

WHAT IS A USE PERMIT?

The City has discretionary control over certain uses which have site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with surrounding uses and properties. A Use Permit application is the method used to review and regulate such uses. Other names for a Use Permit include “Conditional Use Permit”, “CUP”, or “Special Use Permit.” The Use Permit process also allows for public input during the review of your application.

On July 26, 2018, the Antioch City Council adopted an Ordinance amending Title 9, Chapter 5 of the Antioch Municipal Code, thereby creating new provisions for the consideration of cannabis businesses in the City of Antioch. The Code Amendment established new definitions, imposed basic standards, and created a new Cannabis Business (CB) Zoning Overlay District. Within the CB Zoning Overlay District, a party may apply for a Use Permit from the City Council for the establishment of a Cannabis Business. On September 11, 2018, the Council adopted Cannabis Business Land Use and Operational Guidelines to provide guidance on the City of Antioch’s general expectations relating to the design and operation of Cannabis Businesses. A copy of the Ordinance and the Guidelines are attached to this brochure.

PROCESS

The process for applying for a Use Permit for a Cannabis Business is as follows:

Step 1 - Project Consideration

A prospective applicant should review the zoning requirements for the proposed project site and use with the Planning Division staff. You will typically be given a copy of the application at this time. If new construction is involved, a prospective applicant should also consult the Citywide Design Guidelines, which are available at www.antiochplanning.com. All projects are required to comply with these Guidelines.

Step 2 – Pre-application Conference

A pre-application conference is required. Prior to this meeting the team of staff members that will be assigned to your project will be chosen, including representatives of the Planning, Engineering, Building Divisions, and Police Department if applicable. These staff members will be with you throughout the life of your project and are a valuable resource as questions arise. The pre-application conference is your opportunity to receive comprehensive information from each division regarding City requirements. You will also be given information on which outside agencies to consult prior to submitting your application, such as the Fire Department. It is strongly recommended that your design professional attend this meeting with you and that you bring any draft drawings that may have been prepared.

A pre-application conference can be scheduled by contacting the Planning Division at 925.779.7035.

Step 3 – Preliminary Review of Plans

This is an optional step. Your assigned staff member can informally review a draft copy of your plans. Note that because all divisions will not be reviewing the draft plans, this is not a comprehensive review and comments may be made later in the process.

Step 4 – Submit your Application

Please make an appointment with your assigned staff member (contact information provided at pre-application conference) to submit your application. Necessary forms and material checklists are provided in this brochure.

Step 5 – Processing the Application

Staff will check your application for completeness against the requirements contained in the following pages. You will receive either a complete or incomplete letter from staff. **Please note the “complete” letter marks the point your application is deemed to be complete for processing timelines.** An “incomplete” letter will provide documentation of items that must be submitted/resubmitted prior to your project being deemed complete.

Please be aware that planning applications will be automatically withdrawn if an applicant receives an incomplete letter and does not resubmit a substantive response within 120 calendar days. The Zoning Administrator may grant a written extension for up to an additional 90 calendar days when the applicant shows good cause for an extension. Delays due to circumstances outside the applicant’s reasonable control will be considered good cause to grant the extension.

Environmental review will start once the application is complete. State Law requires that all applications processed by the City be in compliance with the California Environmental Quality Act (CEQA). Your assigned staff member gave you preliminary information about what type of CEQA document is expected to be required for your project if not exempt.

Your plans will be routed to departments and divisions within the City and to applicable outside agencies for review and comment. Your assigned staff member will contact you with a summary of the comments that are received.

Your plans may be peer-reviewed by a firm selected from the City’s pre-approved list of contractors. The costs for peer review are paid by the applicant up front. Your assigned staff member will contact you with a summary of the comments that are received.

At this point, depending on the comments, your project will either require adjustments or responses to comments or will be ready to be scheduled for public hearings. Typically, it will take several months from the time an **application is deemed to be complete** for a project to be scheduled for a hearing. The exact timing will depend on the complexity of the project and the type of environmental review (see CEQA information above) required for the project.

Step 6 – Public Hearings

A Cannabis Use Permit requires a public hearing before the Planning Commission which will make a recommendation to City Council. Property owners within 300 feet will be notified of each hearing, and the notice will also be published in the newspaper.

