

18.42.057 - Cannabis Retail

In addition to the operating requirements set forth in Chapter [9.30](#), this Section provides location and operating requirements for cannabis retail. Chapter [9.30](#) contains definitions of terms used herein.

A. Conditional use. A Minor Use Permit shall be required to operate cannabis retail or cannabis microbusiness in accordance with Table 2-6 of Article [2](#).

B. Delivery services. The primary use of a cannabis retail use shall be to sell products directly to on-site customers. Sales may also be conducted by delivery. Cannabis retail uses engaging in delivery in addition to on-site sales shall be subject to the following requirements:

1. Commercial delivery to 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. A cannabis retail use shall not conduct sales exclusively by delivery. Delivery of cannabis without a storefront component shall be considered cannabis retail - delivery only, and subject to the requirements of § [18.42.059](#), in addition to Chapter [9.30](#).
2. Minor Use Permit applications for cannabis retail shall include a statement as to whether the use will include delivery of cannabis and/or cannabis products to customers located outside the cannabis retail facility. If a permitted cannabis retail use without a delivery component chooses to provide delivery services at a later date, an amendment to the Minor Use Permit shall be required.
3. 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 Chapter [9.30](#), this Section, and State law.

C. Drive-through services. Drive-through or walk-up window services in conjunction with cannabis retail are prohibited.

D. Operational requirements. In addition to project specific conditions of approval and the requirements set forth in Chapter [9.30](#), cannabis retail and cannabis microbusiness shall comply with the following operational requirements:

1. **Employees.** The cannabis 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 and/or any project specific conditions of approval prescribed in the Minor Use Permit.
2. **Recordkeeping.** The cannabis operator shall maintain patient and sales records in accordance with State law.
3. **Photo identification.** 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.

4. Hours of operation. Cannabis retail may operate between the hours of 9:00 a.m. to 9:00 p.m. up to 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. Cannabis retail uses shall only be permitted to engage in delivery services during hours that the storefront is open to the public, unless the review authority permits delivery outside these hours.

E. Accessory uses. As defined in Article 10, accessory uses are customarily incidental to, related and clearly subordinate to a primary use on the same parcel, which does not alter the primary use. Uses accessory to cannabis retail facilities ~~may be allowable pursuant to the permitting requirements in Article 2 and may include cultivation, processing, distribution, and or light manufacturing. In no instance shall cannabis manufacturing using volatile solvents be allowable as an accessory use.~~

F. Microbusiness Uses. ~~Accessory~~Microbusiness uses may include activities that require multiple State cannabis licenses, including, but not limited to, manufacturing, distribution, cultivation and/or processing. In no instance shall cannabis manufacturing using volatile solvents be allowable ~~as uses accessory to cannabis retail uses~~as a microbusiness use.

1. A Cannabis Retail with microbusiness uses shall have a valid Cannabis Microbusiness License issued by the state of California Bureau of Cannabis Control.
2. Conditional use. Microbusiness uses may be allowed as part of an application for a retail cannabis conditional use permit.
3. A cannabis microbusiness in the Central Business District, General Commercial, or Highway Commercial shall have a retail component and shall maintain a pedestrian friendly retail storefront with a public entrance on the main thoroughfare and a separate entrance for all non-retail activities. The non-public entrance shall be located in either the back of the building, alleyway, or side street.
4. A cannabis microbusiness shall comply with all applicable regulations set forth in Chapters 9.30 and 9.32 of the Municipal Code.
5. A microbusiness shall provide a plan for water usage and the total number of plants and shall not create a strain on the City's water or wastewater systems.
6. Microbusiness uses in Commercial Districts shall not be detectable from the public right of way.
7. Cannabis microbusiness uses shall not create a public nuisance or disrupt the nature of the downtown walkable pedestrian-friendly neighborhood.