

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN,  
STATE OF CALIFORNIA

ORDINANCE NO.4531

**AN ORDINANCE AMENDING TITLE 9 OF THE ORDINANCE CODE OF THE COUNTY OF SAN JOAQUIN RELATIVE TO SECTIONS 9-110.4, 9-505.5 AND 9-605.6(u), CHAPTER 9-115, 9-125, TABLES 9-305.2 RESIDENTIAL USES, 9-405.2 COMMERCIAL USES, 9-505.2 INDUSTRIAL USES, 9-605.2 AGRICULTURAL USES, 9-705.2 USES IN OTHER ZONES, TABLE 9-1015.3(b) PARKING, CHAPTER 9-1090 (COMMERCIAL CANNABIS)**

The Board of Supervisors of the County of San Joaquin ordains as follows:

**SECTION 1.** Section 9-110.4, Chapter 9-110, Division 1, Title 9 of the San Joaquin County Ordinance Code is hereby amended by adding the definition of “Annual State License”, “Arterial Road”, “Cannabis Business Park”, “Commercial Cannabis Activity”, “Commercial Cannabis Development Agreement”, “Commercial Cannabis License”, “Commercial Cannabis Licensee”, “Cultivator License”, “Development Agreement”, “Distributor License”, “Major Intersection”, “Manufacturing License”, “Micro-business”, “Owner”, “Premises”, “Retailer License”, “Sanitary Disposal of Process Water”, “Testing Laboratory License” to read as follows:

**Annual State License.** “Annual state license” means an annual commercial cannabis business license issued by the California Bureau of Cannabis Control, California Department Food and Agriculture, or California Department of Public Health.

**Arterial Road.** “Arterial road”, for the purpose of Chapter 9-1090 Commercial Cannabis, means a road with a functional classification of 3 or higher.

**Cannabis Business Park.** “Cannabis business park” means a contiguous area with an approved Special Purpose Plan pursuant to Title 9, Division 8, Chapter 9-815 of this Code that is specially designated, designed, and landscaped to safely allow and accommodate Commercial Cannabis Licensees in compliance with this Chapter and State law.

**Commercial Cannabis Activity.** “Commercial cannabis activity” means the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of cannabis and cannabis products or any other activity provided for in Medicinal and Adult Use Cannabis Safety and Regulation Act.

**Commercial Cannabis Development Agreement.** “Commercial Cannabis Development Agreement” means a development agreement for commercial cannabis activity adopted by the Board of Supervisors pursuant to Government Code Section 65864 et seq. and Title 9, Division 13, Chapter 9-1300.

**Commercial Cannabis License.** “Commercial cannabis license” means a Cultivator License, Distributor License, Manufacturer License, Retailer License, or Testing Facility License issued by the County pursuant to Title 4, Division 10, Chapter 1. A Commercial Cannabis License may only be for a specific, fixed location which shall be considered the Premises.

**Commercial Cannabis Licensee.** “Commercial cannabis licensee” or “licensee” means any Person holding a valid Commercial Cannabis License issued pursuant to this Title 4, Division 10, Chapter 1.

**Cultivator License.** “Cultivator license” means a license issued by the County to plant, grow, harvest, dry, cure, grade, or trim cannabis and who holds an authorized Annual State License with an A-License or M-License designation.

**Development Agreement.** “Development Agreement” means a written agreement between the County and a person having a legal or equitable interest in real property for the development of that real property as provided in Chapter 9-1300 and Government Code Section 65864 et seq.

**Distributor License.** “Distributor license” means a license issued by the County to procure, sell, and transport cannabis and cannabis products who holds an authorized Annual State License with an A-License or M-License designation.

**Major Intersection.** “Major intersection”, for the purpose of Chapter 9-1090 Commercial Cannabis, means an intersection where an arterial road intersects with either a minor arterial or arterial road.

**Manufacturing License.** “Manufacturing license” means a license to conduct the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container who holds an authorized Annual State License with an A-License or M-License designation.

**Micro-business.** “Micro-business” is a Type 12 Annual State License and shall have the same meaning as set forth in paragraph (3) of subdivision (a) of Section 26070 of the Business and Professions Code.