At the hearing staff will present a summary of your project and the recommendation. Staff will take clarification questions from the hearing body. The selected project spokesperson will then have 10 minutes to speak. This

can be the property/business owner, design professional, or any other person best suited to explain your proposal and answer questions. All other persons wishing to speak regarding your item will then have an opportunity to speak. This includes members of the public who may support or oppose your project. Once all speakers are heard, the project representative will have an opportunity for a five-minute rebuttal. **Prior to your hearing, you are strongly encouraged to read and understand all conditions staff has proposed for your project.** These conditions may have significant impacts on project cost and timeliness.

After the public has spoken on the item, the public hearing will be closed and the hearing body will discuss the item. A decision will be made to do one of the following:

1. Approve or conditionally approve the project.
2. Postpone action pending receipt of additional information or amended plans.
3. Deny the application.

Right to Appeal

The Planning Commission decision on your project can be appealed to the City Council within five working days of the hearing. The specific deadline for appeal will be on the hearing agenda. Appeals may be filed by the project proponent or a member of the public. Appeals must be submitted in writing to the City Clerk with the applicable fee. The City Council decision is not appealable.

APPLICATION SUBMITTAL CHECKLIST

Please review the checklist below carefully and provide all of the required materials. Submitting copies of the application submitted to the State for a State License will not meet the submittal requirements of the City of Antioch. If the application is filed in conjunction with other applications, such as Design Review or a Variance, then the submittal requirements from all applicable checklists shall be incorporated into one submittal. All applications can be found on the City's website at: <https://www.antiochca.gov/community-development-department/planning-division/development-standards/>.

- SIGNATURES.** Application forms submitted and signed, including:
 - Development Application
 - Statement of Understanding
- DEPOSIT.** City of Antioch deposit of \$2,000.00 and appropriate State Department of Fish and Game fee, if applicable. The initial deposit is not a fee and monthly charges will not be drawn from this deposit. Actual charges may be in excess of the deposit. The deposit will be returned at the conclusion of the process after all invoices have been paid. If invoices are not paid on a monthly basis, processing will be terminated until all past due amounts have been paid. Costs to prepare environmental documents or necessary studies are required to be paid by the applicant in total up front.
- PROJECT DESCRIPTION.** A detailed written summary (on a separate sheet and attached to the application) describing the characteristics of the proposed cannabis business, hours of operation, number of employees, the nature of the products produced, stored, sold, or handled, and any other pertinent information

pertaining to the business. The description should indicate how each of the guidelines will be met, as applicable. This information is critical for staff to fully understand your project and how you wish it to operate. Much of this information will be used to explain the project to the reviewing body and to develop conditions for project approval. Also describe the architecture, materials, colors used, and landscaping.

- TITLE REPORT.** Title report prepared within the past three months.
- ENVELOPES.** Stamped (not metered postage) # 10 sized envelopes for all property owners within a 300-foot radius of the project site. Do not address the envelopes; this will be done by staff. Prior to application submittal contact Planning staff (925-779-7035) to confirm the number of envelopes you will need to submit.
- PHOTOS.** Several photos of the project site and adjacent development with the location noted.
- NEIGHBORHOOD RESPONSIBILITY PLAN.** Provide a detailed written plan describing all efforts that will be made to mitigate or eliminate any impacts on the immediate neighborhood.
- ODOR MITIGATION PLAN.** An odor mitigation plan that includes the following:
 - Operational processes and maintenance plan, including activities undertaken to ensure the odor mitigation system remains functional;
 - Staff training procedures;
 - Engineering controls, which may include carbon filtration or other methods of air cleansing, and evidence that such controls are sufficient to effectively mitigate odors from all odor sources; and,
 - All odor mitigation systems and plans submitted pursuant to this subsection should be consistent with accepted and best available industry-specific technologies designed to effectively mitigate cannabis odors. Please note that a third-party peer review of the odor mitigation plan at the expense of the applicant may be required by the City of Antioch.
- SAFETY AND SECURITY PLAN.** Please refer to the attached Guidelines for detailed requirements of a safety and security plan. Submit a safety and security plan that includes the following minimum requirements:
 - Cameras. Please identify on a separate site/floor plan where all interior and exterior cameras will be installed and include their range of vision in degrees.
 - Product Management. The plan should describe the protocols for receipt and delivery of Cannabis or Cannabis Products, and associated materials. This should include the hours and location of deliveries.
 - Cash Management. The plan must describe how all cash will be handled or stored on-site, and how it will be delivered to the site and/or taken from the site.
 - Alarm System. Describe the proposed alarm system.
 - Secure Storage and Waste. Identify how all products will be stored, including trash disposal.
- DEVELOPMENT PLANS.** All plans shall include the date of preparation and dates of each revision; be fully dimensioned and drawn to scale on the same sized sheets, with a consistent scale (as noted) throughout all plan sheets; be submitted in collated sets, stapled and folded to 8-1/2" x 11"; be numbered in proper sequence.

