

WHAT IS LEGAL?

Rapid changes in state and local laws regulating cannabis have resulted in confusion about its status. The Cotati City Council and Planning Commission worked diligently to develop regulations that are fair, consistent with State law and suited to our community. This pamphlet attempts to summarize the ordinance adopted by the City Council on February 13, 2018.

While state regulations are uniform across California, every city and county differ. The topic is complex and often confusing, so please do not hesitate to contact us if you have additional questions.

You may also want to periodically visit the City's website. Information on a variety of cannabis-related topics can be found at:

<http://www.ci.cotati.ca.us/sections/departments/cannabis.cfm>

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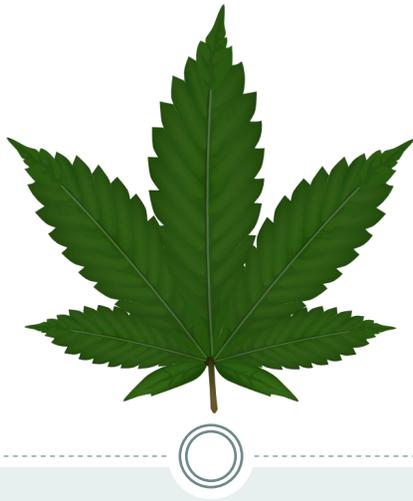
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Legalized Cannabis in Cotati

City of Cotati



What You Need to Know About Cannabis

Proposition 64, passed by California voters in November 2016, legalized the recreational use of marijuana, or cannabis. The proposition guaranteed the limited recreational use, sale and cultivation of cannabis, and reaffirmed legality of medicinal uses in dosages determined by individuals and their consulting physicians.

Cities and counties continue to be able to regulate commercial uses of cannabis and could elect to allow additional personal cultivation in residential zones.

Cotati voters approved an ordinance to tax cannabis businesses in November 2017. Following that vote, the Cotati City Council developed and adopted an ordinance regulating commercial and personal uses on February 13, 2018.

CANNABIS IN COMMERCIAL ZONES

Cotati's ordinance allows a variety of commercial uses with number and size limitations.

- All commercial cannabis uses are limited to either the Gravenstein corridor (Highway 116 from the City limits to Redwood Drive) or the industrial zones north of Helman Lane.
- Outdoor cultivation is not allowed in any area of the City.
- The following number and types of commercial uses are allowed under the ordinance:
 - * A total of two retail facilities.
 - * A total of five indoor cultivation facilities.
 - * A total of seven manufacturing or industrial type cannabis facilities, including manufacturing of oils, tinctures and edibles, wholesale distribution, and testing labs.
- Commercial cannabis permits will be issued on a competitive basis and the City Council will select the businesses which best demonstrate consistency with our requirements, including a focus on water and energy conservation and community safety.
- The ordinance has been codified as Sections 17.42.200 and 17.42.210 of the City's Municipal Code. It can be found at:

<http://www.codepublishing.com/CA/Cotati/>



CANNABIS IN RESIDENTIAL ZONES

The City ordinance prioritized the safety and livability of residential areas.

- The State allows every adult (age 21 years or older) to cultivate no more than six plants in their residence. The City ordinance expands this slightly to allow those six plants to be cultivated in an approved (permitted) accessory structure, but it limits the total number of plants on any parcel to six, regardless of how many adults reside at the residence.
- Cultivation must not create nuisance impacts to neighboring properties. It may not occur in front or side yard setbacks and must be at least 10-feet from the rear property line. The cultivation structure must be a permanent structure, meeting all applicable building and fire code requirements, lockable with all needed ventilation and fire safety systems. Odors cannot be readily detectable from outside the structure.
- Outdoor cultivation, whether for recreational or medicinal use, is not allowed. A garage cannot be converted for cannabis cultivation.
- Public use of cannabis is not allowed and smoking of cannabis is regulated by the City's Smoking and Secondhand Smoke regulations which can be found in the Municipal Code.
- A City permit for personal cultivation is not required, however, all individuals will be required to meet ordinance requirements.
- The State allows adults to gift (no compensation) another adult with cannabis or cannabis products not exceeding 28.5 grams (1 ounce) or concentrated cannabis not exceeding 8 grams (0.28 ounces).