

COUNTY ZONING ORDINANCE
Part One – Basic Provisions

Section 1100 DEFINITIONS

Marijuana Facility – Medical and Non-Medical: (a) Any store, office, business, building, property or other facility in or from which marijuana is sold, given, traded, supplied, bartered, consumed, raised, processed, stored, used, cultivated indoors or outdoors, possessed, or transported; (b) This definition shall not apply to cultivation of medical marijuana; (1) by a Qualified Patient where the amount of marijuana at no time exceeds 1.5 times the amount allowed by state law for a single Qualified Patient under Health & Safety Code section 11362.77, and no exchanges of marijuana or reimbursements for marijuana occur; and, (2) by a Primary Care Giver where the amount of marijuana at no time exceeds 1.5 times the amount allowed for a single Primary Care Giver under Health & Safety Code section 11362.77, and no exchanges of marijuana or reimbursements for marijuana occur.

(Added by Ord. No. 10062 (N.S.) adopted 6-30-10)
(Amended by Ord. No. 10461 (N.S.) adopted 4-14-17)

Part Six: General Regulations:

Section 6935 MEDICAL MARIJUANA COLLECTIVE FACILITIES

Amortization of Nonconforming Medical Marijuana Collective Facilities. Notwithstanding Section 6852, a nonconforming Collective Facility which was lawfully established before April 14, 2017 shall cease operations no later than April 14, 2022. In order for a Collective Facility to be “lawfully” established it must have applied for and obtained a building permit and/or a certificate of occupancy and Sheriff’s Operating Certificate prior to commencing operations, or received County approval of a vested right to continue under previous regulations. The Collective Facility may apply for one six-month extension of this period. The Director may grant that extension upon determining that the operator would be subjected to unreasonable financial hardship if forced to cease operations, considering (1) the term of any applicable lease for the premises and whether it may be modified or terminated; (2) the non-recoverable costs of any improvements that would only be of use to the Collective Facility; (3) the profits which have been received during the period from April 14, 2017 to April 14, 2022, and (4) the potential for other conforming uses to locate on the site.

Any nonconforming medical marijuana collective facility shall not be expanded, enlarged, extended or altered except that the use may be changed to a conforming use.

(Added by Ord. No. 10061 (N.S.) adopted 6-30-10)
(Amended by Ord. No. 10118 (N.S.) adopted 1-25-11)
(Amended by Ord. No. 10461 (N.S.) adopted 4-14-17)

6976 PROHIBITION OF MARIJUANA FACILITIES – MEDICAL OR NON-MEDICAL

No person shall cause or permit the establishment, operation, enlargement or transfer of ownership of a facility of marijuana for medical or non-medical purposes, meeting the definition "Marijuana Facility – Medical and Non-Medical" in Section 1110. To the maximum extent allowed by state law this prohibition shall apply throughout all use regulations.

(Added by Ord. No. 10062 (N.S.) adopted 6-30-10)
(Amended by Ord. No. 10461 (N.S.) adopted 4-14-17)