**CITY OF ANTIOCH
CANNABIS BUSINESS USE PERMIT APPLICATION**

- The following numbers of plan sets are required at the initial submittal:
 - Three (3) full size (24" x 36") sets
 - One (1) reduced (11"x17") set
 - One (1) electronic set (CD/thumb drive) shall be submitted with the initial application submittal.
 - Fifteen (15) additional reduced and three (3) full sized sets will be required once an application is deemed complete.

- The following types of plans are required:
 - Site Plan – A scaled site plan showing all property boundaries, buildings, parking spaces, driveway aisles, landscaped areas, undeveloped areas, trees, and any other physical feature of the property.
 - Floor Plan – A scaled floor plan for each level of each building that makes up the business site, including the entrances, exits, walls, and manufacturing, laboratory and research, or distribution areas, as applicable.
 - Lighting and Photometric Plan - A lighting plan showing existing and proposed exterior and interior lights that will provide adequate security lighting for the use. Identify foot candles for the entire property.

ATTACHMENTS

- A. Application Form
- B. Cannabis Business Land Use and Operational Guidelines

**CITY OF ANTIOCH
CANNABIS BUSINESS USE PERMIT APPLICATION**



ATTACHMENT A – APPLICATION FORM

PROPERTY LOCATION		
Address:		Assessor's Parcel No.:
Zoning Designation:		General Plan Land Use Designation:
PROJECT DESCRIPTION - Provide a basic description of the project below.		
APPLICANT		
Name:		
Address:		
City:	State:	Zip:
Telephone:		
Email:		
PROPERTY OWNER	<input type="checkbox"/> Same as applicant	
Name:		
Address:		
City:	State:	Zip:
Telephone:		
Email:		

FOR OFFICE USE ONLY	
DATE RECEIVED:	FILE NO:
PLANNER:	
<input type="checkbox"/>	<input type="checkbox"/>

CITY OF ANTIOCH
CANNABIS BUSINESS USE PERMIT APPLICATION



REQUIRED SIGNATURES

As part of this application, applicant and real party in interest, if different, agrees to defend, indemnify, hold harmless, and release the City of Antioch, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of the above, the purpose of which is to attack, set aside, void, or annul the approval of this application and/or the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the City of Antioch, its agents, officers, attorneys, or employees.

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this application to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

I understand that charges for materials and staff time spent processing this application will be billed monthly and is based on an hourly rate as identified in the current fiscal year fee schedule. Application processing includes but is not limited to plan checking and processing, meetings, phone calls, research, e-mail, and staff report preparation. Further, I understand that my initial deposit is not a fee and actual charges may be in excess of the deposit. The deposit will be returned to me at the conclusion of the process after all invoices have been paid. If invoices are not paid on a monthly basis, processing will be terminated until all past due amounts have been paid. Failure to pay invoices on a monthly basis may also result in an application being deemed incomplete; postponement of hearings or meetings; and/or inability to obtain a building permit. Failure to pay invoices on a monthly invoice may also result in the placement of a lien on the subject property. I assume full responsibility for all costs incurred by the City in processing this application. Further, I understand that approval of my project is NOT guaranteed and may be denied. In the case of a denial, I understand that I am still responsible for all costs incurred by the City in processing this application. I hereby authorize employees, officials and agents of the City of Antioch to enter upon the subject property, as necessary, to inspect the premises and process this application.

