

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 business 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 is allowable in accordance with Table 2-10 of Article 2** 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.

5. Onsite Consumption. The onsite consumption, including the sampling of cannabis products is not permissible. Items must be packaged and sealed prior to payment.

E. Accessory uses. As defined in Article [10](#), a use customarily incidental to, related and clearly subordinate to a primary use on the same parcel, which does not alter the primary use nor serve property other than the parcel where the primary use is located.

1. In the **Central Business District and Highway Visitor Commercial Zones**, the following may be allowed as accessory uses to retail:
 - a. A cultivation of immature plants no larger than 500 square feet for retail sale on site
 - b. Processing of cannabis for retail sale on site
 - c. Non-volatile manufacturing of cannabis for retail sale on site
 - d. Retail delivery
 - e. Accessory office
2. In the **General Commercial Zone** the following may be allowed as accessory uses to retail:
 - a. A cultivation of immature plants no larger than 1,000 square feet
 - b. Processing of cannabis for **(retail and wholesale ?)** sale on site
 - c. Non-volatile manufacturing of cannabis for **(retail and wholesale?)** sale on site
 - d. Retail delivery
 - e. Office space
3. The following are NOT allowed as accessory uses to cannabis retail in the commercial zone:
 - a. Cultivation of mature or flowering plants
 - b. Cannabis manufacturing using volatile substances
 - c. Wholesale, warehousing, and distribution of cannabis

4. Cannabis Nursery. A cannabis nursery up to 500 square feet may be an allowable accessory and shall meet the following criteria:
 - a. Cultivation must follow all guidelines in 9.32 Cannabis Cultivation
 - b. The nursery must be in a fully secured and enclosed structure and not visible from the public right of way
 - c. All plants grown must be sold on site prior to development of “buds” or flowers.
 - d. Plants that are not sold shall be disposed of following the business’ cannabis waste plan.