth in and which complies with Section 20-28.080) | 1 space per unit with 0.5 of the spaces covered, plus 1 guest parking for each 10 units. | 1 space per 8 units if units do not have a private garage or private storage space for bike storage. |
| Senior affordable housing project (with occupancy for persons 55 or older, as set forth in and which complies with Section 20-28.080) | 1 space per unit. | 1 space per 8 units if units do not have a private garage or private storage space for bike storage. |
| Single-family dwellings—Detached (see duplexes, etc., above for attached units) | Standard lot—4 spaces per unit, 1 of which must be on-site, covered and outside setbacks. The remaining 3 spaces may be on-site (in the driveway and tandem) or on a public or private street when directly fronting the lot. | None required. |
| | Flag lot—2 spaces per unit, 1 of which must be covered, both of which must be located outside the required setback area plus 2 on-site, paved guest spaces located outside the required setbacks and which may be tandem. | None required. |
| Single room occupancy facilities | 0.5 spaces per unit. | |
| Supportive housing | Subject to the same parking requirements as other residential uses. | |
| Transitional housing | Subject to the same parking requirements as other residential uses. | |

| Land Use Type: | Number of Parking Spaces Required | |
|---|---|-----------------------|
| | Vehicle | Bicycle |
| Retail Trade | | |
| All business, financial, and professional service uses, except those listed below | 1 space for each 250 sf. | 1 space per 5,000 sf. |
| Medical cannabis retail | 1 space for each 250 sf. | 1 space per 5,000 sf. |
| ATM | 2 spaces per machine. See also Section 20-42.044. | None required. |
| Medical service | | |
| Clinic, lab, urgent care | 1 space for each 300 sf. | 1 space per 6,000 sf. |
| Doctor's office | 1 space for each 200 sf. | 1 space per 4,000 sf. |
| Health care facility | As determined by MUP. | |
| Hospital | As determined by CUP. | |
| Integrated medical health center | 1 space for each 250 sf. of recreation and fitness area, not including that area devoted to athletic courts located within the building, plus 2 spaces per athletic court, plus 1 space per 300 sf. of medical clinic/office use. | 1 space per 4,000 sf. |
| Veterinary clinic, arrival hospital | As determined by MUP. | |

| Land Use Type: | Number of Parking Spaces Required | |
|---|---|------------------------------|
| | Vehicle | Bicycle |
| Services—General | | |
| All service uses, except those listed below | 1 space for each 250 sf. | 1 space per 5,000 sf. |
| Catering service | 1 space per employee, plus 1 space per company vehicle. | None required. |
| Cemetery, mausoleum, columbarium | 1 space for each 4 seats of chapel capacity, and 1 space per employee. | 1 space per 5,000 sf. |
| Day care | | |
| Adult day care | 1 space per employee, plus 1 space per 10 clients, plus adequate loading space as required by review authority. | As determined by MUP or CUP. |
| Child day care—Center | 1 space per employee, plus 1 space per 10 children, plus adequate loading space as required by review authority. | As determined by MUP or CUP. |
| Child day care—Large family day care home | 3 spaces, no more than 1 of which may be provided in a garage or carport. Parking may be on-street if contiguous to the site. May include spaces already provided to meet residential parking requirements. | As determined by MUP or CUP. |
| Child day care—Small day care home | As required by State license. | None required. |
| Community care facility—6 or fewer clients | 1 space for each 3 beds. | None required. |