Executed at: (City/State)	Dated:
Applicant's Name	Date
Property Owner's Name*	Date
X	X
Applicant's Signature	Property Owner's Signature

* Real Party in Interest may be different than a listed property owner. If property is held by a trust, the real party in interest would be one or more individuals who benefit from the trust. In such a case, the actual beneficiary or real party in interest must sign instead of property trustee.

Cannabis Business Land Use and Operational Guidelines



City of Antioch
Community Development Department
200 H Street, 2nd Floor
Antioch, CA
(925) 779-7035

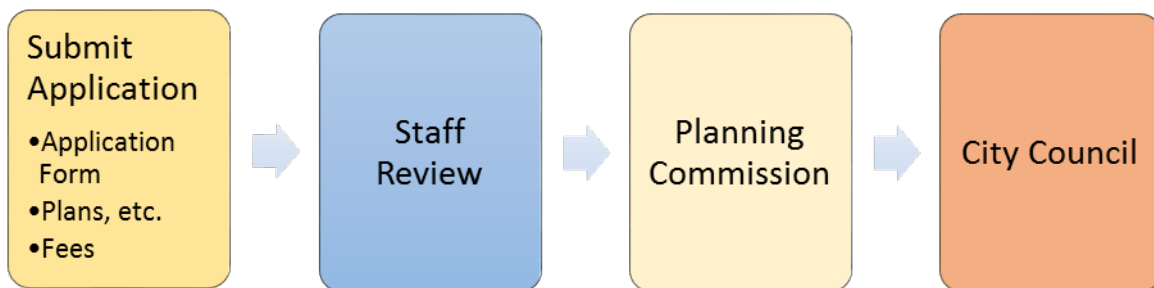
Adopted by the City Council on September 11, 2018

Background

On May 22, 2018, the Antioch City Council introduced an Ordinance amending Title 9, Chapter 5 of the Antioch Municipal Code, thereby creating new provisions for the consideration of cannabis businesses in the City of Antioch. The Ordinance was read again on June 26 and became final on July 26, 2018. A copy of the Ordinance is contained in this document. The Code Amendment established new definitions, imposed basic standards, and created a new Cannabis Business (CB) Zoning Overlay District. Within the CB Zoning Overlay District, a party may apply for a Use Permit from the City Council for the establishment of a Cannabis Business.

Process

The process for applying for a Use Permit for a Cannabis Business is as follows:



City Council decisions are not appealable. City staff may, at its discretion, elect to use outside consultants to process an application. In such a case, the applicant is required to pay the full cost of the consultant contract prior to initiation of the work.

City staff may request a pre-application meeting with the applicant and property owner to discuss the proposal prior to a formal submittal.

Fees

The fee for an application for a Use Permit for a Cannabis Business is established in the Master Fee Schedule. As of July 1, 2018, a \$2,000 deposit is required and all subsequent costs are based on expended time and materials. If an outside consultant is used, the applicant will be responsible for the entire cost of the consultant contract and any additional staff time and materials.

Definitions

The following definitions are established in Section 9-5.203 of the Antioch Municipal Code.

Cannabis Business. A person, partnership, corporation, company, association, collective, or cooperative which engages in commercial cannabis use(s).

Cannabis Delivery. A cannabis business that offers delivery of cannabis or cannabis products for either medical or recreational use and is operated in accordance with state and local laws and regulations, pursuant to a Type 9 cannabis license, or a cannabis license subsequently established. Cannabis delivery includes, but is not limited to, delivering cannabis directly to retail or wholesale customers or to other recipients with or without compensation and specifically excludes any on-site retail use. If retail use exists on the same site, the entire land use shall be classified as cannabis retail and subject to the provisions thereof.

Cannabis Retail. A cannabis business that distributes, dispenses, stores, exchanges, packages, re-packages, labels, sells, makes available, transmits, or gives away cannabis or cannabis products for either medical or recreational use and is operated in accordance with state and local laws and regulations. Cannabis retail includes, but is not limited to, selling and/or delivering cannabis or

cannabis products as part of a sale, pursuant to a Type 10 cannabis license, or a cannabis license subsequently established.

