

TO: Honorable Mayor and City Council  
Attention: Jeremy Craig, City Manager

FROM: Barton Brierley, AICP, Community Development Director  
Melinda Stewart, City Attorney  
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**SUBJECT: STUDY SESSION ON POSSIBLE VACAVILLE ORDINANCE GOVERNING CANNABIS AND RELATED ACTIVITIES FOLLOWING SENATE BILL 94: CANNABIS – MEDICAL AND ADULT USE (SB 94)**

**DISCUSSION:**

Since 2015, the State of California has been actively approving legislation progressively legalizing cannabis for both medicinal and recreational uses.

- October 9, 2015 – Governor Brown signed three separate legislative bills, AB 266, AB 243 and SB 643 (effective on January 1, 2016), collectively referred to as the Medical Marijuana Regulation and Safety Act (MMRSA). [Regulated and licensed cultivation, dispensing, distribution, manufacturing, testing and transportation of medical cannabis.]
- June 27, 2016 – Governor Brown signed SB 837 (effective on June 27, 2016), referred to as the Medical Cannabis Regulation and Safety Act (MCRSA). [Added additional disciplinary grounds; required local license before applying for state license; implemented “seed to sale” tracking; required specific testing of cannabis plant.]
- November 8, 2016 – During the statewide general election, initiative measure Proposition 64 was passed; referred to as the Adult Use of Marijuana Act (AUMA). AUMA had some elements effective January 1, 2017, and others effective January 1, 2018.
- June 27, 2017 – Governor Brown approved the budget trailer bill SB 94, titled Cannabis - Medicinal and Adult Use. The new consolidated provisions are now known as the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Together these actions create the licensing and regulatory framework for cannabis and cannabis products in California. These bills address state licensing, cultivation, distribution, transportation, retail sales, testing, manufacturing, potential environmental protection, storage, and home delivery of both medicinal and recreational cannabis. The legislation provides local jurisdictions the ability to further regulate and tax some operations or to ban activities by adopting an ordinance.

Collectively, the new legislation provides a framework for cannabis uses beyond what the Vacaville Municipal Code (VMC) currently addresses. With the State licensing regulations effective January 1, 2018, there is a need for a study session and an action to update the VMC. Therefore, staff is seeking direction from City Council on how to respond to the new State laws.

## **VACAVILLE MUNICIPAL CODE**

On January 26, 2016, the City Council adopted the Medical Cannabis Regulations ordinance that permanently prohibits all medical cannabis businesses and operations (including deliveries), and temporarily prohibits personal cultivation of medical marijuana. The ordinance includes a sunset clause relating to the personal cultivation of medical marijuana by qualified patients and primary caregivers which expires February 26, 2018, unless sooner acted upon by the City Council.

When Council adopted the ordinance in early 2016, only medical cannabis was permitted by the State. It was not until later in 2016, after adoption of the medical cannabis ordinance, that Proposition 64 sanctioned recreational cannabis. The July 2017 trailer bill SB94 then created the licensing and regulatory framework for cannabis and cannabis products in California. Because of this time lag in legislation, the VMC does not address recreational cannabis.

For example, while the Municipal Code currently prohibits medical marijuana dispensaries, starting January 1, 2018, a General Retail (State License Type 10) recreational cannabis store may apply for a General Retail/Merchandise permit or a Food Store Permit on a commercially zoned parcel and arguably be consistent with the City's Municipal Code. Attachment 1 provides more examples of current City land uses that a recreational cannabis business could apply for in Vacaville. The next section includes more details on the newest cannabis regulations.

The Municipal Code currently prohibits personal cultivation of medical marijuana, but that provision has a sunset date of February 26, 2018. State law allows personal grows of recreational cannabis of up to 6 plants, but allows the City to impose reasonable regulations. In addition to considering the appropriate treatment of commercial marijuana activities, the Council will need to decide whether to regulate personal grows. Below is a more detailed analysis of the nuances and options related to personal cultivation.

## **PROPOSITION 64 AND SENATE BILL 94**

The following is a very brief summary of how the new cannabis legislation and its defined uses compare to the City's current land use types. The purpose of this section and the attached reference tables is to provide information to assist Council in determining and providing direction to staff. The basic question is – how does Council want to respond to the new legislation?

To assist in clarity, a few definitions of terms are necessary:

- ❖ Cultivation is any activity involving the planting, growing, harvesting, drying, curing, grading, *OR* trimming of cannabis. (*emphasis added*)
- ❖ Cultivation site is a location where cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, *OR* a location where any combination of said activities occurs. (*emphasis added*)
- ❖ Nursery means a licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the propagation and cultivation of cannabis (for commercial and/or personal)
- ❖ Manufacture means the production, preparation, propagation, or compounding of cannabis or cannabis products; directly, indirectly, or by extraction methods, or independently by means of chemical synthesis, or combination of; in a fixed location that packages of repackages, or labels or relabels.

Additional changes include some important elements of the previous laws:

- ❖ Retail medicinal cannabis sales are exempt from sales and use tax, but are subject to cultivation and excise tax.
- ❖ Recreational cannabis sales are subject to sales, use, cultivation and excise taxes.
- ❖ Deliveries by a licensed person from a licensed business (whether located within or outside of Vacaville) cannot be prevented on public roads when in compliance with the law.
- ❖ Personal recreational indoor cultivation cannot be prohibited. It can be restricted (less than the permitted 6 plants) and regulated (permit required with annual renewal and inspections) through local ordinance.