**Owner.** “Owner”, for the purpose of Chapter 9-1090 Cannabis Regulations, means any of the following:

- (a) A person with an aggregate ownership interest of twenty percent (20%) or more in the entity applying for a license or a licensee, unless the interest is solely a security, lien, or encumbrance.
- (b) The chief executive officer of a nonprofit or other entity.
- (c) A member of the board of directors of a nonprofit.
- (d) An individual who will be participating in the direction, control, or management of the person applying for a license.

**Premises.** “Premises” for the purpose of Chapter 9-1090 means the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the Applicant or Licensee where the Commercial Cannabis Activity will be or is conducted. The Premises shall be a contiguous area and shall only be occupied by one Licensee, except under an authorized shared use Annual State License. Multiple Premises and Commercial Cannabis Licenses may exist on one Lot.

**Retailer License.** “Retailer license” means a license issued to sell cannabis to qualified individuals that hold an authorized Annual State License with an A-License or M-License designation.

**Sanitary Disposal of Process Water.** “Sanitary disposal of process water” means an approved and permitted method of disposal for wastewater generated from onsite operations or processes.

**Testing Laboratory License.** “Testing laboratory license” means a license issued to a laboratory, facility, or entity in the state that offers or performs tests of cannabis or cannabis products that holds an authorized Annual State License.

**SECTION 2.** Chapter 9-115, Division 1, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**Commercial Cannabis.** The Commercial Cannabis use type includes any commercial cannabis activity for which a commercial cannabis license is required. The following are the categories of the Commercial Cannabis use type:

- (a) **Cannabis Cultivation.** The Cannabis Cultivation use type refers to any activity allowed pursuant to a Cultivator License. Such activities may only be performed by a person with a valid Cultivator License issued by the County pursuant to Title 4, Division 10, Chapter 1. No outdoor cannabis cultivation shall be permitted.
- (b) **Cannabis Distribution.** The Cannabis Distribution use type refers to any activity allowed pursuant to a Distributor License. Such activities may only be performed by a person with a valid Distributor License issued by the County pursuant to Title 4, Division 10, Chapter 1.
- (c) **Cannabis Manufacturing.** The Cannabis Manufacturing use type refers to any activity allowed pursuant to a Manufacturer License. Such activities may only be performed by a person with a valid Manufacturer License issued by the County pursuant to Title 4, Division 10, Chapter 1.
- (d) **Cannabis Retail Sales.** The Cannabis Retail Sales use type refers to any activity allowed pursuant to a Retailer License. Such activities may only be performed by a person with a valid Retailer License issued by the County pursuant to Title 4, Division 10, Chapter 1.
- (e) **Cannabis Laboratory Testing.** The Cannabis Laboratory Testing use type refers to any activity allowed pursuant to a Testing Laboratory License. Such may only be performed by a person with a valid Testing Laboratory License issued by the County pursuant to Title 4, Division 10, Chapter 1.

**SECTION 3.** Chapter 9-125 is hereby removed:

~~CHAPTER 9-125—CANNABIS DISPENSARY REGULATIONS~~

~~9-125.1—INTENT.~~

~~The intent of this Chapter is to prohibit the establishment of facilities for the distribution (including selling, serving, storing, keeping, manufacturing, exchanging or giving away) of~~

cannabis within the unincorporated area of San Joaquin County, irrespective of Health and Safety Code Section 11362.765(a) as it applies to Health and Safety Code Section 11570. It is not the intent of this Chapter to otherwise prohibit or inhibit the right of seriously ill people to obtain and use cannabis for medicinal purposes pursuant to The Compassionate Use Act of 1996 and The Medical Cannabis Program of the Health and Safety Code. Nor is it the intent of this Chapter to prohibit or inhibit such a right in hospitals, clinics, residential care facilities, or similar facilities, licensed pursuant to the Health and Safety Code.

~~9-125.2 DEFINITION.~~

The following definition applies to this chapter in addition to those definitions in Section 9-110.4 of this Title:

**Cannabis Dispensary.** "Cannabis Dispensary" means any facility or activity by which cannabis is made available for transfer from one (1) person or entity to another person or entity, including but not limited to such transfers pursuant to Health and Safety Code Sections 11362.5 (The Compassionate Use Act of 1996) and 11362.7 through 11362.83 (Medical Marijuana Program) as they now read or as amended. "Cannabis Dispensary" also means any activity defined as "Delivery," "Distribution," or "Sale" under the Adult Use of Marijuana Act as it now reads or as amended.

