

## **REGULATION IDENTIFYING ZONES IN WHICH MEDICAL CANNABIS BUSINESSES MAY POTENTIALLY LOCATE**

Measure Z enacted Vista Municipal Code ("VMC") Chapter 5.94 in its entirety, and further references to Measure Z will be to the provisions of that Chapter.

### **Authority**

VMC § 5.94.090.B provides: "Medical cannabis businesses may only be located in a C-1 zone (Commercial), C-2 zone (Commercial), C-3 zone (Commercial), RLI zone (Research Light Industrial), M U Zone (Mixed Use), I-P (Industrial Park), or M-1 zone (Light Manufacturing) as designated of [sic] the Vista Municipal Code. Medical cannabis businesses are explicitly prohibited in the residential zones: R-1, R-1-B, and R-M."

### **Purpose**

The purpose of this regulation is to identify the zoning actions which cause land to be located in a C-1 zone (Commercial), C-2 zone (Commercial), C-3 zone (Commercial), RLI zone (Research Light Industrial), M U zone (Mixed Use), I-P (Industrial Park), or M-1 zone (Light Manufacturing) for purposes of VMC § 5.94.090.B (each zone being designated an "MCB-Eligible Zone").

### **Rule**

For purposes of VMC § 5.94.090.B, land is located within an MCB-Eligible Zone in one of two ways:

1. Pursuant to the current zoning map adopted as provided in VMC § 18.06.020; or
2. Pursuant to a current SP Zone, adopted under VMC Chapter 18.20, if the land on which the medical cannabis business will locate is within an area, unit, or district created by a specific plan ("Area"), and the specific plan either:
  - a. expressly provides that the Area will be zoned as C-1 zone (Commercial), C-2 zone (Commercial), C-3 zone (Commercial), RLI zone (Research Light Industrial), M U zone (Mixed Use), I-P (Industrial Park), or M-1 zone (Light Manufacturing); or
  - b. expressly provides that the uses permitted in the Area are those permitted in one of the following zones: C-1 zone (Commercial), C-2 zone (Commercial), C-3 zone (Commercial), RLI zone (Research Light Industrial), M U zone (Mixed Use), I-P (Industrial Park), or M-1 zone (Light Manufacturing).

### **Application of Rule**

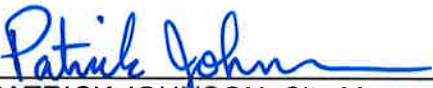
Land is located within a MCB-Eligible Zone for purposes of VMC § 5.94.090.B, if the land is within an Area identified in the following table:

EXCLUSIVE LISTING OF AREAS IN SPECIFIC PLANS WITH MCB-ELIGIBLE ZONING (See Note Below)		
Name of Specific Plan	Districts With MCB-Eligible Zoning (See Note Below)	MCB-Eligible Zone
Business Park	Area "B"	RLI
	Area "C"	C-1
	Area "F"	RLI and C-1
Downtown	Commercial Land Use Designation Area	C-1
North County Square	Planning Area 5	C-1
Shadowridge	Area "H", Lot 8	C-1
	Area "L"	C-1
14 (Sycamore BP)	Area "A"	M-1
	Area "B"	IP
24 (Agua Hedionda)	Area "E-1"	C-1
	Area "E-2"	C-2
	Area "E-3"	IP
25 (Olive/Melrose)	All Areas	C-3

Note: Portions or the entirety of certain Areas in Column Two above may be or may become ineligible for medical cannabis businesses based on separation requirements imposed by State Law and/or VMC § 5.94.090.

Except as listed above, no Specific Plan nor any Area in a Specific Plan, is available for medical cannabis businesses under VMC Chapter 5.94.

APPROVED PER VMC § 5.94.170.B:

  
 PATRICK JOHNSON, City Manager  
 December 21, 2018