### **COMMERCIAL, INDUSTRIAL AND NON-PERSONAL TYPE USES**

Now that cannabis is state sanctioned in California for both medicinal and recreational purposes, the State has begun the process of creating licensing types for the various different land uses (defined in the legislation as “license types”). For example, there are currently 21 different types of licensing that can generally be categorized as either commercial or industrial/manufacturing/agriculture. Based on the existing legislation and other pending legislation, there are still more license types to be defined. State licensed cannabis operations can be either medicinal or recreational, but not both. The State will start to issue licenses January 1, 2018.

Attachment 2 is a table that summarizes the various types of commercial and industrial licenses that the State will begin issuing on January 1, 2018; how each relates to the City’s existing land uses; and a brief analysis of pros/cons and possible regulations to consider should Council wish to regulate a particular license type. Staff asks that, should Council desire to further study or allow any of the license types, that Council specify what types of business/operations should be reviewed further. This will assist staff in narrowing down the wide range of options.

The Council has a few options available for consideration related to commercial, industrial, and other non-personal cannabis operations:

- (1) Do nothing, which means medical cannabis dispensaries will continue to be prohibited, but recreational cannabis stores will be allowed, and businesses can grow recreational cannabis, but can’t grow medical cannabis.
- (2) Prohibit all recreational non-personal cannabis activities in addition to medical cannabis activities. This would require a municipal code amendment.
- (3) Allow and regulate some or all recreational (and medicinal if desired) cannabis commercial activities (e.g. sales, cultivation, etc.), such as deciding where they are allowed, how they are taxed, etc. This would require a municipal code amendment.

If the Council chooses this third option, allowing recreational cannabis stores, staff recommends the Council adopt an urgency ordinance to put an immediate hold on cannabis related activities to allow staff the necessary time to prepare a study on commercial, industrial, and other non-personal cannabis operations. Staff would then return, better able to provide the Council with options and recommendations for a regulatory ordinance permitting operations of specified establishments.

### **PERSONAL CULTIVATION**

As mentioned above, the City has a Medical Cannabis Regulations ordinance that prohibits all medical cannabis businesses, operations (including deliveries), and personal cultivation (indoor

and outdoor). The personal medical cultivation portion of the Municipal Code automatically expires February 26, 2018. The new legislation is unclear as to whether the City continues this complete prohibition of personal medical cannabis cultivation.

With the approval of the new legislation, there are now 2 general classifications of personal cultivation: Medicinal or Recreational. Within those 2 classifications are a few subtypes. None of the personal cultivation types require State permits; however, the City may adopt a permit/regulation program for any or all of the types of personal cultivation. Personal indoor recreational cultivation is the only subtype that expressly cannot be completely prohibited. Again, the legislation is unclear as to whether or not medical indoor cultivation can be prohibited. However, all personal outdoor cultivation can be prohibited.

Attachment 3 is a table that best breaks-down the nuances between the subtypes. A few important points to note are:

#### Medicinal Cultivation:

- Personal (can prohibit outdoor, unclear on indoor)
  - Must be at least 18 years old
  - Must be a qualified patient (have a serious medical condition) or a medical identification card
  - Must be for personal private use only
  
- Caregiver (can prohibit outdoor, unclear on indoor)
  - Must be at least 18 years old and designated by qualified patient of whom caregiver has consistently assumed responsibility and care of
  - Can cultivate and transport for up to 5 clients (qualified patients or have medical identification card)
  - Would qualify as a Home Occupation under the VMC

#### Recreational:

- Indoor (CANNOT prohibit, but can restrict/limit)
  - Must be at least 21 years old
  - Must be for personal use only (cannot sell, trade, barter but can give away for free)
  - Up to 6 plants per dwelling unit
  
- Outdoor (can prohibit)
  - Same as indoor, but can prohibit

The Council has a few options for consideration for personal cultivation that would be included with the actions taken for commercial and industrial cannabis uses:

- (1) Do nothing, which means small personal grows are allowed, inside and out, immediately, and small personal medical cultivation will be allowed February 26, 2018 when the current ordinance sunsets.
- (2) Regulate personal cultivation, such as requiring a permit, requiring they be indoors, prohibiting CO<sub>2</sub> supplements, requiring annual renewal and inspections, or other regulations. This would require a municipal code amendment.
- (3) Revise the ban on personal cultivation to prohibit any outdoor personal cultivation. Leave indoor personal cultivation to comply with State rules. This would require a municipal code amendment

## **ENVIRONMENTAL REVIEW – EXEMPTION**

Neither adoption of an Urgency Interim Ordinance nor an ordinance amending the VMC to prohibit uses, nor a “no action” would lead to reasonable or foreseeable impacts to the environment. Therefore, none of the proposed actions for tonight would be defined as a project under CEQA, and each would therefore be exempt from further environmental review.

In the event that Council elects to consider allowing and regulating any commercial or industrial use or personal cultivation, a more detailed environmental analysis would be provided at the time of a public hearing, consistent with CEQA.

## **COURSE OF ACTION OPTIONS**

Passage of SB 94 has provided a multitude of opportunities for commercial cannabis operations and personal cultivation in the State and has, in turn, created numerous land use issues that must be considered by municipalities. The State will be issuing licenses for cannabis operations January 1, 2018. With the State deadline fast approaching, the City needs to determine a course of action that will be effective by December 31, 2017.

Based on the information provided to Council, staff has attempted to simplify the options for Council action down to 3 possible options for immediate consideration and direction.

**1. Moratorium and further study session to consider allowing and regulating certain cannabis related uses:** If Council would like to consider allowing and regulating particular types of cannabis uses (commercial, industrial or personal), please direct staff to draft an interim urgency ordinance (also referred to as temporary moratorium). This will:

- Temporarily prohibit cannabis operations in the City until Staff can sufficiently analyze and create regulations for uses specified by Council.
- This would include all medical and recreational cannabis uses, except for personal indoor cultivation – which cannot be prohibited.
- Council would be asked to include specific uses for Staff’s analysis.

