



# Cannabis Regulation Amendments

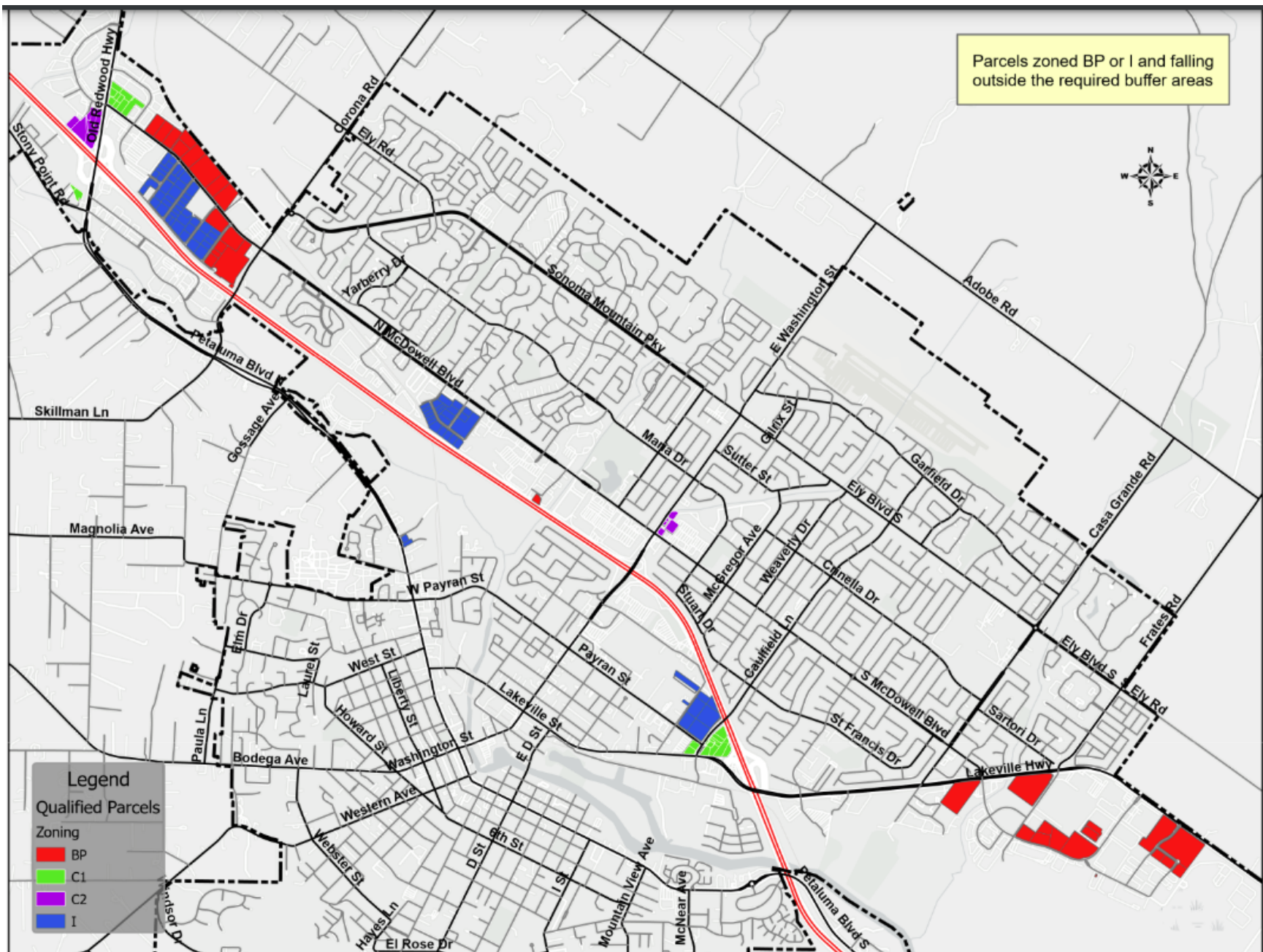
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AND ADOPTION OF ADMINISTRATIVE  
CANNABIS REGULATIONS