A cannabis dispensary shall not include the following uses, so long as such uses comply with this code, Health and Safety Code Section 11362.5, et seq., and other applicable law:

1. — A clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code.
2. — A health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code.
3. — A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code.
4. — A residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code.
5. — A hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code.

~~9-125.3 PROHIBITION.~~

No person shall establish, operate, or permit the establishment or operation of a cannabis dispensary in or upon any premises in the unincorporated San Joaquin County.

**SECTION 4.** Tables 9-305.2, 9-405.2, 9-505.2, 9-605.2, 9-705.2 and Sections 9-505.5 and 9-605.6(u) of Divisions, 3, 4, 5, 6, & 7, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

<b>TABLE 9-305.2 USES IN RESIDENTIAL ZONES</b>
<b>Legend:</b>

<b>P Permitted Use, Except as Specified by Note</b> <b>IP Permitted Use With Improvement Plan, Except as Specified by Note</b> <b>QX Use Permitted Subject to Quarry Excavation Permit</b> <b>S Use Permitted Subject to Site Approval</b> <b>SP Use Permitted Subject to Special Purpose Plan</b> <b>U Use Permitted Subject to Use Permit</b> <b>- Use Not Permitted</b>  <u><b>*Special Use Regulations (See Section 9-305.6)</b></u>						
<b>Residential Zones</b>						
	<b>R-R</b>	<b>R-VL</b>	<b>R-L</b>	<b>R-M</b>	<b>R-MH</b>	<b>R-H</b>
<u><b>Commercial Cannabis</b></u>						
<u>Cultivation</u>	-	-	-	-	-	-
<u>Distribution</u>	-	-	-	-	-	-
<u>Manufacturing</u>	-	-	-	-	-	-
<u>Retail Sales</u>	-	-	-	-	-	-
<u>Laboratory Testing</u>	-	-	-	-	-	-

<b>TABLE 9-405.2 USES IN COMMERCIAL ZONES</b>	
<b>Legend:</b>	
<b>P Permitted Use, Except as Specified by Note</b>	
<b>IP Permitted Use With Improvement Plan, Except as Specified by Note</b>	
<b>S Use Permitted Subject to Site Approval</b>	
<b>SP Use Permitted Subject to Special Purpose Plan</b>	
<b>U Use Permitted Subject to Use Permit</b>	
<b>QX Use Permitted Subject to Quarry Excavation Permit</b>	
<b>- Use Not Permitted</b>	

<b>*Special Use Regulations (See Sections 9-405.6 and/or 9-405.7)</b>									
<b>Commercial Zones</b>									
	<b>C-L</b>	<b>C-N</b>	<b>C-C</b>	<b>C-O</b>	<b>C-G</b>	<b>C-FS</b>	<b>C-RS</b>	<b>C-X</b>	<b>C-R</b>
<b><u>Commercial Cannabis</u></b>									
<u>Cultivation</u>	-	-	-	-	-	-	-	-	-
<u>Distribution</u>	-	-	-	-	-	-	-	-	-
<u>Manufacturing</u>		-	-	-	-	-	-	-	-
<u>Retail Sales</u>		-	<u>U/SP</u>	-	<u>U/SP</u>	-	-	-	-
<u>Laboratory Testing</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	=	<u>S/SP</u>	=	<u>S/SP</u>

**TABLE 9-505.2 USES IN INDUSTRIAL ZONES**

**Legend:**

**P Permitted Use, Except as Specified by Note**

**IP Permitted Use With Improvement Plan, Except as Specified by Note**

**QX Use Permitted Subject to Quarry Excavation Permit**

**S Use Permitted Subject to Site Approval**

**SP Use Permitted Subject to Special Purpose Plan**

**U Use Permitted Subject to Use Permit**

**- Use Not Permitted**

**Note: See Section 9-505.5 for Special Use Regulations in an Industrial Zone.**

**\*See Section 9-505.5(d) for special use regulations.**

**\*Special Use Regulations (See Sections 9-505.6, 9-505.7, 9-505.8 & 9-505.9)**

<b>Use Types</b>	<b>Industrial Zones</b>				
	<b>I-W</b>	<b>I-P</b>	<b>I-L</b>	<b>I-G</b>	<b>I-T*</b>