OR

**2. Municipal Code amendment prohibiting all cannabis-related uses (except personal indoor recreational cultivation):** If Council would like to continue and extend the current prohibition against medical cannabis to also preclude recreational cannabis (but cannot include personal indoor recreational cultivation), please initiate a Municipal Code amendment and direct staff to draft a new all-inclusive Cannabis Prohibition ordinance (to the extent permissible by State law). This will:

- Create an ordinance that would supersede the existing Medical Cannabis Regulations Ordinance, be inclusive of both medicinal and recreational cannabis activities in its prohibition, and be permanent.
- NOTE: The activities that cannot be prohibited are personal recreational indoor cultivation, and deliveries made on public streets.
  - This action may also include direction for regulations for personal indoor cultivation, if directed to.

OR

**3. No Action:** Take no action and defer to State regulations and licensing as they relate to the existing Land Use and Development Code.

- This would allow all commercial/industrial uses for recreational cannabis that are consistent with the City's existing land use definitions to apply for State permits and local development entitlements; both indoor and outdoor.
- This would allow for all personal cultivation types to operate; both indoor and outdoor. This would eventually include medical because of the sunset clause in the current Municipal Code.

**RECOMMENDATION:**

That the City Council direct staff on a course of action, based on the options discussed, in response to SB 94.

**ATTACHMENTS:**

Attachment 1: Table and Map of Existing Land Use and Zoning Tables compatible with Licensing Types

Attachment 2: Table of State Licensing Type of Breakdown of Non-Personal Uses

Attachment 3: Table of the Breakdown of Medicinal vs. Recreational Personal Cultivation

# ATTACHMENT 1: EXISTING LAND USE AND ZONING TABLES COMPATIBLE WITH LICENSING TYPES

**TABLE 14.09.085.01  
SUMMARY OF USES IN COMMERCIAL ZONING DISTRICTS**

Uses in Commercial Zoning Districts	CD	CG	CN	CO	CR	CS
Accessory uses and structures to a permitted use.	P	P	P	P	P	P
Accessory uses and structures to a conditional use.	C	C	C	C	C	C
Accessory uses to non-conforming single-family and multi-family dwellings, and manufactured housing units, in accordance with Section 14.85.030 of this chapter.	P	P	NP	P	NP	P
Banks and financial services.	P	P	P	P	NP	NP
Business support services.	P	P	P	P	NP	P
Food stores (see Division 14.02, Definitions).	P	C	P	C	NP	NP
Medical offices and clinics.	P	P	P	P	NP	NP
Nurseries, retail.	P	P	P	NP	NP	P
Outdoor storage or sales, accessory to a principal use where the storage or sales area is 15 percent or less of the gross floor area of the principal use.	P	P	P	P	P	P
Outdoor storage or sales, accessory to a principal use where the storage or sales area exceeds 15 percent of the gross floor area of the principal use.	NP	P/C	NP	NP	NP	P/C
Retail and general merchandise stores.	P	P	P	P	NP	NP
Temporary commercial uses and events.	P	P	P	P	P	P
Wholesaling and distribution, legally established prior to the enactment of this ordinance (January 10, 1997). (5)	NP	C	NP	NP	NP	NP
Wholesaling and distribution, small.	NP	NP	NP	NP	NP	NP
<b>P = Permitted Use C = Conditional Use NP = Not a Permitted Use or a Conditional Use</b> <b>CD: Downtown Commercial CN: Neighborhood Commercial CR: Recreation Commercial</b> <b>CG: General Commercial CO: Office Commercial CS: Service Commercial</b>						

Vacaville Land Use Types	Business Park Districts	Industrial Park Districts	Industrial Services District
Grazing or crop or tree farming as an interim use	Permitted	Permitted	
Manufacturing establishments as follows: Food products, non-odorous			Permitted
Wholesaling and distribution, small			Permitted
Any of the industrial uses listed as a permitted use, where use occupies more than 10,000 square feet in building area			Conditional
Warehousing, general			Conditional
Wholesaling and distribution, large			Conditional
Any of the service uses listed as a permitted use, where use occupies more than 10,000 square feet in building area			Conditional

# ATTACHMENT 1: EXISTING LAND USE AND ZONING TABLES COMPATIBLE WITH LICENSING TYPES

Uses in Policy Plans	Airport	Allison	Basic American	East of Alamo	I80 Alamo	Inter-change	Lagoon Valley	North Village
Accessory uses and structures to a permitted use.	P	P	P	P	P	C	P	
Accessory uses and structures to a conditional use.	C	C	C	C	C	C	C	
Banks and financial services.	NP	P	P	P	P	NP	P	
Business support services.	P	P	P	P	P	P	P	
Food stores.	NP	P	P	P	P		P	
General Warehousing	P	NP	NP	NP	NP	P	NP	
Medical offices and clinics.	NP	P or C	P or C	NP	P	P	C	
Nurseries, retail.	NP	NP	NP	NP	NP	C	NP	
Manufacturing: Any facility which stores or uses sufficient quantities of hazardous materials on site	C	NP	NP	NP	NP	NP	NP	
Manufacturing: odorous	C	NP	NP	NP	NP	P or C	NP	
Offices.	P	P	P	NP	P	P	P	
Outdoor storage or sales, accessory to a principal use where the storage or sales area is 15 percent or less of the gross floor area of the principal use.	P	C	NP	NP	C	C	NP	
Outdoor storage or sales, accessory to a principal use where the storage or sales area exceeds 15 percent of the gross floor area of the principal use.	NP	C	NP	NP	C	C	NP	
Retail and general merchandise stores.	P	P	NP	P	P	NP	P	
Specialty retail stores.	NP	P	NP	P	P	NP	P	
Temporary commercial uses and events.	C	C	C	C	C	C	C	
Wholesaling and distribution, large	P	NP	NP	NP	NP	P	NP	
Wholesaling and distribution, small.	P	NP	NP	NP	NP	P	NP	