Cannabis. All parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or be discovered, or developed, that has psychoactive or medical properties, whether growing or not, including but not limited to the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" also means marijuana as defined by California Health and Safety Code section 11018 and Business and Professions Code section 26001(f), as both may be amended from time to time. Any reference to cannabis or cannabis products should include medical and nonmedical cannabis and medical and nonmedical cannabis products, unless otherwise specified. Cannabis or cannabis product does not mean industrial hemp as defined by Health and Safety Code section 11018.5, or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. Cannabis does not include the mature stalks of the plant; fiber produced from the stalks; any compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted there from); fiber, or the sterilized seed of the plant which is incapable of germination.

Cannabis Product. Cannabis that has undergone a process whereby the plant material has been transformed into concentrate, including, but not limited to concentrated cannabis, or an edible or topical product containing cannabis and other ingredients.

Amendments

These Guidelines may be amended if initiated by the City Council, Planning Commission or City staff. Amendments require approval by the City Council.

Basic Standards and Findings

Within the newly-adopted Ordinance are basic standards for operation for Cannabis Businesses. They are as follows:

A cannabis business shall be located no closer than 600' from the following:

- (1) Any private or public school serving students grade kindergarten through high school;
- (2) Any public park owned or operated by the City of Antioch;
- (3) Any property occupied by a residential land use or with a residential or General Plan Land Use Designation or zoning designation; and
- (4) A Child Care Center, as defined by the Antioch Municipal Code.

When an application is received and determined to be complete, staff will make a recommendation to the Planning Commission and, ultimately, the City Council. The basis of this recommendation will be the ability to make the required findings for a Use Permit, which are as follows:

- (a) That the granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity;
- (b) That the use applied for at the location indicated is properly one for which a use permit is authorized;
- (c) That the site for the proposed use is adequate in size and shape to accommodate such use, and all yard spaces, walls, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood;
- (d) That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use; and

(e) That the granting of such use permit will not adversely affect the comprehensive General Plan.

In addition to the standard findings for approval of a Use Permit, the City Council must also make the following finding for a Cannabis Business.

- (1) That the location and site characteristics of the proposed cannabis business are consistent with all applicable State laws and City standards or guidelines, that all provisions have been made to ensure that the operation of the cannabis business will not create excessive demands for police service or other public services, and that the cannabis business will benefit the City of Antioch.

In order for the City to make the unique finding for a Cannabis Business, the City of Antioch may ask that the applicant enter into a Development Agreement to impose additional financial obligations on the Cannabis Business to address anticipated increased costs to provide necessary City services, including police.