| | | |
|---|--|-------------------------------------|
| Community care facility—7 or more clients | 1 space for each 3 beds. | As determined by MUP or CUP. |
| Drive-through service | As required by MUP or CUP. See Section 20-42.064. | |
| Equipment rental | 1 space for each 350 sf. of floor area; none required for outdoor rental yard. | 1 per 10 full time employees. |
| Kennel, animal boarding | 1 space for each 500 sf., plus 1 space for each 1,000 sf. of boarding area. | 1 per 10 full time employees. |
| Lodging—Bed & breakfast inn (B&B), hotels, and motels | 1 space for each guest room, plus required spaces for accessory uses such as restaurants and conference space. | 1 space plus 1 per 10 guest rooms. |
| Mortuary, funeral home | 1 space for each 4 seats of chapel capacity and 1 space per employee. | 1 per 10 full time employees. |
| Personal services | 2 spaces per customer chair, or 1 space for 250 sf., whichever is greater. | 1 space per 4,000 sf. |
| Personal services—Restricted | 2 spaces per customer chair, or 1 space for 250 sf., whichever is greater. | 1 space per 4,000 sf. |
| Public safety facility | As determined by MUP. | |
| Repair service—Equipment, large appliances, etc. | 1 space for each 375 sf. | 1 space per 7,500 sf. |
| Vehicle services—Minor, and major repair/body work | 1 space for each service bay, plus 1 space per employee. | 1 space per 10 full time employees. |

| Land Use Type: | Number of Parking Spaces Required | |
|--|-----------------------------------|-----------------------|
| | Vehicle | Bicycle |
| Transportation, Communications & Infrastructure | | |
| All uses, except the following | As required by MUP or CUP. | |
| Broadcasting studio | 1 space per 200 sf. | 1 space per 4,000 sf. |
| Medical cannabis transporter | As required by MUP. | |

| Land Use Type: | Number of Parking Spaces Required | |
|--|--|--|
| | Vehicle | Bicycle |
| Downtown Station Area Specific Plan—Attached Residential Uses Multifamily | | |
| Courthouse Square and Railroad subareas | 1 reserved space per unit | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |
| Railroad Corridor subarea | 1.5 reserved spaces per unit, except that only 1 reserved space per unit is required for residential uses on properties along the Wilson Street corridor between 6th Street and 9th Street, as shown in Figure 3-11. | |
| Parks and gardens subarea | 1.5 reserved spaces per unit. | |

| | | |
|--|--|--|
| Residential, historic residential and Imwalle Gardens subareas | 1 reserved, covered space plus 0.5 shared visitor spaces per unit. Visitor spaces may be in tandem with spaces for the unit; or on-street abutting the site, except on a street identified by the general plan as a regional street. | |
|--|--|--|

| Land Use Type: Downtown Station Area Specific Plan—Detached Single-Family Residential Uses | Number of Parking Spaces Required | |
|---|--|----------------|
| | Vehicle | Bicycle |
| Residential, historic residential and Imwalle Gardens subareas | 2 spaces per unit, one of which must be reserved, on-site, covered and outside of setbacks. The remaining space may be shared, on-site (in the driveway and tandem) or on a public or private street when directly fronting the lot. | None required. |

| Land Use Type: Downtown Station Area Specific Plan—Affordable Residential Uses | Number of Parking Spaces Required | |
|---|-----------------------------------|--|
| | Vehicle | Bicycle |
| All subareas | 1 reserved space per unit. | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |

| Land Use Type: Downtown Station Area Specific Plan—Senior Housing Project (occupancy restricted to persons 55 or older) | Number of Parking Spaces Required | |
|--|-----------------------------------|--|
| | Vehicle | Bicycle |
| All subareas | 0.5 reserved space per unit. | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |

| Land Use Type: Downtown Station Area Specific Plan—Nonresidential Uses | Number of Parking Spaces Required | |
|---|---|-----------------------|
| | Vehicle | Bicycle |
| Courthouse Square subarea | None, except 600 shared parking spaces shall be provided for the City Hall-Performing Arts Center. Any <i>new</i> on-street spaces created by a | 1 space per 5,000 sf. |