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Uses in Policy Plans	Nut Tree Ranch	Nut Tree Bus.	Peabody Alamo	Orange Tree	Vaca Valley	Vaca Golden Hills	Willow Kilkenny
Grazing or crop or tree farming as an interim use	NP	NP	NP	NP	P	NP	NP
Accessory uses and structures to a permitted use	P	P	P	P	P	C	P
Accessory uses and structures to a conditional use.	C	C	C	C	C	C	P
Banks and financial services.	P	P	P	P	P	NP	P
Business support services.	P	P	P	P	P	P	P
Food stores.	P	P	P	P	NP		P
General Warehousing	NP	NP	NP	NP	P	P	NP
Medical offices and clinics.	C	C	C	C	P	P	P
Nurseries, retail.	NP	NP	NP	NP	NP	C	P
Manufacturing: Any facility which stores or uses sufficient quantities of hazardous materials on site	NP	NP	NP	NP	P	NP	NP
Manufacturing: odorous	NP	NP	NP	NP	C	P or C	NP
Offices.	P	P	P	P	P	P	P
Outdoor storage or sales, accessory to a principal use where the storage or sales area is 15 percent or less of the gross floor area of the principal use.	NP	NP	NP	NP	C	C	P or C
Outdoor storage or sales, accessory to a principal use where the storage or sales area exceeds 15 percent of the gross floor area of the principal use.	NP	NP	NP	NP	C	C	P or C
Retail and general merchandise stores.	C	C	C	C	NP	NP	P
Specialty retail stores.	P or C	P or C	P or C	P or C	NP	NP	P
Temporary commercial uses and events.	C	C	C	C	C	C	C
Wholesaling and distribution, large	NP	NP	NP	NP	C	P	NP
Wholesaling and distribution, small.	NP	NP	NP	NP	P	P	NP

# ATTACHMENT 1: EXISTING LAND USE AND ZONING TABLES COMPATIBLE WITH LICENSING TYPES

**TABLE 14.09.075.01  
SUMMARY OF USES IN RESIDENTIAL ZONING DISTRICTS**

Uses in Residential Zoning Districts	RR	RE	RL	RLM	RM	RMH	RH	MHP
Accessory uses and structures to a permitted use	P	P	P	P	P	P	P	P
Accessory uses and structures to a conditional use	C	C	C	C	C	C	C	C
Growing of fruit and nut trees, vegetables, grains, field crops, and horticultural specialties	P	P	P	P	P	P	P	P
Manufactured housing parks, consistent with the density of the MHP district, and accessory uses, including:	C	C	C	C	C	C	C	P
• home occupations <sup>3</sup>	P	P	P	P	P	P	P	P
• residential care facility for the elderly, in accordance with Sections <a href="#">1566.083</a> through <a href="#">1569.85</a> of the California Health and Safety Code, which serves six or fewer persons	P	P	P	P	P	P	P	P
Multi-family dwellings and accessory uses consistent with the density limits of the zoning district	NP	NP	C	C	P	P	P	NP
• home occupations <sup>3</sup>	NP	NP	P	P	P	P	P	NP
• residential care facility for the elderly, in accordance with Sections <a href="#">1568.083</a> through <a href="#">1569.85</a> of the California Health and Safety Code, which serves six or fewer persons	NP	NP	P	P	P	P	P	NP
Single-family dwellings and accessory uses, including:	P	P	P	P	C	C	C	NP
• home occupations <sup>3</sup>	P	P	P	P	P	P	P	P
• residential care facility providing intermediate care, in accordance with Sections <a href="#">1267.8</a> and <a href="#">1267.9</a> of the California Health and Safety Code, which serves six or fewer persons	P	P	P	P	NP	NP	NP	NP
• residential care facility for the elderly, in accordance with Sections <a href="#">1568.083</a> through <a href="#">1569.85</a> of the California Health and Safety Code, which serves six or fewer persons	P	P	P	P	P	P	P	P
• secondary living units <sup>5</sup>	P	P	P	P	P	P	P	NP
<b>P = Permitted Use C = Conditional Use NP = Not a Permitted or Conditional Use</b> <b>RR: Rural Residential RE: Rural Estates RL: Residential Low Density RLM: Residential Low/Medium Density</b> <b>RM: Residential Medium Density RMH: Residential Medium High Density RH: Residential High Density</b>								



**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

MAUCRSA LICENSE TYPE	VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**	DISCUSSION POINTS
<p><b>Type 1-Cultivation*; Specialty, Outdoor;</b></p> <ul style="list-style-type: none"> <li>➤ Up to 5,000 sf of canopy total canopy size on one premises, or</li> <li>➤ Up to 50 mature plants on noncontiguous plots</li> <li>➤ Natural light</li> </ul>	<p>RESIDENTIAL: Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties.</p> <p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Outdoor storage or sales; Wholesaling and distribution.</p> <p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use; Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small.</p>	<p>Pro: Plants should be grown outdoors; much less energy usage than indoor grows, economic opportunity</p> <p>Con: High potential for nuisance impacts (smell, crime, trespassing); water usage, waste processing, potential to conflict with County ag productions and increase cost of ag land; light pollution if using light in greenhouse at night</p> <p>Possible Standards:</p> <ul style="list-style-type: none"> <li>• Not in Residential</li> <li>• Must be behind locked, secured, completely enclosed solid fence</li> <li>• Only on parcels of certain (larger) size</li> <li>• Setbacks from property lines</li> <li>• No odor should be detected from property line</li> <li>• If not owned by grower, letter from landlord approving use</li> </ul> <p>Comments: Feedback from Solano County Farm Bureau and Agricultural Advisory Committee has not been supportive of outdoor cultivation</p>
<p>*<u>Cultivation</u> defined as any activity involving the planting, growing, harvesting, drying, curing, grading, <i>OR</i> trimming of cannabis. <u>Cultivation site</u> is a location where cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, <i>OR</i> a location where any combination of said activities occurs. (<i>emphasis added</i>)</p> <p>**Includes both Permitted by right and Conditional uses. Refer to separate table for specific level of approval required.</p>		

