

ORDINANCE NO. 2019-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING
PART 14: COMMERCIAL MEDICAL AND ADULT USE CANNABIS REGULATIONS TO
ADDRESS CHANGES IN STATE LAW REGARDING CANNABIS DELIVERY

BE IT ORDAINED By the City of Santa Cruz as follows:

Section 1. Section 24.12.1310 (Administrative Use Permit Required) of Part 14 of Chapter 24.12 of the City of Santa Cruz Municipal Code is hereby amended as follows:

24.12.1310 ADMINISTRATIVE USE PERMIT REQUIRED.

(a) All commercial cannabis uses allowed within the city must be authorized pursuant to the procedures described in Section 24.08.030 for administrative use permits with the exception of testing laboratories, which are principal permitted uses in IG and IG/PER-2 Districts. Delivery services performed by businesses located outside the City of Santa Cruz are not permitted within the City with or without a permit except as required by the State law.

(b) Each commercial cannabis business shall meet the siting criteria and performance standards described in other sections of this Chapter in addition to: (1) the other requirements of the zoning districts in which they are located; (2) the licensing requirements set forth in Chapter 6.91; and (3) other state and local laws and regulations. For properties with multiple tenant spaces, separate use permits are required for each separate business unless a master use permit is approved per Section 24.08.027.

(c) Each and every provision made in this Section shall be deemed independent and severable, and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of any other provision thereof.

Section 2. Section 24.12.1320 (Use Types – Siting Criteria) of Part 14 of Chapter 24.12 of the City of Santa Cruz Municipal Code is hereby amended as follows:

24.12.1320 USE TYPES – SITING CRITERIA.

(a) Commercial cannabis uses allowed in the city include cultivation, distribution and warehousing, testing laboratories, manufacturing, and retail sales. Delivery services shall not be allowed as separate businesses but may only be performed by a state licensed retailer, microbusiness (as defined under the state of California Business and Professions Code Section 26070(a)(3)), or nonprofit (as defined under the state of California Business and Professions Code Section 26070.5).

(b) So long as state law or regulation requires the City to allow delivery by businesses located outside the City to locations within the City, the City also allows this use; otherwise, no deliveries may be made to consumers within the city by businesses not located and permitted within the city

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limits. If a business located outside the City delivers to any location(s) inside the City, the business shall obtain a City business license per Title 5 of this municipal code and shall pay all applicable State and local sales and cannabis taxes. This in no way limits wholesale distribution of cannabis and cannabis products by licensed distributors to licensed manufacturing facilities, distribution warehouses, or retailers within the city limits.

(c) All cannabis-related businesses and any business that includes cannabis or cannabis products are required to have valid state licenses for their business type(s) in addition to meeting all the City's requirements.

(d) Each and every provision made in this Section shall be deemed independent and severable, and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of any other provision thereof.

Section 3. This ordinance shall take effect and be in force thirty (30) days after final adoption.

PASSED FOR PUBLICATION this 23rd day of April, 2019, by the following vote:

AYES: Councilmembers Krohn, Glover, Meyers, Brown, Mathews; Vice Mayor Cummings; Mayor Watkins.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____
Martine Watkins, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this XX day of XX, 2019 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Martine Watkins, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

This is to certify that the above
and foregoing document is the
original of Ordinance No. 2019-07
and that it has been published or
posted in accordance with the
Charter of the City of Santa Cruz.

Bonnie Bush, City Clerk Administrator