| | | |
|---------------------------|--|--|
| | development shall count toward meeting the shared parking requirement. | |
| Railroad Square subarea | 1 shared space for each 500 sf. of <i>new</i> floor area, no additional parking is required for new uses occupying existing buildings. Any <i>new</i> on-street spaces created by a development shall count toward meeting the shared parking requirement. | |
| | Required parking in the Railroad Square subarea may be provided on-site or within a nearby parking facility. Use of shared spaces in another parking facility shall not create a parking shortage for the business associated with that facility. | |
| Railroad Corridor subarea | 1 shared space for each 300 sf. Any <i>new</i> on-street spaces created by a development shall count toward meeting the shared parking requirement. | |
| Parks and Gardens subarea | 1 shared space for each 300 sf. Any <i>new</i> on-street spaces created by a development shall count toward meeting the shared parking requirement. | |

| Land Use Type: | Number of Parking Spaces Required | |
|---|--|--|
| | Vehicle | Bicycle |
| North Santa Rosa Station Area Specific Plan | | |
| Multifamily attached residential | 1.5 spaces per unit minimum. | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |
| Affordable multifamily attached residential | 1 space per unit minimum. | 1 space per 4 units if units do not have a private garage or private storage space for bike storage. |
| Senior multifamily attached residential | 0.5 spaces per unit minimum. | 1 space per 8 units if units do not have a private garage or private storage space for bike storage. |
| Nonresidential | 2.5 spaces for each 1,000 sf. minimum. | 1 space per 5,000 sf. |

Notes:

- (1) Properties located within the boundaries of the Downtown Station Area Specific Plan and the North Santa Rosa Station Area Specific Plan shall use the land use type “Station Area Plan” to determine the number of parking spaces required.

(2) Properties located within the boundaries of the Downtown Station Area Specific Plan (the area bounded by College Avenue to the north, E Street to the east, Sebastopol Road and Highway 12 to the south, and Dutton Avenue and Imwalle Gardens to the west) shall use the land use type “Station Area Plan” to determine the number of parking spaces required.

Section 6. Repeal Chapter 20-46 in its entirety and replace with the following:

**Chapter 20-46
Cannabis**

Sections:

- 20-46.010 Purpose**
- 20-46.020 Limitation on Use**
- 20-46.030 Personal Cannabis Cultivation**
- 20-46.040 Medical Cannabis Businesses**
- 20-46.050 General Operating Requirements**
- 20-46.060 Medical Cannabis Commercial Cultivation**
- 20-46.070 Medical Cannabis Manufacturing**
- 20-46.080 Medical Cannabis Retail and Delivery**
- 20-46.090 Special Events**
- 20-46.100 Grounds for Permit Revocation or Modification**
- 20-46.110 Adult Use Cannabis Businesses**

20-46.010 Purpose.

This Chapter provides the location and operating standards for Personal Cannabis Cultivation and for Cannabis Businesses to ensure neighborhood compatibility, minimize potential environmental impacts, provide safe access to medicine and provide opportunities for economic development.

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.

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 Cannabis Maximum Limitation.** The personal cultivation of medical cannabis is limited to no more than one hundred (100) square feet per residence, regardless of the number of residents. A primary caregiver, as defined in state law, may cultivate medical cannabis exclusively for the personal medical use of no more than five specified qualified patients, with the area of cultivation not to exceed one hundred square feet per patient, up to a total of five hundred square feet.
- B. **Adult Use Cannabis Maximum Limitation.** The personal cultivation of adult use cannabis is limited to no more than six (6) mature plants per residence, regardless of the number of residents.
- C. **Residency requirement.** Cultivation of cannabis for personal use may occur only on parcels with an existing legal residence occupied by a full-time resident.
- D. **Outdoor cultivation.** Cannabis plants shall not be located in a front or street side yard, unless fully screened from public view.
- E. 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.
 - 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 readily 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:
 - i. 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.)
 - ii. 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 the 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.

20-46.040 Medical Cannabis Businesses.