**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

MAUCRSA LICENSE TYPE	VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**	DISCUSSION POINTS
<p><b>Type 1A-Cultivation; Specialty, Indoor;</b></p> <ul style="list-style-type: none"> <li>➤ Between 501 sf and 5,000 sf of total canopy size on one premises</li> <li>➤ Exclusively using artificial light</li> </ul>	<p>RESIDENTIAL: Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties.</p> <p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Wholesaling and distribution.</p> <p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use; Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small.</p>	<p>Pro: Minimize nuisance impacts (smell, crime, trespassing); economic opportunity</p> <p>Con: High energy usage; need to re-circulate or otherwise “clean” nutrient-rich water; waste processing, High potential for nuisance impacts (smell, crime, trespassing)</p> <p>Possible Standards:</p> <ul style="list-style-type: none"> <li>• Not in Residential</li> <li>• Only indoor in separate accessory building, in legally permitted structure</li> <li>• Must be in fully enclosed building – no greenhouses or translucent structures</li> <li>• Structure must meet building codes, fire codes</li> <li>• Must be locked, secured, and completely enclosed</li> <li>• Security Plan (video, alarmed emergency exits, etc.)</li> <li>• Odor control and management plan with Ventilation plan, No odor should be detected from property line</li> <li>• Only on parcels of certain (larger) size</li> <li>• If not owned by grower, letter from landlord approving use</li> </ul> <p>Comments: Could be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee</p>



**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

MAUCRSA LICENSE TYPE	VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**	DISCUSSION POINTS
<p><b>Type 1B-Cultivation; Specialty, Mixed-light;</b></p> <ul style="list-style-type: none"> <li>➤ Between 2,501 sf and 5,000 sf of total canopy size on one premises</li> <li>➤ Using combo of natural and supplemental artificial light</li> </ul>	<p>RESIDENTIAL: Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties.</p> <p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Outdoor storage or sales; Wholesaling and distribution.</p> <p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use;</p>	<p>Pro: Economic opportunity, less energy than indoor only</p> <p>Con: Mixed light involves using natural sunlight which may include outdoor exposure or sunroof or translucent greenhouse type structure which would be difficult to secure in commercial districts; light pollution if using light in greenhouse at night</p> <p>Comments: Mixed light commercial cultivation of cannabis in agricultural zoning districts; can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p> <p>Possible Standards: see above</p>
<p><b>Type 1C-Specialty Cottage;</b></p> <ul style="list-style-type: none"> <li>➤ Up to 2,500 sf of total canopy size for mixed light cultivation, or</li> <li>➤ Up to 25 mature plants for outdoor cultivation, or</li> <li>➤ Up to 500 sf of total canopy size for indoor cultivation</li> <li>➤ Combination of natural and supplement light at a maximum threshold on one premises</li> </ul>	<p>Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small.</p>	<p>Pro: Economic opportunity, smaller growing operation</p> <p>Con: High potential for nuisance impact (odor, crime, trespassing); light pollution if using light in greenhouse at night</p> <p>Potential Standards: see above</p>

**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

MAUCRSA LICENSE TYPE	VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**	DISCUSSION POINTS
<p><b>Type 2-Cultivation; Outdoor; Small;</b></p> <ul style="list-style-type: none"> <li>➤ Between 5,001 sf to 10,000 sf of total canopy size on one premises</li> <li>➤ Using all natural light</li> </ul>	<p>RESIDENTIAL: Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties.</p> <p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Outdoor storage or sales; Wholesaling and distribution.</p>	<p>Pro: Economic Opportunity, less energy than indoor only</p> <p>Con: High potential for nuisance impacts (smell, crime, trespassing); light pollution if using light in greenhouse at night; water usage, waste processing Outdoor commercial cultivation of cannabis; can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p> <p>Possible Standards: see above</p>
<p><b>Type 2A-Cultivation; Indoor; Small;</b></p> <ul style="list-style-type: none"> <li>➤ Between 5,001 sf to 10,000 sf of total canopy size on one premises</li> <li>➤ Using exclusively artificial light</li> </ul>	<p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use; Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small.</p>	<p>Pro: Economic opportunity, Minimize nuisance impacts (odor)</p> <p>Con: High energy usage, water and wastewater concerns Indoor commercial cultivation of cannabis can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p> <p>Possible Standards: see above</p>

**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

MAUCRSA LICENSE TYPE	VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**	DISCUSSION POINTS
<p><b>Type 2B-Cultivation; Mixed-light; Small;</b></p> <ul style="list-style-type: none"> <li>➤ Between 5,001 sf to 10,000 sf of total canopy size on one premises</li> <li>➤ Using combo of natural light and supplemental artificial light</li> </ul>	<p>RESIDENTIAL: Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties.</p> <p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Outdoor storage or sales; Wholesaling and distribution.</p> <p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use;</p>	<p>Pro: Economic opportunity, Less energy use than indoor</p> <p>Con: Mixed light involves using natural sunlight which may include outdoor exposure or sunroof or translucent greenhouse type structure which would be difficult to secure in commercial zoning districts; Security, Odor, Light pollution if using light in greenhouse at night. Mixed light commercial cultivation can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p> <p>Possible Standards: see above</p>
<p><b>Type 3-Cultivation; Outdoor; Medium;</b></p> <ul style="list-style-type: none"> <li>➤ Between 10,001 sf – 1 acre of total canopy size on one premises</li> <li>➤ Using all natural light</li> <li>➤ Department of Food and Agriculture shall limit number of licenses allowed of this type</li> </ul>	<p>Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small.</p>	<p>Pro: Economic opportunity, less energy than indoor only</p> <p>Con: High energy usage, water and wastewater concerns. Light pollution if using light in greenhouse at night – potential nuisance in rural residential area. Outdoor cultivation can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p> <p>Possible Standards: see above</p>