<u>Commercial Cannabis</u>					
<u>Cultivation</u>	-	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	
<u>Distribution</u>	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	-
<u>Manufacturing</u>	-	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	-
<u>Retail Sales*</u>	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	<u>U/SP</u>	-
<u>Laboratory Testing</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	<u>S/SP</u>	-

**9-505.5 SPECIAL USE REGULATIONS IN INDUSTRIAL ZONES.**

In addition to the provisions of Section 9-505.2 through 9-505.5, the following regulations shall apply to industrial zones:

- (e) **Commercial Cannabis Retail Sales.** Cannabis retail sales operating an Annual State License Type 9: Non-Storefront Retailer or Type 12: Microbusiness engaged in Non-Storefront retail may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park) and I-W (Warehouse Industrial) zones with an approved Use Permit or with an approved Improvement Plan in an approved Cannabis Business Park. .

**TABLE 9-605.2 - USES IN AGRICULTURAL ZONES**

**Legend:**

**P Permitted Use**

**IP Permitted Use With Improvement Plan**

**QX Use Permitted Subject to Quarry Excavation Permit**

**S Use Permitted Subject to Site Approval**

**SD Use Permitted Subject to Second Unit Dwelling Permit**

**U Use Permitted Subject to Use Permit**

**- Use Not Permitted**

**Note: In areas designated as Open Space/Resource Conservation on the General Plan, all uses or use types shall require Site Approval, unless another discretionary approval is specified by this Title**

**\*Special Use Regulations (See Section 9-605.6)**

**\*\*Uses proposed in an area designated Open Space/Resource Conservation on the General Plan Map are subject to special use regulations (See Section 9-605.6(h))**

Use Types	Agricultural Zones
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	AG	AL	AU	ARM*
<b><u>Commercial Cannabis</u></b>				
<u>Cultivation*</u>	<u>U/SP</u>	-	-	-
<u>Distribution*</u>	<u>U/SP</u>	-	-	-
<u>Manufacturing*</u>	<u>U/SP</u>	-	-	-
<u>Retail Sales</u>	-	-	-	-
<u>Laboratory Testing</u>	-	-	-	-

**9-605.6 SPECIAL USE REGULATIONS IN AGRICULTURAL ZONES.**

In addition to the provisions of Sections 9-605.2 through 9-605.5, the following Special Use Regulations shall apply to the uses or use types specified below:

(u) Commercial Cannabis Uses. The following special use regulations shall apply:

(1) Cultivation-Locational Criteria. Parcels located in the AG zone shall be located no more than two-thousand (2,000) feet from a major intersection or arterial road as measured from the closest edge of the parcel to the closest edge of the major intersection or arterial road. A parcel may be located more than two-thousand (2,000) feet from a major intersection or arterial road if all of the following are found to be true:

(A) There is sufficient ease of access from the proposed parcel to an arterial road;

(B) There is sufficient access for emergency vehicles; and

(C) The Cultivator License applicant demonstrates that the premises can be secured to the satisfaction of the County.

(2) Distribution. For any operation allowed pursuant to a Distributor License in the AG (General Agriculture) zone, a Distributor License and Cultivator License shall be required pursuant to Title 4 for the same lot.



**(3) Manufacturing.** For any operation allowed pursuant to a Manufacturer License in the AG (General Agriculture) zone, a Manufacturer License and Cultivator License shall be required pursuant to Title 4 for the same lot.

**TABLE 9-705.2 - USES IN OTHER ZONES**

**Legend:**

**P Permitted Use**

**IP Permitted Use With Improvement Plan**

**S Use Permitted Subject to Site Approval**

**SP Use Permitted Subject to Special Purpose Plan**

**U Use Permitted Subject to Use Permit**

**- Use Not Permitted**

**(M) Permit Type for Mountain House Community**

**\*See Special Use Regulations for the M-X zone (Section 9-705.6)**

**\*\*See Special Use Regulations for the P-F zone (Section 9-705.7)**

**\*\*See Special Use Regulations for the AP-X zone (Section 9-705.8)**

Use Types	Other Zones		
	P-F**	M-X*	AP-X***
<u>Commercial Cannabis</u>			
<u>Cultivation</u>	-	-	-
<u>Distribution</u>	-	-	-
<u>Manufacturing</u>	-	-	-
<u>Retail Sales</u>	-	-	-
<u>Laboratory Testing</u>	-	-	-