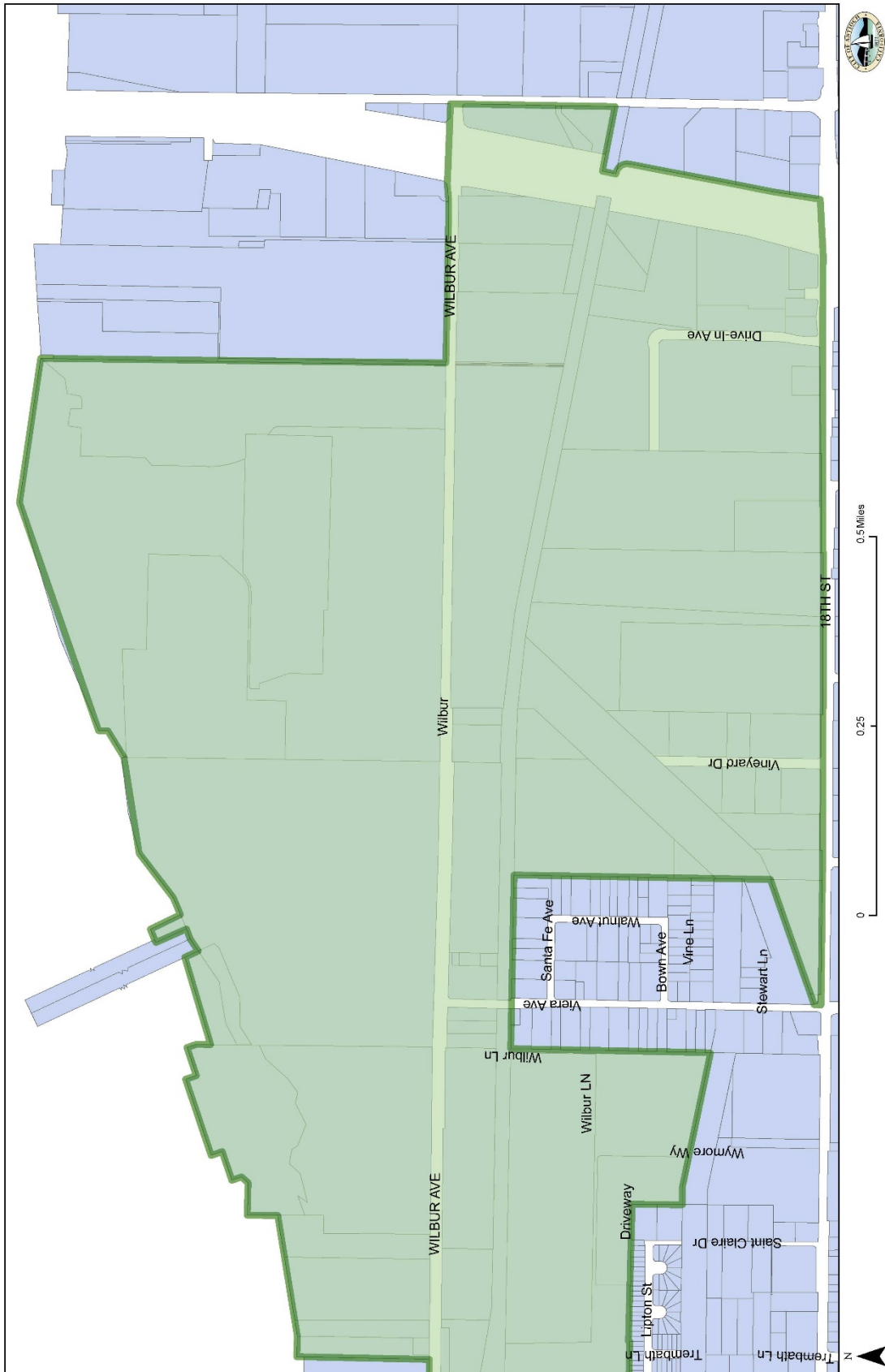
Development Agreements/Operating Agreements

Prior to operating in the city and as a condition of issuance of a use permit, the operator of each cannabis business shall enter into a development agreement or operating agreement, setting forth the terms and conditions under which the cannabis business will operate that are in addition to the requirements of this section, including, but not limited to, public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety and welfare.

Cannabis Business Overlay District Map

A Cannabis Business Use Permit Application may be accepted for properties within the Cannabis Business (CB) Zoning Overlay District, shown in green on the following maps:

Cannabis maps do not account for buffers from sensitive uses or dispensaries. Please contact Planning at 925-779-7035 to determine if a location is suitable for a cannabis business.



Cannabis maps do not account for buffers from sensitive uses or dispensaries. Please contact Planning at 925-779-7035 to determine if a location is suitable for a cannabis business.



Guidelines

Purpose and Applicability

The purpose of these guidelines is to provide the public with the City of Antioch's general expectations relating to the design and operation of a Cannabis Business. These guidelines were adopted by the Antioch City Council on September 11, 2018 by Resolution No. 2018/117*. These guidelines will form the basis of a staff recommendation to the Planning Commission and City Council and will contribute to the written findings for approval. In addition, these guidelines will be required, as appropriate, as Conditions of any forthcoming approval. Conformance to all State regulations is mandatory and cannot be modified by Use Permit.