**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

<b>MAUCRSA LICENSE TYPE</b>	<b>VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**</b>	<b>DISCUSSION POINTS</b>
<p><b>Type 3A-Cultivation; Indoor; Medium;</b></p> <ul style="list-style-type: none"> <li>➤ Between 10,001 sf - 22,000 sf of total canopy size on one premises</li> <li>➤ Exclusively using artificial light</li> <li>➤ Department of Food and Agriculture shall limit number of licenses allowed of this type</li> </ul>	<p>RESIDENTIAL: Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties.</p> <p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Outdoor storage or sales; Wholesaling and distribution.</p>	<p>Pro: Economic opportunity,</p> <p>Con: High energy usage, water and wastewater concerns Indoor commercial cultivation of cannabis can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p> <p>Possible Standards: see above</p>
<p><b>Type 3B-Cultivation; Mixed-light; Medium;</b></p> <ul style="list-style-type: none"> <li>➤ Between 10,001 sf - 22,000 sf of total canopy size on one premises</li> <li>➤ Department of Food and Agriculture shall limit number of licenses allowed of this type</li> <li>➤ Using combo of natural light and supplemental artificial light</li> </ul>	<p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use; Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small.</p>	<p>Pro: Economic opportunity, less energy than indoor only</p> <p>Con: Light pollution if using light in greenhouse at night – potential nuisance in rural residential area. Mixed light commercial cultivation can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p> <p>Possible Standards: see above</p>

**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

MAUCRSA LICENSE TYPE	VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**	DISCUSSION POINTS
<p><b>Type 4-Cultivation; Nursery</b></p> <ul style="list-style-type: none"> <li>➤ Cultivation of cannabis solely as a nursery</li> <li>➤ Can transport immature plans with a Type 12 license</li> </ul> <p>Nursery means a licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the propagation and cultivation of cannabis (for commercial and/or personal)</p>	<p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Outdoor storage or sales; Retail and general merchandise stores, with outdoor storage.</p> <p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use;</p>	<p>Pro: Economic opportunity; Hines Nursery; Mixed light involves using natural sunlight which may include outdoor exposure or sunroof or translucent greenhouse type structure which is suited for use in the commercial zones.</p> <p>Con: Energy usage, need to re-circulate or otherwise “clean” nutrient-rich water, waste processing. Mixed light involves using natural sunlight which may include outdoor exposure or sunroof or translucent greenhouse type structure which may be an issue in commercial zones.</p> <p>Potential Standards:</p> <ul style="list-style-type: none"> <li>• Security</li> <li>• Fencing</li> </ul>
<p><b>Type 5 AUMA-Large Outdoor Cultivation;</b></p> <ul style="list-style-type: none"> <li>➤ Greater than or equal to 1 acre of total canopy size on one premises</li> <li>➤ Using no artificial lighting greater than 1 acre</li> <li>➤ State will not issue until 1/1/23</li> </ul>	<p>RESIDENTIAL: Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties.</p> <p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Outdoor storage or sales; Wholesaling and distribution.</p> <p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use; Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small</p>	<p>Pro: Economic opportunity</p> <p>Con: Very large grow operation, may not be appropriate in Vacaville as it is more of an Agricultural use better suited for larger properties intended for ag in unincorporated Solano County. Not compatible in urban areas.</p> <p>Outdoor cultivation can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p>

**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

MAUCRSA LICENSE TYPE	VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**	DISCUSSION POINTS
<p><b>Type 5A AUMA-Large Indoor Cultivation;</b></p> <ul style="list-style-type: none"> <li>➤ Greater than or equal to 22,000 sf of total canopy size on one premises</li> <li>➤ Exclusively using artificial light greater than 22,000 sf on one premises</li> <li>➤ State will not issue until 1/1/23</li> </ul>	<p>RESIDENTIAL: Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties.</p> <p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Outdoor storage or sales; Wholesaling and distribution.</p> <p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use; Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small</p>	<p>Pro: Economic opportunity,</p> <p>Con: Very large grow operation, may not be appropriate in Vacaville as it is more of an Agricultural use better suited for larger properties intended for ag in unincorporated Solano County. Not compatible in urban area.</p> <p>Indoor commercial cultivation of cannabis can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p>
<p><b>Type 5B AUMA-Large Mixed Light Cultivation;</b></p> <ul style="list-style-type: none"> <li>➤ Greater than or equal to 22,000 sf of total canopy size on one premises</li> <li>➤ Using combo of natural light and supplemental artificial light greater than 22,000 sf on one premises</li> <li>➤ State will not issue until 1/1/23</li> </ul>	<p>RESIDENTIAL: Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties.</p> <p>COMMERCIAL: Agricultural uses (not including livestock); Nurseries, retail; Outdoor storage or sales; Wholesaling and distribution.</p> <p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Growing of fruits and nut trees, vegetables, grains, field crops, and horticultural specialties; Plant nurseries; Grazing or crop or tree farming as an interim use; Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small</p>	<p>Pro: Economic opportunity</p> <p>Con: Very large grow operation, may not be appropriate in Vacaville as it is more of an Agricultural use better suited for larger properties intended for ag in unincorporated Solano County. Not compatible in urban areas.</p> <p>Mixed light commercial cultivation can be problematic due to security, odor, and potential for crime per Solano County Farm Bureau and Agricultural Advisory Committee.</p>