**SECTION 5.** Table 9-1015.3(b) of Division 10, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**TABLE 9-1015.3(b)**

**PARKING SPACES REQUIREMENTS, NONRESIDENTIAL**

(See Section 9-1015.3 for explanation)

<b>Nonresidential Use Types</b>	<b>Spaces Required Per 1000 Square Feet of Building</b>	<b>Spaces Required Per Employee</b>	<b>Spaces Required Other</b>
<b><u>Commercial Cannabis</u></b>			
<u>Cultivation</u>	<u>.2</u>	<u>.67</u>	
<u>Distribution</u>	<u>.5</u>	<u>.5</u>	
<u>Manufacturing</u>	<u>2</u>	<u>.67</u>	
<u>Retail Sales</u>	<u>5</u>	<u>.67</u>	
<u>Laboratory Testing</u>	<u>1</u>	<u>.67</u>	

**SECTION 6.** Chapter 9-1090 (Commercial Cannabis) of Division 10, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

**CHAPTER 9-1090**

**COMMERCIAL CANNABIS**

**9-1090.1 Intent.**

The intent of this Chapter is to establish land use regulations that allow for commercial cannabis businesses that are licensed under the Medicinal and Adult-Use Cannabis Regulation and Safety Act, and Title 4, Division 10, Chapter 1 Commercial Cannabis Business, and have a commercial cannabis development agreement for the licensed activities adopted pursuant to Division 13. This chapter ensures that the land use regulations are consistent with Title 4 licensing, monitoring, and enforcement regarding

commercial cannabis businesses to protect and promote public health and safety of the population in San Joaquin County.

**9-1090.2 Applicability**

The provisions of this Chapter shall apply whenever:

- (1) An applicant has an approved commercial cannabis development agreement;
- (2) A Use Permit is submitted for any form of Commercial Cannabis use; and/or;
- (3) A Special Purpose Plan is submitted for a Cannabis Business Park.

**9-1090.3 Cannabis Cultivation**

Commercial cannabis activity allowed pursuant to a Cultivator License shall be subject to the following development standards:

- (a) **License.** An approved annual County Commercial Cannabis Cultivator License and Business License shall be obtained from the County pursuant to Title 4 prior to beginning any commercial operation allowed pursuant to a Cultivator License. These licenses shall remain current in order to operate a Cannabis Cultivation operation.
- (b) **Permits.** Commercial cannabis activity allowed pursuant to a Cultivator License shall be subject to the following permitting requirements:
  - (1) May be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial) and I-P (Industrial Park) zones with an approved Use Permit application.
  - (2) May be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial) and I-P (Industrial Park) zones with an approved Improvement Plan application in an approved Cannabis Business Park.
  - (3) Shall comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, and State and Federal Regulations.
- (c) **Locational Criteria.** The following locational criteria shall apply to Commercial cannabis activity allowed pursuant to a Cultivator License:
  - (1) Shall only be permitted within an enclosed structure.

- (2) Parcels located in the AG zone shall be located a maximum of two-thousand (2,000) feet from a major intersection or arterial road. A parcel may be located more than two-thousand (2,000) feet from a major intersection or arterial road, measured from the ultimate right-of-way, if all of the following are found to be true:
- (A) There is sufficient ease of access from the proposed parcel to an arterial road;
  - (B) There is sufficient access for emergency vehicles; and
  - (C) The Cultivator License holder demonstrates that the parcel may be secured to the satisfaction of the County.
- (d) **Public Services.** Parcels located in an I-G (General Industrial), I-L (Limited Industrial), or I-P (Industrial Park) zone shall be served by a public wastewater disposal system, public water system, public stormwater drainage system and provide sanitary disposal of process water.
- (1) Cannabis cultivation may be permitted with an approved Improvement Plan in an approved Cannabis Business Park. Parcels within a Cannabis Business Park may be permitted to use an on-site wastewater disposal system, on-site water system, and private stormwater drainage system and sanitary disposal of process water with an approved Special Purpose Plan, when shown to be protective of public health and safety and the environment.
- (e) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (f) **Landscaping.** The landscaping requirements shall be determined by the zone in which the parcel is located pursuant to Sections 9-1020.1 through 9-1020.10.
- (g) **Fencing.** The fencing requirements shall be determined by the zone in which the parcel is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (h) **Screening.** The screening requirements shall be determined by the zone in which the parcel is located pursuant to Sections 9-1022.4 through 9-1022.6
- (i) **Signs.** All signage must comply with applicable provisions of Chapters 9-1700, Title 4, Division 10, Chapter 1 Section 4-10048, and Code of Regulations Title 16, Division 42, Bureau of Cannabis Control Article 4. include the following restrictions:
- (1) No product or signs inside the premises shall be viewable by the public from outside the premises.
  - (2) Off-premises signs shall be prohibited by licensee or third party.