Medical Cannabis Businesses 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, Medical Cannabis Businesses shall include the following land use classifications, all of which are further defined in Chapter 20-70 (Definitions):
 1. Medical Cannabis Commercial Cultivation up to 5,000 sf
 2. Medical Cannabis Commercial Cultivation 5,001 sf or greater
 3. Medical Cannabis Retail

4. Medical Cannabis Distribution
 5. Medical Cannabis Manufacturing – Level 1
 6. Medical Cannabis Manufacturing – Level 2
 7. Medical Cannabis Testing Laboratory
- B. Where allowed. Medical Cannabis Businesses 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.
- 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.

20-46.050 General Operating Requirements.

The following general operating requirements are applicable to all Medical Cannabis Businesses. In addition, requirements specific to each Medical Cannabis Business subtype are set forth in subsections 20-46.60 (Medical Cannabis Cultivation), 20-46.70 (Medical Cannabis Support Uses) and 20-46.80 (Medical Cannabis Retail and Delivery).

- A. Dual licensing. The City recognizes that state law requires dual licensing at the state and local level for all Medical Cannabis Businesses. All Medical Cannabis Operators shall therefore be required to diligently pursue and obtain a state medical 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. Medical 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. Medical 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 Medical 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. 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 Medical 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.
- C. Inventory and tracking. Medical Cannabis Operators shall at all times operate in a manner to prevent diversion of Medical Cannabis and shall promptly comply with any track and trace program established by the state.
- D. Multiple permits per site. Multiple Medical Cannabis Businesses proposed on any one site or parcel shall be granted permit approval only if all of the proposed Medical Cannabis Businesses and their co-location are authorized by both local and state law. Medical 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. Medical Cannabis Operators shall meet the following requirements prior to commencing operations:
1. The Medical Cannabis Operator shall obtain a building permit to confirm with the appropriate occupancy classification and compliance with Chapter 18 of the City Code.
 2. The Medical Cannabis Operator shall obtain all annual operating fire permits with inspections prior to operation.
 3. The Medical Cannabis Operator shall comply with all applicable H&SC and California Fire Code requirements related to the storage, use and handling of hazardous materials and the generation of hazardous waste. Medical 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 Medical Cannabis Business or transfer a permit for a Medical 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. Medical 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 Medical 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 twenty-four (24) hour basis of all internal and exterior areas where Medical 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 sixty (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. Medical Cannabis Operators shall keep the name and contact information of the alarm system installation and monitoring company as part of the Medical Cannabis Business's onsite books and records. Medical 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. Medical Cannabis Products and associated product waste shall be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.
 4. Transportation. Medical Cannabis Businesses shall implement procedures for safe and secure transportation and delivery of Medical Cannabis, Medical Cannabis Products and currency in accordance with state law.
 5. Locks. All points of ingress and egress to a Medical 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 the California Fire Code and Santa Rosa Fire Department standards.
- H. Odor control. Medical Cannabis Businesses shall incorporate and maintain adequate odor control measures such that the odors of Medical Cannabis cannot be readily detected from outside of the structure in which the Business operates. Applications for Medical Cannabis Businesses shall include an odor mitigation plan certified by a professional engineer or industrial hygienist 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.

20-46.060 Medical Cannabis Commercial Cultivation

In addition to the General Operating Requirements set forth in Section 20-46.50, this section provides additional requirements for Medical Cannabis Commercial Cultivation.

- A. Outdoor commercial cultivation prohibited. The cultivation of Medical 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 Medical 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 Medical Cannabis Business, not the canopy area.
- C. Pesticides. The cultivation of Medical 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).

20-46.070 Medical Cannabis Manufacturing

In addition to the General Operating Requirements set forth in Section 20-46.50, this section provides additional operational requirements for Medical Cannabis Manufacturing.

- A. Extraction processes. Medical Cannabis Manufacturers shall utilize only extraction processes that are (a) 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 (b) 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. Manufacturing, processing and analytical testing devices used by the Medical Cannabis Manufacturer must be UL (Underwriters Laboratories) listed or otherwise certified by an approved third party testing agency or engineer and approved for the intended use by the City's Building Official and Fire Code Official.
- D. Food handler certification. All owners, employees, volunteers or other individuals that participate in the production of edible Medical 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 Medical Cannabis Manufacturer's facility where that individual participates in the production of edible Medical Cannabis Products.
- E. Edible product manufacturing. Medical 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.