# Existing Regulations

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- Enacted December 2017
- Chapter 10.15 of the PMC
- Cannabis Uses (Commercial Uses & Personal Cultivation)
  - Retail
    - Two cannabis delivery only retailers permitted
  - Cannabis Manufacture
  - Cannabis Testing
  - Commercial Cannabis uses only in Industrial and Business Park Districts
- <https://cityofpetaluma.org/commercial-cannabis-regulations/>



# Proposed Amendments Direction

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- Top 10 Goals and Priorities of City Council in 2023
- Direction from Council in March and April 2024
- Limited amendments to authorize up to three on-site storefront cannabis retail sales locations in Business Park and Industrial Zones

# California Environmental Quality Act

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- CEQA Guidelines **Section 153183** (Projects Consistent with Community Plan or Zoning)
- **Section 15061(b)(3)** (Commonsense)
- **Sections 15301** (Existing Facilities); **15302** (Replacement or Reconstruction), **15303** (New Construction or Conversion)

# New Definition of Retail Sale IZO Ch. 28

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- ~~Retail Sale and Deliver – Cannabis. *A maximum of up to three different premises permanently located in the City where cannabis is offered for on-site retail sale to consumers*, and a maximum of up to two different premises permanently located in the City that *deliver cannabis as part of a retail sale, with all such operations and premises licensed by the State of California pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act, California Business and Professions Code Section 26000 et seq., as may be amended, in accordance State law, the requirements of this code, the Petaluma Municipal Code, and the current City of Petaluma Commercial Cannabis Permit Regulations*~~ with no sale of cannabis or cannabis products to customers, primary care givers or qualified patients permitted at the business location at any time and no signage at the business location or on the delivery vehicles indicating the presence of cannabis or cannabis products or that the seller sells cannabis or cannabis products. ***Unless otherwise specified, “cannabis retailer” means both a retailer selling medical cannabis and medical cannabis products to patients with valid physician’s recommendations and a retailer offering adult-use cannabis and cannabis products for adults 21 years of age and over, in accordance State law, the requirements of this code,*** the Petaluma Municipal Code sections 10.15.040 and 10.15.060, and the current City of Petaluma Commercial Cannabis Permit Regulations.



# New Definition of Retail Sale IZO CH. 28

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- Retail Sale – Cannabis. A maximum of up to three different premises permanently located in the City where cannabis is offered for on-site retail sale to consumers, and a maximum of up to two different premises permanently located in the City that deliver cannabis as part of a retail sale, with all such operations and premises licensed by the State of California pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act, California Business and Professions Code Section 26000 et seq., as may be amended, in accordance State law, the requirements of this code, the Petaluma Municipal Code, and the current City of Petaluma Commercial Cannabis Permit Regulations. Unless otherwise specified, “cannabis retailer” means both a retailer selling medical cannabis and medical cannabis products to patients with valid physician’s recommendations and a retailer offering adult-use cannabis and cannabis products for adults 21 years of age and over, in accordance State law, the requirements of this code, the Petaluma Municipal Code, and the current City of Petaluma Commercial Cannabis Permit Regulations.

Commercial, Business Park, and Industrial Zones					
<b>TABLE 4.4</b>  <b>Allowed Land Uses and Permit Requirements for Commercial, Business Park, and Industrial Zones</b>	P(16)	Permitted Use			
	CUP	Conditional Use Permit Required			
	S	Permit Requirement in Specific Use Regulations			
	A	Accessory Use			
	—	Use Not Allowed			
LAND USE TYPE (1)	Permit Required by Zone				Specific Use Regulations
	C1	C2	BP	I	
Manufacturing/processing – Cannabis	—	—	P(16,17)	P(16,17)	Muni Code <del>10-15</del> 6.10
Media Production	—	—	P	P	
Petroleum Product Storage and Distribution	—	—	—	CUP	
Printing and Publishing	—	—	P	P	
Recycling Facility	—	—	CUP	CUP	
Recycling Facility – Scrap and Dismantling Yard	—	—	—	—	
<del>Retail Sale and Delivery - Cannabis</del>	—	—	<del>P(16,17)</del>	<del>P(16,17)</del>	<del>Muni Code</del> <del>10-15</del>
<del>Retail Sales - Cannabis</del>			<del>P(16, 17)</del>	<del>P(16,17)</del>	<del>Muni Code</del> 6.10
Research and Development	—	—	P	P	
Storage Yard – Outdoor	—	—	—	CUP	