- (j) **Events.** All events related to cannabis shall be prohibited.
- (k) **Fire District.** The premises must be located within a San Joaquin County Fire District.
- (l) **Commercial Cannabis Development Agreement.** An approved Commercial Cannabis Development Agreement shall be obtained pursuant to Title 4 prior to beginning any commercial operation allowed pursuant to a Cultivator License.

**9-1090.4 Cannabis Distribution**

Cannabis distribution shall be subject to the following development standards:

- (a) **License.** An approved Commercial Cannabis Distributor License shall be obtained from the County pursuant to Title 4 prior to beginning distribution. This license shall remain current in order to operate a Cannabis Distribution operation.
- (b) **Permits.** Cannabis distribution operations shall be subject to the following permitting requirements.
  - (1) Cannabis distribution may be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial-Park) and I-W (Warehouse Industrial) zones with an approved Use Permit application.
    - (A) For any cannabis distribution operation on a parcel zoned AG (General Agriculture), a Distributor License and Cultivator License shall be required pursuant to Title 4 for the same lot.
  - (2) Cannabis distribution may be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial-Park) and I-W (Warehouse Industrial) zones with an approved Improvement Plan in an approved Cannabis Business Park.
  - (3) Cannabis distribution shall also comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, as well as State and Federal Regulations.
- (c) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (d) **Landscaping.** The landscaping requirements shall be determined by the zone in which the cannabis distribution is located pursuant to Sections 9-1020.1 through 9-1020.10.

- (e) **Fencing.** The fencing requirements shall be determined by the zone in which the cannabis distribution is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (f) **Screening.** The screening requirements shall be determined by the zone in which the cannabis distribution is located pursuant to Sections 9-1022.4 through 9-1022.6
- (g) **Signs.** The sign requirements shall be determined by the zone in which the cannabis distribution is located pursuant to Chapters 9-1705 and 9-1710 and include the following restrictions:
  - (1) No product or signs inside the premises shall be viewable by the public from outside the premises.
  - (2) Off-premises signs shall be prohibited by licensee or third party.
- (h) **Events.** All events related to cannabis distribution, including but not limited to Outdoor Special Events and Indoor Special Events, shall be prohibited.
- (i) **Fire District.** The premises must be located within a San Joaquin County Fire District.
- (j) **Commercial Cannabis Development Agreement.** An approved Commercial Cannabis Development Agreement shall be obtained pursuant to Title 4 prior to beginning any commercial operation allowed pursuant to a Commercial Cannabis Distributor License.

**9-1090.5 Cannabis Manufacturing**

Cannabis manufacturing shall be subject to the following development standards:

- (a) **License.** An approved Commercial Cannabis Manufacturer License shall be obtained from the County pursuant to Title 4 prior to beginning distribution. This license shall remain current in order to operate a Cannabis Manufacturing operation.
- (b) **Permits.** Cannabis manufacturing operations shall be subject to the following permitting requirements:
  - (1) Cannabis manufacturing may be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial) and I-P (Industrial-Park) zones with an approved Use Permit application.
    - (A) For any cannabis manufacturing operation on a parcel zoned AG (General Agriculture), a Manufacturer License and Cultivator License shall be required pursuant to Title 4 for the same lot.