20-46.080 Medical Cannabis Retail and Delivery.

In addition to the General Operating Requirements set forth in Section 20-46.50, this section provides location and operating requirements for Medical Cannabis Retail and Delivery.

- A. Conditional use. A Conditional Use Permit shall be required to operate Medical Cannabis Retail in accordance with Tables 2-6 and 2-10.
- B. Delivery Services. In addition to the requirements established in this Chapter for Medical Cannabis Retail, the delivery of Medical Cannabis and Medical Cannabis Products shall be subject to the following requirements:
 - 1. Commercial delivery to patients at locations outside a permitted Medical Cannabis Retail facility shall only be permitted in conjunction with a permitted Medical Cannabis Retail facility that has a physical location and a retail storefront open to the public.
 - 2. A Medical Cannabis Retail facility shall not conduct sales exclusively by delivery.
 - 3. Conditional Use Permit applications for Medical Cannabis Retail shall include a statement as to whether the use will include delivery of Medical Cannabis and Medical Cannabis Products to patients located outside the Medical 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 Medical Cannabis Retail are prohibited.
- D. Location requirements. In addition to the requirements established in Tables 2-6 and 2-10, Medical Cannabis Retail shall be subject to the following location requirements:
 - 1. Overconcentration. To avoid overconcentration, Medical Cannabis Retail shall not be established within 1,000 feet of any other Medical Cannabis Retail established within and permitted by the City of Santa Rosa.
 - 2. Setback to schools. Medical Cannabis Retail shall be subject to a 600-foot minimum setback from any “school”, as defined by the Health and Safety Code Section 11362.768.
 - 3. Measurement of distance. The distance between Medical Cannabis Retail and a school shall be made in a straight line from the boundary line of the property on which the

- Medical 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 Medical Cannabis Retail facility after such facility has obtained a Conditional Use Permit for the site shall render the Medical 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 Medical Cannabis Retail facility shall be in a visible location that provides an unobstructed view from the public right of way.
- E. Operational requirements. In addition to project specific conditions of approval, Medical Cannabis Retail shall comply with the following operational requirements:
1. Employees. The Medical Cannabis Retail Operator shall maintain a current register of the names of all employees employed by the Medical 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 Medical 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 Medical Cannabis Retail facility without government issued photo identification. Medical Cannabis Businesses shall not provide Medical Cannabis or Medical 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. Medical Cannabis Retail may operate between the hours of 9:00 a.m. to 9:00 p.m. up to seven (7) 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 Medical Cannabis Retail facility shall be designed to prevent unauthorized entrance into areas containing Medical Cannabis or Medical Cannabis Products. Limited access areas accessible to only authorized personnel shall be established.
 6. Secured products. Medical Cannabis and Medical 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 Medical Cannabis or Medical 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. Onsite physician restriction. Medical Cannabis Retail shall not have an on-site or on-staff physician to evaluate patients and provide a recommendation for Medical Cannabis.
 9. Site management. The Medical 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 Medical 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. Medical 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.
- F. On-site consumption. In addition to the requirements established in this Chapter for Medical Cannabis Retail, the consumption of Medical Cannabis and Medical Cannabis Products shall be subject to the following requirements:
1. Patients. Patients shall not be permitted to consume cannabis on the site of a Medical Cannabis Retail facility except as permitted in accordance with Chapter 9-20 (Smoking Regulations) and state law and as follows:
 - i. Conditional Use Permit applications for Medical Cannabis Retail shall include a statement as to whether the use will include on-site consumption by patients of Medical Cannabis and Medical Cannabis Products.
 - ii. 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 Medical Cannabis Retail facility who are qualified patients may consume Medical Cannabis or Medical 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 Medical 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.

