

City of Williams
Excerpt from City Code
Commercial Cannabis

17.01.030.8 Unlisted uses.

A. If a proposed use is not listed in this section, and the director has made a determination that the use is either a subcategory of a permitted, limited, or conditional use, or a use that is functionally similar to a permitted, limited, or conditional use, the director will authorize a proposed use. If the director determines that a proposed use is not a subcategory of, or functionally similar to, a permitted, limited, or conditional use, then the use is a prohibited use. The director may refer a proposed use to the planning commission for determination.

B. The following uses are specifically prohibited in the City of Williams:

1. Mobile homes that were constructed more than ten years from the date of proposed installation.

2. Cannabis uses. Cannabis dispensaries cannabis and cannabis delivery, as defined herein, shall be considered prohibited uses in all zoning districts of the city. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the establishment or operation of a dispensary, or cannabis delivery of cannabis as defined herein in any zoning district, and no person shall otherwise establish such businesses or operations in any zoning district.

3. Cannabis cultivation regulated.

a. *Outdoor cultivation.* A person may not plant, cultivate, harvest, dry, or process cannabis plants outdoors in any zoning district of the city. No use permit, building permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

b. *Indoor cultivation.*

i. A person may not plant, cultivate, harvest, dry, or process cannabis plants indoors in any zoning district of the city, except as provided for in Section 17.01.030.10 Commercial Cannabis Activity Overlay Zone, and in a private residence or inside an accessory structure to a private residence located upon the grounds of a private residence. No use permit, building permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

ii. A person may not plant, cultivate, harvest, dry, or process more than six cannabis plants for his or her personal use inside a private residence or inside an accessory structure to a private residence located upon the grounds of a private residence. The plants themselves, and any cannabis produced by the plants in excess of twenty-eight and one-half grams must be kept in a locked space, and must not be visible by normal unaided vision from a public place.

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- iii. Not more than six living plants may be planted, cultivated, harvested, dried, or processed within a single private residence, or upon the grounds of that private residence, at one time.

17.01.030.8.5 Overlay districts.

A. This chapter regulates new and existing structures and land uses in the overlay zoning districts established by Section 17.01.020.01 (Zoning Districts). The provisions of this chapter provide guidance for development in addition to the standards and regulations of the base zoning districts, where important site, environmental, safety, compatibility, or design issues require particular attention in project planning.

B. *Mapping of overlay districts.* The applicability of any overlay zoning district to a specific site is shown by the overlay zoning map symbol established by Section 17.01.020.01 (Zoning Districts), being appended as a suffix to the symbol for the primary zoning district on the zoning map (for example, IN-H for Industrial with Highway Overlay).

C. *Allowed land uses, permit requirements, development standards.* Except as may be otherwise provided by this chapter for a specific overlay district:

1. Any land use allowed in the applicable base zoning district may be allowed within an overlay district, subject to any additional requirements of the overlay district;
2. Development and new land uses within an overlay district shall obtain the land use permits required by the base zoning district; and
3. Development and new land uses within an overlay district shall comply with all applicable development standards of the base zoning district.
4. Any requirements or standards established by an adopted specific plan, policy plan, or a special standards overlay district, shall supersede the standards of the applicable zoning district and the provisions of this chapter.

D. *Conflicting provisions.* The provisions of this chapter apply to proposed land uses and development in addition to all other applicable requirements of this Zoning Code. In the event of any perceived conflict between the provisions of this chapter and any other provision of this Zoning Code, the most restrictive shall control.

17.01.030.10 Commercial Cannabis Activity Overlay Zone.

A. *Purpose.* This section provides standards for commercial cannabis activity and uses within the Commercial Cannabis Overlay Zone as shown in Figure A. Commercial cannabis activity and uses shall include:

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Table 17.01.030.10		
Commercial Cannabis Activity Overlay Zone Allowed Uses		
Land Use	Maximum Cultivation Area Per Parcel (square feet)	Special Use Regulations
Commercial Cultivation		
Cultivation; Specialty indoor; Small	501—5,000	C
Cultivation; Specialty mixed light; Small	2,501—5,000	C
Cultivation; Indoor; Small	5,001—10,000	C
Cultivation; Mixed Light; Small	5,001—10,000	C
Cultivation; Indoor; Medium	10,001—22,000	C
Cultivation; Mixed Light; Medium	10,001—22,000	C
Commercial Manufacturing		
Level 1 - nonvolatile solvents	Per Conditional Use Permit	C
Level 2 - volatile solvents	Per Conditional Use Permit	C
Commercial Testing/Laboratories	Per Conditional Use Permit	C
Distributor	Per Conditional Use Permit	C
Transporter	Per Conditional Use Permit	C

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Figure A. Commercial Cannabis Activity Overlay Zone

- B. *Review authority.* The council is authorized to approve conditional use permits for commercial cannabis activity and uses. The planning commission shall make a recommendation to the council.
- C. *Permit requirements.* Prior to initiating any commercial cannabis activity, the legal representative of the person(s) wishing to conduct the activity shall obtain and maintain a validly issued conditional use permit approved by the city council. A conditional use permit shall be approved by the council to ensure compliance with this section. Conditional use permits shall not be issued until either the city council approves a development agreement for the site, or until after the effective date of an approved ballot measure authorizing the taxation of commercial cannabis activity in the city.
- D. *Development standards.* Commercial cannabis activity and uses shall comply with the following standards:
1. All commercial cannabis activity and uses shall be located within the boundaries of the Commercial Cannabis Activity Overlay Zone as depicted in Figure A.
 2. All loading/unloading areas shall be conducted within an enclosed and secure building area.
 3. Odor control devices and techniques shall be incorporated to ensure that cannabis odors are not detectable from the property boundary and public right-of-way. In multi-tenant buildings cannabis odors shall not be detectable from the building exterior, or from exterior and/or interior

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common areas such as walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the commercial cannabis business. Odor control systems shall include, but are not limited to, ventilation and exhaust system that provide sufficient odor absorbing to meet the above requirements.

4. Cultivation uses shall prepare a water recycling management plan that demonstrates that irrigation water is recycled to the maximum extent feasible using best management practices. A separate water meter shall be installed for irrigation uses.
 5. All cultivation uses shall be within an enclosed building. Cultivation uses are prohibited outdoors and within greenhouses.
 6. Cultivation uses may use mixed-light buildings when issued a local license consistent with state licensing that allows for mixed-light buildings when no light is visible through the roof and windows of grow areas from dusk to dawn.
- E. *Signs.* No exterior signage shall be allowed for commercial cannabis activity and uses except as follows: Commercial cannabis activity and uses shall be limited to one building-mounted sign not to exceed ten square feet that identifies the business name only. No off-site signs shall be permitted. Signs shall not be illuminated nor shall they contain logos, graphics, or list products or services offered. In addition, all signage shall conform to Chapter 17.11, Signs.

(Ord. No. 194-12, § I, 7-25-2012; Ord. No. 213-15, § 1(Exhs. B, C), 1-20-2016; Ord. No. 216-16, § 2, 2-17-2016; Ord. No. 217-17, § 2, 4-19-2017; Ord. No. 219-17, §§ 2, 3, 7-19-2017)