- (2) Cannabis manufacturing may be permitted in the AG (General Agriculture), I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial-Park) zones with an approved Improvement Plan in an approved Cannabis Business Park.
  - (3) Cannabis manufacturing shall also comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, as well as State and Federal Regulations.
- (c) **Public Services.** Parcels located in an I-G (General Industrial), I-L (Limited Industrial), or I-P (Industrial Park) zone shall be served by a public wastewater disposal system, public water system, public stormwater drainage system and provide sanitary disposal of process water.
- (1) Cannabis manufacturing may be permitted with an Improvement Plan in an approved Cannabis Business Park. Parcels within a Cannabis Business Park may be permitted to use an on-site wastewater disposal system, on-site water system, and private stormwater drainage system and sanitary disposal of process water with an approved Special Purpose Plan, when shown to be protective of public health and safety and the environment.
- (d) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (e) **Landscaping.** The landscaping requirements shall be determined by the zone in which the cannabis manufacturing is located pursuant to Sections 9-1020.1 through 9-1020.10.
- (f) **Fencing.** The fencing requirements shall be determined by the zone in which the cannabis manufacturing is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (g) **Screening.** The screening requirements shall be determined by the zone in which the cannabis manufacturing is located pursuant to Sections 9-1022.4 through 9-1022.6
- (h) **Signs.** The sign requirements shall be determined by the zone in which the cannabis manufacturing is located pursuant to Chapters 9-1705 and 9-1710 and include the following restrictions:
- (1) No product or signs inside the premises shall be viewable by the public from outside the premises.
  - (2) Off-premises signs shall be prohibited by licensee or third party.
- (i) **Events.** All events related to cannabis manufacturing, including but not limited to Outdoor Special Events and Indoor Special Events, shall be prohibited.



- (j) **Fire District.** The premises must be located within a San Joaquin County Fire District.
- (k) **Commercial Cannabis Development Agreement.** An approved Commercial Cannabis Development Agreement shall be obtained pursuant to Title 4 prior to beginning any commercial operation allowed pursuant to a Commercial Cannabis Manufacturer License.

**9-1090.6 Cannabis Retail Sales**

Cannabis retail sales shall be subject to the following development standards:

- (a) **License.** An approved Commercial Cannabis Retailer License shall be obtained from the County pursuant to Title 4 prior to beginning cannabis retail sales. This license shall remain current in order to operate a Cannabis Retail Sales operation.
- (b) **Permits.** Cannabis retail sales operations shall be subject to the following permitting requirements:
  - (1) Cannabis retail sales may be permitted in the C-C (Community Commercial) and C-G (General Commercial) zone with an approved Use Permit application.
  - (2) Cannabis retail sales may be permitted in C-C (Community Commercial), C-G (General Commercial), I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park) and I-W (Warehouse Industrial) zones with an approved Improvement Plan in an approved Cannabis Business Park.
  - (3) Cannabis retail sales operating a Non-Storefront Delivery may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park) and I-W (Warehouse Industrial) zones with an approved Use Permit.
  - (4) Cannabis retail sales operating a Non-Storefront Delivery may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial-Park) and I-W (Warehouse Industrial) zones with an approved Improvement Plan in an approved Cannabis Business Park.
  - (5) Cannabis retail sales shall also comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, as well as State and Federal Regulations.
- (c) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (d) **Landscaping.** The landscaping requirements shall be determined by the zone in which the cannabis retail sales are located pursuant to Sections 9-1020.1 through 9-1020.10.

- (e) **Fencing.** The fencing requirements shall be determined by the zone in which the cannabis retail sales is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (f) **Screening.** The screening requirements shall be determined by the zone in which the cannabis retail sales is located pursuant to Sections 9-1022.4 through 9-1022.6.
- (g) **Signs.** The sign requirements shall be determined by the zone in which the cannabis retail sales are located pursuant to Chapters 9-1705 and 9-1710 and include the following restrictions:
  - (1) No product or signs inside the premises shall be viewable by the public from outside the premises.
  - (2) Off-premises signs shall be prohibited by licensee or third party.
- (h) **Events.** All events related to cannabis retail sales, including but not limited to Outdoor Special Events and Indoor Special Events, shall be prohibited.
- (i) **Fire District.** The premises must be located within a San Joaquin County Fire District.
- (j) **Commercial Cannabis Development Agreement.** An approved Commercial Cannabis Development Agreement shall be obtained pursuant to Title 4 prior to beginning any commercial operation allowed pursuant to a Commercial Cannabis Retailer License.

