

F. Management of the use shall take all necessary steps to assure the orderly conduct of employees, patrons and visitors to the premises.

G. A copy of these performance standards shall be posted alongside the establishment's permits and licenses and visible to employees at all times. (Ord. 963 §22, 1995: Ord. 822 §1(part), 1989)

Chapter 17.31

MEDICAL MARIJUANA USES*

Sections:

- 17.31.010 Intent and purpose.
- 17.31.020 Locational standards.
- 17.31.030 Development agreement required.
- 17.31.040 Cultivation prohibition.
- 17.31.050 Penalty provisions.

17.31.010 Intent and purpose.

The intent and purpose of this chapter is to provide development standards applicable to medical marijuana dispensaries and the cultivation of medical marijuana. These development standards are in addition to any operation standards required by Chapter 5.26 of this Code. (Ord. No. 1131, § 3, 1-26-2010; Ord. No. 1200, § 1, 1-26-2016)

17.31.020 Locational standards.

No medical marijuana dispensary shall be established on any property:

A. Within one thousand feet of an existing medical marijuana dispensary. For the purposes of this subsection, a medical marijuana dispensary shall be considered existing if either: (i) a medical marijuana dispensary permit has been issued for the business; (ii) it is currently operating; or (iii) a medical marijuana dispensary permit has been issued for the business but it is not currently operating due to a suspension of such permit.

***Editor's note**—Ord. No. 1131, § 5, adopted Jan. 26, 2010, provides that any dispensary established prior to the effective date of this chapter shall be brought into full compliance with the provisions of this chapter within sixty days of the effective date.

17.31.020

B. Within five hundred feet of any park, religious institution, school, or property zoned for residential use.

The distances specified in this section shall be measured in a straight line, without regard for intervening structures and the boundaries of the city, from the nearest property line of the property upon which the dispensary is proposed to the nearest property line of the existing dispensary, religious institution, school, park or residential zone.

(Ord. No. 1131, § 3, 1-26-2010)

17.31.030 Development agreement required.

No medical marijuana dispensary shall begin operation without first applying for, and obtaining city council approval of a development agreement pursuant to Government Code § 65864 et seq.

(Ord. No. 1131, § 3, 1-26-2010)

17.31.040 Cultivation prohibition.

Cultivation, as defined by Section 5.26.020, of marijuana for commercial or non-commercial purposes, including cultivation by a qualified patient, primary caregiver, or person with identification card is expressly prohibited in the city. No person, including a qualified patient, primary caregiver, or person with identification card, shall cultivate any amount of marijuana in the city, even for medical purposes.

(Ord. No. 1200, § 2, 1-26-2016)

17.31.050 Penalty provisions.

Violations of Chapter 17.31 are subject to the general penalty provisions set forth in Section 1.16.010. No provision of Section 1.16.010 shall authorize a criminal prosecution or arrest prohibited by Health and Safety Code section 11362.7 et seq.

(Ord. No. 1200, § 3, 1-26-2016)