**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

MAUCRSA LICENSE TYPE	VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**	DISCUSSION POINTS
<p><b>Type 6-Manufacturer 1; [BPC § 26130(a)(1)]</b></p> <ul style="list-style-type: none"> <li>➤ Sites that manufacture cannabis products using <i>non-volatile solvents</i> or no solvents (includes edibles)</li> <li>➤ Only for manufacturing products for sale by a retailer with Type 10 license.</li> <li>➤ (Medical manufacturer can only sell to medical retailer. [BPC §26130(a)(1)])</li> </ul> <p>Conducts the production, preparation, propagation, or compounding of cannabis or cannabis products; directly, indirectly, or by extraction methods, or independently by means of chemical synthesis, or combination of; in a fixed location that packages of repackages, or labels or relabels.</p>	<p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small</p>	<p>Pro: Economic opportunity, limited neighborhood impacts due to location</p> <p>Con: Cannabis is not a food or drug and unknown what regulation state will impose; potential for crime due to storage of raw and finished cannabis products.</p> <p>Potential Standards:</p> <ul style="list-style-type: none"> <li>• Limited to only industrial areas as part of a policy plan or specific plan</li> <li>• Security</li> <li>• Fencing</li> </ul>
<p><b>Type 7-Manufacturer 2; [BPC § 26103(a)(2)]</b></p> <ul style="list-style-type: none"> <li>➤ Sites that manufacture products <i>using volatile solvents</i> to extract oil from plant</li> <li>➤ Only for manufacturing products for sale by a retailer with Type 10 license</li> <li>➤ (Medical manufacturer can only sell to medical retailer. [BPC §26130(a)(2)])</li> </ul>	<p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small</p>	<p>Pro: Economic opportunity</p> <p>Con: Potential for explosion/fire if not done properly, potential for crime due to storage of raw and finished cannabis products</p> <p>Potential Standards:</p> <ul style="list-style-type: none"> <li>• Limited to only industrial areas as part of a policy plan or specific plan</li> <li>• Security</li> <li>• Fencing</li> <li>• Annual Fire Inspections for fire safety and code compliance</li> </ul>
<p>Manufacture means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product</p>		

**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

MAUCRSA LICENSE TYPE	VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**	DISCUSSION POINTS
<p><b>Type 8-Testing/Labs</b></p> <ul style="list-style-type: none"> <li>➤ Testing cannabis for pesticides and THC levels</li> <li>➤ Cannabis or cannabis products shall not be sold unless a representative sample of the cannabis or cannabis products has been tested by a licensed testing laboratory (BPC sec. 26100)</li> </ul>	<p>COMMERCIAL: Business support services; Offices</p> <p>INDUSTRIAL (must be consistent with Policy Plan or Specific Plan): Business support services; Offices</p>	<p>Pro: Potentially low-profile cannabis business with minimal nuisance impacts; economic opportunity</p> <p>Con: Traffic from transporters; potential crime due to storage of small amounts of cannabis, waste issues</p> <p>Possible Standards:</p> <ul style="list-style-type: none"> <li>• Require Use Permit</li> <li>• Must be in fully enclosed building up to 5000 sf</li> <li>• Security Plan (video, alarmed emergency exits, etc.)</li> <li>• Odor control plan</li> <li>• Ventilation plan</li> <li>• Disposal Plan for cannabis plant, cannabis product, and testing waste</li> <li>• Sign restrictions</li> <li>• Yearly inspection – tied to operator’s business license</li> </ul>
<p><b>Type 10-Retailer; General (formerly Dispensary, AB110)</b></p> <ul style="list-style-type: none"> <li>➤ Retailer – retail sale and delivery of cannabis and cannabis products to customers.</li> <li>➤ Must have physical locations for commercial cannabis activities. May be closed to public, and may conduct sales exclusively by delivery.</li> <li>➤ Can include a mobile outlet (similar to food truck) [BPC § 26070]</li> </ul>	<p>COMMERCIAL: Food Store; Medical office/clinic, Retail and general merchandise store; Temporary commercial uses and events (mobile dispensary)</p> <p>INDUSTRIAL (must be consistent with Policy Plan or Specific Plan): Medical office/clinic; Office; Temporary commercial uses and events (mobile dispensary)</p>	<p>Currently, medicinal cannabis is not allowed in Vacaville per previous feedback from public outreach regarding dispensaries.</p> <p>No regulation regarding recreational cannabis</p>