**9-1090.7 Cannabis Laboratory Testing**

Cannabis testing shall be subject to the following development standards:

- (a) **License.** An approved Commercial Cannabis Testing Laboratory License shall be obtained from the County pursuant to Title 4 prior to beginning cannabis laboratory testing operation. This license shall remain current in order to operate a Cannabis Laboratory Testing operation.
- (b) **Permits.** Cannabis laboratory testing shall be subject to the following permitting requirements:
  - (1) Cannabis laboratory testing may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park), I-W (Warehouse Industrial), and all

commercial zones, excluding the C-FS (Commercial Freeway Services) and C-X (Commercial Crossroads) zones, with an approved Site Approval application.

- (2) Cannabis laboratory testing may be permitted in the I-G (General Industrial), I-L (Limited Industrial), I-P (Industrial Park), I-W (Warehouse Industrial) and all commercial zones, excluding the C-FS (Commercial Freeway Services) and C-X (Commercial Crossroads) zones, within an approved Improvement Plan in an approved Cannabis Business Park.
  - (3) Cannabis laboratory testing shall also comply with all regulations administered by the Building Department, Public Works Department, Environmental Health Department, and the Fire Department, as well as State and Federal Regulations.
- (c) **Public Services.** Parcels located in an I-G (General Industrial), I-L (Limited Industrial), or I-P (Industrial Park), any all commercial zones, excluding the C-FS (Commercial Freeway Services) and C-X (Commercial Crossroads) zones, shall be served by a public wastewater disposal system, public water system, public stormwater drainage system and provide sanitary disposal of process water.
- (1) Cannabis laboratory testing may be permitted with an Improvement Plan in an approved Cannabis Business Park. Parcels within a Cannabis Business Park may be permitted to use an on-site wastewater disposal system, on-site water system, and private stormwater drainage system and provide sanitary disposal of process water with an approved Special Purpose Plan, when shown to be protective of public health and safety and the environment.
- (d) **Parking.** The parking requirements shall be determined pursuant to Section 9-1015.3.
- (e) **Landscaping.** The landscaping requirements shall be determined by the zone in which the laboratory testing is located pursuant to Sections 9-1020.1 through 9-1020.10.
- (f) **Fencing.** The fencing requirements shall be determined by the zone in which the cannabis laboratory testing is located pursuant to Sections 9-1022.1 through 9-1022.3 and Section 9-1022.6.
- (g) **Screening.** The screening requirements shall be determined by the zone in which the cannabis laboratory testing is located pursuant to Sections 9-1022.4 through 9-1022.6
- (h) **Signs.** The sign requirements shall be determined by the zone in which the cannabis laboratory testing is located pursuant to Chapters 9-1705 and 9-1710 and include the following restrictions:
- (1) No product or signs inside the premises shall be viewable by the public from outside the premises.

- (2) Off-premises signs shall be prohibited by licensee or third party.
- (i) **Events.** All events related to cannabis laboratory testing, including but not limited to Outdoor Special Events and Indoor Special Events, shall be prohibited.
  - (j) **Fire District.** The premises must be located within a San Joaquin County Fire District.
  - (k) **Commercial Cannabis Development Agreement.** An approved Commercial Cannabis Development Agreement shall be obtained pursuant to Title 4 prior to beginning any commercial operation allowed pursuant to a Commercial Cannabis Laboratory Testing License.

**SECTION 7.** This Ordinance shall take effect and be in force thirty (30) days after its adoption, and prior to the expiration of fifteen (15) days from the passage thereof, shall be published once (1) in the Record, a newspaper of general circulation published in the County of San Joaquin, State of California, with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of San Joaquin, State of California, on this 21st of May, 2019 to wit:

**AYES:** Miller, Patti, Villapudua

**NOES:** Winn, Elliott

**ABSENT:** None

**ABSTAIN:** None

**Miguel A. Villapudua**

Miguel A. Villapudua  
 Chairman, Board of Supervisors  
 County of San Joaquin  
 State of California

Clerk of the Board of Supervisors  
 County of San Joaquin  
 State of California



By **Rachél DeBord**