

Marijuana Establishments and Odor Control Amendment

Public Hearing: October 6, 2021

Land Development Regulations (Zoning Ordinance), Article VI (Performance Standards).

Section 77

Marijuana establishments.

[Added 1-17-2017 by Ord. No. 2016.88; amended 1-19-2021 by Ord. No. 2021.1]

- A. All marijuana establishments shall be located indoors. Any common areas, including, but not limited to, storage areas and building facilities, shared with another marijuana establishment shall be clearly identified as such on the site plan or conditional use application.
- B. Odor management. For all marijuana establishments, the management of odor shall be consistent with the standards outlined in Chapter 34, Article V, Odor Control.~~the odor of marijuana shall not be detectable off premises, meaning not detectable on any property that is not under the control of the establishment. To prevent and control marijuana odors, an odor control plan shall be submitted as part of the site plan application describing the odor(s) originating or anticipated to originate at the premises and the control technologies to be used to prevent such odor(s) from leaving the premises. The odor control plan shall, at a minimum, include the following:~~
- ~~1. A facility floor plan that identifies the locations of all odor emitting activities and sources. The plan shall also identify the location of doors, windows, vents, HVAC systems, odor control systems and other relevant information.~~
 - ~~2. A list of specific odor emitting activities and sources, and a description of the processes that will take place at the facility, including, but not limited to, vegetative flowering, processing and storage.~~
 - ~~3. For each odor emitting activity or source, a description of the administrative procedures as well as the engineering processes, technologies, and equipment the facility will use.
 - ~~a. Administrative controls shall include, at a minimum: management practices to isolate odor activities and sources, use of standard operating procedures, employee training, regular equipment inspections and maintenance of inspection logs.~~
 - ~~b. Engineering controls shall include, at a minimum, building design features; use of equipment and technology to address each specific odor emitting activity or source; a systems and equipment maintenance and replacement schedule; and evidence that proposed equipment and technology are sufficiently capable and appropriately sized consistent with marijuana industry best practices for control technologies designed to effectively mitigate odors.~~~~

~~Marijuana establishments shall implement appropriate ventilation and filtration systems to satisfy the odor standard contained herein. While the City does not mandate any particular equipment specifications with regard to filtration, all marijuana establishments are strongly encouraged to adopt best management practices with regard to implementing state-of-the-art~~

technologies in mitigating marijuana odor, such as air scrubbers and charcoal filtration systems.

- ~~c. Noxious gases and fumes. Marijuana establishments shall have appropriate ventilation systems to mitigate noxious gases or other fumes used or created as part of the establishment. Gases or fumes shall not extend beyond the premises of any establishment, meaning not detectable on any property that is not under the control of the establishment.~~
- ~~d. Sufficient measures and means of preventing smoke, debris, dust, fluids and other substances from exiting a marijuana establishment shall be provided at all times.~~
- ~~e. All marijuana and marijuana by-products intended for disposal shall be stored indoors in a self-contained room that is intended solely for this purpose and in accordance with all applicable federal, state and local laws and regulations. When moving material from the self-contained storage room for disposal, marijuana and marijuana by-products shall be moved only in receptacles with a cover or lid. Security cameras shall be installed to record activities in the area of the storage room as well the areas between the storage room and where said material is loaded onto vehicle(s) for disposal.~~

- C. Separation of Marijuana Establishments. No new marijuana establishment may be located within any building that is located within five-hundred (500) feet of any other building containing a marijuana establishment

For Public Hearing