**ATTACHMENT 2: STATE LICENSING TYPE OF BREAKDOWN OF NON-PERSONAL USES**

<b>MAUCRSA LICENSE TYPE</b>	<b>VACAVILLE LAND USE AND DEVELOPMENT CODE:: SIMILAR EXISTING LAND USES**</b>	<b>DISCUSSION POINTS</b>
<p><b>Type 10A-Producing Dispensary; (AB26) (now retailer, AB110)</b></p> <ul style="list-style-type: none"> <li>➤ Dispensers who have no more than three(3) licensed dispensary facilities, and</li> <li>➤ Wish to hold either a cultivation or manufacturing license or both</li> <li>➤ Includes delivery abilities</li> <li>➤ Medicinal cannabis only</li> </ul>	<p>COMMERCIAL: Food Store; Medical office/clinic, Retail and general merchandise store; Temporary commercial uses and events (mobile dispensary)</p> <p>INDUSTRIAL (must be consistent with Policy Plan or Specific Plan): Medical office/clinic; Office; Temporary commercial uses and events (mobile dispensary)</p> <p><i>with accessory use of cultivation and/or manufacturing, possibly outdoor storage/sales</i></p>	<p>Currently, medicinal cannabis not allowed in the Vacaville per previous feedback from public outreach regarding dispensaries</p> <p>No regulation regarding recreational cannabis</p>
<p><b>Type 11-Distributor</b></p> <ul style="list-style-type: none"> <li>➤ Cultivators and manufacturers are required to send their products to distributors before the product is passed to the next stage of manufacturing or retailing.</li> <li>➤ Distributors send to testing labs; prior to final distribution and commercial sales.</li> <li>➤ Only licensed transporters can transport cannabis between the other licensees [BPC §26070(b)]</li> </ul>	<p>COMMERCIAL: Wholesaling and distribution.</p> <p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Warehousing – General; Wholesaling and Distribution – large or small</p>	<p>Pro: Economic opportunity, good location if located near major road systems</p> <p>Con: Greater risk of crime with large amount of cannabis products on-site. Could be nuisance with potential trucks loading/unloading. Potential for noise and traffic concerns</p> <p>Possible Standards: see above</p>
<p><b>Type 12-Microbusiness</b></p> <ul style="list-style-type: none"> <li>➤ Cultivation in area of less than 10,000 sf, and</li> <li>➤ Is a Distributor, Level 1 Manufacturer, and Retailer [BPC § 26070(3)(A)]</li> </ul>	<p>INDUSTRIAL/AGRICULTURE (must be consistent with Policy Plan or Specific Plan): Manufacturing: Food products – odorous; Warehousing – General; Wholesaling and Distribution – large or small</p>	<p>Currently, medicinal cannabis not allowed in the Vacaville per previous feedback from public outreach regarding dispensaries</p> <p>No regulation regarding recreational cannabis</p>

## ATTACHMENT 3: PERSONAL CULTIVATION

Recreational Use		Medicinal Use	
Indoor	Outdoor	Personal	Caregiver
<ul style="list-style-type: none"> <li>City CANNOT prohibit, but apartment complexes may elect to not allow.</li> <li>Up to 6 plants, per single private residence (dwelling unit) on premise (lot).</li> <li>Must be in either inside residence or inside completely enclosed accessory structure.</li> <li>Must be 21 years old or older.</li> <li>Cultivated product CANNOT be sold, bartered, or exchanged but can be given away for free. Must be for personal use only.</li> </ul> <p>City Code:</p> <ul style="list-style-type: none"> <li>Can amend to require permits with restrictions, conditions, limitations (i.e., – annual fire and building for safety, and limit to less than 6 plants).</li> </ul> <p>Concerns/Unknown Impacts:</p> <ul style="list-style-type: none"> <li>Water usage</li> <li>Electricity Usage (and GHG emissions)</li> <li>Increased humidity leads to increased mold and condensation in electrical outlets</li> <li>Improper electrical connections increase overload and fire possibilities</li> </ul>	<ul style="list-style-type: none"> <li>City CAN prohibit.</li> <li>Up to 6 plants, per dwelling unit on premise.</li> <li>Must be 21 years old or older.</li> <li>Cultivated product CANNOT be sold, bartered, or exchanged but can be given away for free. Must be for personal use only.</li> </ul> <p>City Code:</p> <ul style="list-style-type: none"> <li>Can amend to require permits with restrictions, conditions, limitations (i.e., – annual fire and building for safety, and limit to less than 6 plants).</li> </ul> <p>Concerns/Unknown Impacts:</p> <ul style="list-style-type: none"> <li>Odor</li> <li>Water usage</li> <li>Safety and Security (soft security of fenced yard more susceptible to theft)</li> </ul>	<ul style="list-style-type: none"> <li>State law still being written and unclear on jurisdictional authority to prohibit completely, but can prohibit outdoor.</li> <li>Up to 6 mature or 12 immature plants. (Unless doctor recommends more)</li> <li>Can be indoor or outdoor.</li> <li>Must be qualified patient and 18 years old or older.</li> <li>Must be for personal use only.</li> <li>No State license required.</li> <li>City may require permit.</li> </ul> <p>City Code:</p> <ul style="list-style-type: none"> <li>State law still being written and unclear on jurisdictional authority.</li> </ul> <p>Concerns/Unknown Impacts:</p> <ul style="list-style-type: none"> <li>Enforcement of indoor</li> <li>Water usage</li> <li>Odor</li> <li>Electricity Usage (and GHG emissions)</li> <li>Increased humidity leads to increased mold and condensation in electrical outlets</li> <li>Improper electrical connections increase overload and fire possibilities</li> </ul> <p>Safety and Security (of both the plants and any money received and stored within residence)</p>	<ul style="list-style-type: none"> <li>State law still being written and unclear on jurisdictional authority to prohibit completely, but can prohibit outdoor.</li> <li>Up to 6 mature or 12 immature plants (Unless doctor recommends more).</li> <li>Can be indoor or outdoor.</li> <li>Can be cultivated and sold/distributed to 5 or fewer patients.</li> <li>Must be designated by qualified patient, consistently assumed responsibility and care of said qualified patient, and 18 years old or older.</li> <li>No State license required.</li> <li>City may require permit.</li> </ul> <p>City Code:</p> <ul style="list-style-type: none"> <li>May require Home Occupation Permit, Type 2 (could have patients arrive at house) City Code.</li> </ul> <p>Concerns/Unknown Impacts:</p> <ul style="list-style-type: none"> <li>Enforcement of indoor</li> <li>Water usage</li> <li>Odor</li> <li>Electricity Usage (and GHG emissions)</li> <li>Increased humidity leads to increased mold and condensation in electrical outlets</li> <li>Improper electrical connections increase overload and fire possibilities</li> <li>Safety and Security (of both the plants and any money received and stored within residence)</li> </ul>