Security

1. Cannabis Businesses should provide adequate security on the premises, including any on-site security, lighting and alarms, to insure the public safety and the safety of persons within the facility and to protect the premises from theft.
2. All Cannabis Businesses should provide at least one, State-licensed, security guard on the premises during hours of operation.
3. Building Security. All points of ingress and egress to a Cannabis Business should be secured with Building Code compliant commercial-grade, non-residential door locks and/or window locks. Cannabis Retail businesses should contain crash barriers, such as bollards, to separate parking or vehicle-accessible areas, from storefronts.
4. Emergency Access. Security measures should be designed to ensure emergency access is provided to the Police Department and Fire Department for all areas on the premises in the case of an emergency.
5. Cameras. Security surveillance video cameras should be installed and maintained in good working order to provide coverage on a twenty-four (24) hour real-time basis of all internal and exterior areas where Cannabis is cultivated, weighed, manufactured, packaged, stored, transferred, and dispensed. The cameras should allow for remote access to be provided to the Antioch Police Department. The security surveillance cameras should be oriented in a manner that provides clear and certain identification of all individuals within those areas. Cameras should remain active at all times and should be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and should be maintained for sixty (60) days.
6. A professionally monitored security alarm system should be installed and maintained in good working condition. The alarm system should include sensors to detect entry and exit from all secure areas and all windows. Cannabis Businesses should keep the name and contact information of the alarm system installation and monitoring company as part of the Commercial Cannabis Business's onsite books and records. Cannabis Operators should also identify a local contact who will be responsible for addressing security and safety issues and should provide and keep current that contact information to the Police Department as part of the permitting process.
7. Cannabis products and associated product manufacturing, distribution or cultivation waste should be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.
8. Signs should be used sparingly and should not state that cannabis or cannabis products are stored, sold or handled on the site. Images of cannabis leaves, green crosses, or similar commonly-identifiable graphics should be avoided. Text signage is preferable.

9. A secured, gated or enclosed area for receipt and delivery of inventory should be provided.
10. Hours of operation for retail uses should be limited to between 8:00 am and 8:00 pm.

Inspections

11. Inspections. During regular business hours, all Cannabis Business premises should be accessible, upon request, to an authorized city employee or representative for random and/or unannounced inspections.

Odor Control

12. All Cannabis Businesses should incorporate and maintain adequate on-site odor control measures such that the odors as a result of cultivation, manufacturing, distribution, transport or sales of Cannabis and Cannabis-related products cannot be readily detected from outside of the structure in which the Business operates or from other non-Cannabis businesses adjoining the Commercial Cannabis Business.

Manufacturing

13. Loop Systems. No closed loop ventilation systems should be utilized without prior inspection and approval of the City's Building Official and Fire Code Official.
14. Standards of Equipment. Manufacturing, processing and analytical testing devices used by the Cannabis Manufacturer must be UL (Underwriters Laboratories) listed or otherwise certified by an approved third-party testing agency or engineer and approved for the intended use by the City's Building Official and Fire Code Official. Such compliance shall be demonstrated to the satisfaction of the Building Official prior to occupancy of the site.
15. Edible Product Manufacturing. Commercial Cannabis Businesses that sell or manufacture edible cannabis products should obtain any necessary permits from the Contra Costa County Environmental Health Division and/or other permitting body. Permit holders should comply with State and County health permit requirements. These requirements provide a system of prevention and overlapping safeguards designed to minimize foodborne illness, ensure employee health, demonstrate industry manager knowledge, ensure safe food preparation practices and delineate acceptable levels of sanitation for preparation of edible products.

Location and Separation

16. Separation. Per the Antioch Municipal Code, any Cannabis Business must be located at least 600' from the following:
 - Any private or public school serving students grade kindergarten through high school;
 - Any public park owned or operated by the City of Antioch;
 - Any property occupied by a residential land use or with a residential or General Plan Land Use Designation or zoning designation.This separation will be measured from the furthest extent of the Cannabis Business operation, which may be a building wall, property line, parking lot boundary or other feature.
17. Buffers. In addition to the basic separation requirements, all Cannabis Retail businesses should reflect the following:
 - Overconcentration. To avoid overconcentration, a Cannabis Retail business, as defined, should not be located within 600 feet of any other Cannabis Retail business within the City. This

separation does not apply to non-retail Cannabis Businesses; a Cannabis Retail business and a non-retail Cannabis Business may be located on the same site or within close proximity.

- Legal Non-Conforming Use. Establishment of a school or sensitive land use, as defined in Business and Professions Code Section 26054 and Health and Safety Code Section 11362.768, within the required buffer of a Cannabis Business after such facility has obtained a Conditional Use Permit shall render the Cannabis Retail business a legally non-conforming use.