# General Plan Consistency Findings:

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- Guiding Principle # 8. Foster and promote economic diversity and opportunities.
- Guiding Principle #9. Expand retail opportunities to meet residents' needs and promote the city's fiscal health, while ensuring that new development is in keeping with Petaluma's character.
- Land Use Goal 1-G-1 Maintain a balanced land use program that meets the long-term residential employment, retail, industrial, education, recreation, and open space needs of the community.
- Land Use Policy 1-P-8 Maintain Business Park uses by monitoring availability of industrial land area for possible expansion of high employment businesses.

# General Plan Consistency Findings:

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- The Natural Environment Goal 4-G-6 Greenhouse Gas Emissions - Reduce the contribution to greenhouse gases from existing sources and minimize the contribution of greenhouse gases from new construction and sources.
- Economic Health & Sustainability Policy 9-P-13 - Expand and diversify Petaluma's retail base.
- Economic Health & Sustainability Policy 9-P-14 - Plan and locate retail uses appropriately to their types and the sites available.

# Consistency with the Public Necessity, Convenience and Welfare:

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- Job opportunities and tax revenue
- Provide opportunities for local access to cannabis products:
  - which increases convenience and sustainability of the local economy;
  - Reducing vehicular travel and associated greenhouse gas emissions.
- Limit storefront cannabis retail sales locations to ensure appropriate proximity to schools, childcare centers, parks, youth centers, libraries, and residentially zoned areas

# Amendments to Municipal Code

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- Relocated from Chapter 10.15 to a new Chapter 6.10.
- Purposes updated to address commercial cannabis.
- Amended Section 6.10.040 paragraph (D) Delivery to distinguish delivery-only retail sales from Storefront retail sales.
- Added Section 6.10.040 paragraph (E) to authorize up to three storefront cannabis retail sales locations.
- Amended Section 6.10.080 to avoid any conflict with state regulation of medicinal cannabis.

# Amendments to Municipal Code

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- Added to Section 6.10.040, paragraph D:
- Retail sale of cannabis and cannabis products by delivery may also occur at a location where on-site retail sales of cannabis and cannabis products is permitted in accordance with paragraph E of this section. The prohibition in this paragraph against signage at cannabis retail delivery business locations shall not apply to such business locations where on-site retail sales of cannabis and cannabis products is permitted in accordance with paragraph E of this section. Any business locations where retail sale of cannabis and cannabis products by delivery and also by on-site sales are permitted in accordance with this paragraph and paragraph E of this section shall count toward the maximum number of permitted cannabis retail delivery sales locations and the maximum number of permitted cannabis retail on-site sales locations.

# Amendments to Municipal Code

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- Added new Section 6.10.040 paragraph E:
- E. Retail sale of cannabis and cannabis products at a maximum of three different locations in the city to customers, primary caregivers and qualified patients occurring on site at the business location.

# Updated Cannabis Administrative Regulations

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- City's Commercial Cannabis Permit Regulations are authorized pursuant to PMC Section 10.15.090.
- These administrative regulations:
  - Help to ensure that nuisance conditions do not result from commercial cannabis activity in the community.
  - Include security requirements for each operator.
  - Describe the permit application and renewal process.
    - Applicants will need to complete a City approved form and pay an application fee.
    - City staff will review the applications and rank the applications in staff's sole discretion.





Questions?