20.46-090 Special Events

- A. Dual licensing. The City recognizes that state law requires Medical 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 Medical 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 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.

20.46-100 Grounds for Permit Revocation or Modification

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 Medical 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 Medical Cannabis or Medical 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.

20.46-110 Adult Recreational Cannabis Businesses

- A. Adult Recreational Cannabis Businesses are prohibited in the City of Santa Rosa.

Section 6. Add the following definitions, in alphabetical order, to Section 20-70.020 to read and provide as follows:

“Ancillary” means a use that is related but subordinate to the primary or dominant use on the site.

“Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds thereof. “Cannabis” also means marijuana as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972, and amended by the California Control, Regulate and Tax Adult Use of Marijuana Initiative, and as defined by other applicable state law. “Cannabis” does not mean “industrial hemp” as defined by Section 11018.5 of the Health and Safety Code. Cannabis is classified as an agricultural product separately from other agricultural crops.

“Cannabis Business” means an entity engaged in the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of cannabis and cannabis products for commercial purposes.

“Delivery of Medical Cannabis” means the commercial transfer of Medical Cannabis or Medical Cannabis Products to a primary caregiver or qualified patient as defined in Section 11362.7 of the Health and Safety Code. “Delivery” also includes the use of any technology platform owned and controlled by a Medical Cannabis Business Operator that enables qualified patients or primary caregivers to arrange for or facilitate the commercial transfer by a permitted Medical Cannabis Retail facility.

“Edible Cannabis Product” means a cannabis product that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum, but excluding products set forth in Division 15 (commencing with Section 32501) of the Food and Agricultural Code. An edible cannabis product is not considered food, as defined by Section 109935 of the Health and Safety Code, or a drug, as defined by Section 109925 of the Health and Safety Code.

“Greenhouse” means a permanent enclosed structure for the propagation and growing of plants, constructed with a translucent roof and/or walls.

“Marijuana” See “Cannabis”.

“Medical Cannabis” or **“Medical Cannabis Product”** means cannabis or a cannabis product, respectfully, intended to be sold for use pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code, by a medical cannabis patient in California who possesses a physician’s recommendation.

“Medical Cannabis Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of Medical Cannabis.

“Medical Cannabis Distribution” means the procurement, sale, and transport of Medical Cannabis and Medical Cannabis Products between Medical Cannabis Businesses.

“Medical Cannabis Manufacturing” means the production, preparation, propagation, or compounding of medical cannabis or medical cannabis products either directly or indirectly or by extraction methods, or independently by mean of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages medical cannabis or medical cannabis products or labels or relabels its container.

“Medical Cannabis Manufacturing - Level 1” means the manufacturing of medical cannabis products using nonvolatile solvents, or no solvents. A Medical Cannabis Manufacturing Level 1 Operator shall only manufacture cannabis products for sale by a permitted Medical Cannabis Retail facility.

“Medical Cannabis Manufacturing - Level 2” means the manufacturing of medical cannabis products using volatile solvents. A Medical Cannabis Manufacturing Level 2 Operator shall only manufacture cannabis products for sale by a permitted Medical Cannabis Retail facility. For purposes of this section, “volatile solvents” shall include ethanol and all solvents described in paragraph (3) of subdivision (d) of Section 11362.3 of the Health and Safety Code, as such section may be amended.

“Medical Marijuana” See “Medical Cannabis”.

“Medical Cannabis Operator” or **“Operator”** means the person or entity that is engaged in the conduct of any commercial Medical Cannabis use.

“Medical Cannabis Retail” means a facility where Medical Cannabis or Medical Cannabis Products are offered, either individually or in any combination, for retail sale, including an establishment that delivers Medical Cannabis or Medical Cannabis Products as part of a retail sale.

“Medical Cannabis Testing Laboratory” means a laboratory, facility, or entity in the state that offers or performs tests of medical cannabis or medical cannabis products and that is both of the following:

(1) Accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the state.

(2) Licensed by the Bureau of Cannabis Control.