Delivery Services

18. If delivery services will be provided as part of the Cannabis Retail business, the application should describe the operational plan and specific extent of such service, security protocols, and how the delivery services will comply with the requirements set forth in state law.
19. Delivery vehicles should not contain identifiable markings that associate the delivery service with the cannabis business.
20. Delivery services operating within the City of Antioch, but whose physical place of business is located outside of the City of Antioch is not governed by this Ordinance.
21. A Cannabis Business, including delivery, may not be operated through a Home Occupation Use Permit or from a residential building.

Cultivation

22. The commercial cultivation of Cannabis should only be conducted within a fully enclosed space.
23. Pesticides. The Cultivation of Cannabis must be conducted in accordance with all applicable federal, state, and local laws and regulations governing the use of pesticides. Any fumigation or insecticidal fogging should comply with the California Fire Code Chapter 26 (Fumigation and Insecticidal Fogging).

Cannabis Retail

24. Cannabis Retail businesses should comply with the following operational requirements:
 - No person should be permitted to enter a Cannabis Retail business without government issued photo identification. All persons entering the business must be at least 21 years of age. A Cannabis Retail business should not provide Cannabis or Cannabis Products (Medical or Non-Medical) to any person, whether by purchase, trade, gift or otherwise, who does not possess a valid government-issued photo identification card or a valid physician's recommendation under Section 11362.712 of the Health and Safety Code. The operator should have an electronic device to read and validate valid identification cards and driver's licenses.
 - Hours of Operation. A Cannabis Retail business may operate up to seven (7) days per week with the hours of operation determined by the City Council with the issuance of a Conditional Use Permit. The City may impose more restrictive hours of operation due to site-specific conditions or as the result of excessive and extraordinary calls for service, as determined by the City's Police Department.
 - Smoking or ingestion of cannabis products on-site are discouraged. If it is proposed, there should be a complete description of the operation included.
 - Secured Access. A Cannabis Retail business should be designed to prevent unauthorized entrance into areas containing Cannabis or Cannabis Products. Limited access areas accessible to only authorized personnel should be established.

- **Product Storage.** Cannabis Products that are not used for display purposes or immediate sale should be stored in a secured and locked room, safe, or vault, and in a manner reasonably designed to prevent diversion, theft, and loss.
- **Cannabis Paraphernalia.** No Cannabis Retail business should sell or display any cannabis related paraphernalia or any implement that may be used to administer Cannabis or Cannabis Products unless specifically described and authorized in the Conditional Use Permit. The sale of such products must comply with any other applicable state regulations.
- **Site Management.** The Cannabis Retail business operator should take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises during business hours if directly related to the patrons of the subject retailer. For purposes of this subsection, "Reasonable steps" should include calling the police in a timely manner; and requesting those engaging in nuisance activities to cease those activities, unless personal safety would be threatened in making the request. In addition, "Reasonable steps" should also include regular maintenance of the entire property, including daily pick-up of trash, regular site maintenance, cover up of graffiti, etc.
- **Permit Display.** All Cannabis Retail businesses should maintain a copy of the Cannabis Business Use Permit and City of Antioch Business License issued by the City, as well as any other State and/or County licenses, on display during business hours and in a conspicuous place so that they may be readily seen by all persons entering the facility.
- **Storefront Entrance & Accessibility.** The storefront entrance of a Cannabis Retail business should be ADA accessible and placed in a visible location that provides an unobstructed view from the public right-of-way. No signs, tinting, or other graphic material may be used to obscure the storefront windows.
- **Drive-through, Drive-up or walk-up window services** in conjunction with Cannabis Retail business are strongly discouraged.

Permit Revocation or Modification

25. The City Council may require modification, discontinuance or revocation of a Conditional Use Permit for a Cannabis Business if it finds that the use is operated or maintained in a manner that it:
- Adversely affects the health, peace or safety of persons living or working in the surrounding area;
 - Contributes to a public nuisance; or
 - Has resulted in excessive nuisance activities including disturbances of the peace, illegal drug activity, diversion of Cannabis or Cannabis Products, public intoxication, smoking in public, harassment of passerby, littering, or obstruction of any street, sidewalk or public way; or
 - Has resulted in or has been the target of criminal activity requiring undue attention and dedication of Antioch Police Department resources; or
 - Violates any provision of the Municipal Code or condition imposed by a City issued permit, or violates any provision of any other local, state, regulation, or order, including those of state law or violates any condition imposed by permits or licenses issued in compliance with those laws.