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## CANNABIS ODOR CONTROL SCOPE OF WORK

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### Background

The City of Cathedral City has 47 operating cannabis businesses with 67 licenses and another 17 non-operating businesses with 38 licenses. On January 22, 2025, the Cathedral City Council enacted a 45-day initial moratorium on new cannabis conditional use permits and cannabis licenses in response to a large increase in cannabis odor complaints in 2024 and continuing into 2025. These complaints were reported across the City, with a large number occurring in the vicinity of Date Palm Drive and Ramon Road, near a large indoor cannabis cultivator. This moratorium was extended by 10 months and 15 days on February 26, 2025.

City staff has initiated research into California cities and counties that permit cannabis cultivation and is in the process of analyzing their regulations related to zoning, development standards, separation requirements, and enforcement. Through this process, staff aims to collect application forms and checklists for cannabis uses, including those related to cannabis odor control plans, as part of a staff-led effort to propose amendments to the City's cannabis regulations to reflect current best practices for odor control and enforcement.

Under Section 9.108.080.A of the Cathedral City Municipal Code, the City requires the following as a condition of approval:

*The premises must be equipped with an odor-absorbing ventilation and exhaust system so that odor generated inside the cannabis business that is distinctive to its operation is not detected outside the cannabis business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breeze-ways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the cannabis business.*

As such, cannabis businesses must install and maintain the following equipment or any other equipment the local licensing authority determines has the same or better effectiveness:

- An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
- An air system that creates negative air pressure between the cannabis business's interior and exterior so that the odors generated inside the cannabis business are not detectable outside the cannabis business.

While this is a condition of approval, the City does not have a subsequent process to review and verify the specific systems proposed by a cannabis business to determine whether they are appropriate or adequately designed to mitigate cannabis odors for the proposed use.

The City's cannabis enforcement regulations under Section 13.80.240 declare a public nuisance:

*To cause or permit persistent cannabis odors that are offensive to individuals of normal sensitivity and which adversely impact or unreasonably interfere with the use and enjoyment of property, to:*

- *Emanate across any property line.*
- *Emanate across a common wall or otherwise be detectable within an adjacent or nearby unit in a multi-tenant building or in a multi-family residential building that is occupied by another.*

For the purposes of subsection J, cannabis odors are presumed to be persistent and offensive to individuals of normal sensitivity if the City receives three or more verified complaints from separate residences or businesses within a one-month span. However, the City may initiate enforcement action with fewer than three complaints or even without public complaints if City officials or employees observe odor conditions that violate the ordinance.

The enforcement provisions do not specifically reference the maintenance of odor control systems required as part of a conditional use permit or cannabis license. Additionally, because the City does not currently require cannabis businesses to prepare odor control plans, there is no obligation for businesses to propose modifications to their odor control systems in response to odor complaints—whether initiated by the City or the public.

In consideration of this background, the City seeks subject matter expertise to develop and implement effective cannabis odor control strategies through the following scope of services.

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### **Scope of Services**

The City seeks proposals that address the following scope of services:

1. Regulatory Review and Best Practices Assessment:
  - Perform a comprehensive review and assessment of the City of Cathedral City's odor control and enforcement regulations, specifically related to cannabis cultivation, manufacturing, and retail.
  - Provide specific recommendations for minimum, enforceable odor control requirements that establish clear, measurable, and attainable standards for cannabis odor mitigation as a condition of approval for a cannabis conditional use permit.
2. Odor Control Technology Evaluation:
  - Evaluate and distinguish between odor control requirements for:
    - Cannabis cultivation and manufacturing operations, which typically have higher odor emissions.
    - Retail dispensaries, which may require different, less intensive controls.
  - Offer recommendations on generally available, proven technologies (avoiding proprietary systems) and outline their effectiveness, costs, and maintenance needs.
  - Identify the suitability of specific technologies by business type (cultivation, manufacturing, retail) and facility size.

### 3. Odor Control Permitting Process:

- Assess odor control permit processes from other jurisdictions (staff will provide a list of researched cities) to identify best practices.
- Prepare specific recommendations for creating an odor control permit process, placing responsibility on cannabis businesses to design and propose site-specific odor control solutions.
- Outline the review and verification process, including:
  - Submittal checklists with detailed equipment specifications, maintenance schedules, and media replacement requirements.
  - Minimum qualifications for third-party odor control plan preparers.
- Recommend a process for initial and renewal reviews of odor control permits.

### 4. Inspection and Verification Protocols:

- Prepare recommendations for inspection checklists and required documentation for both scheduled and ad hoc inspections.
- Specify how cannabis businesses should demonstrate ongoing compliance, including requirements for performance testing or third-party verification.
- Identify enforcement triggers, such as data thresholds or complaint patterns, that warrant inspections or corrective action.

### 5. Stakeholder Engagement and Presentations:

- Review and comment on draft ordinance prepared by City staff.
- Present to the City's Cannabis Task Force, Planning Commission, and City Council on cannabis odor control strategies.
- Specify that the consultant will serve as a resource and subject matter expert during public meetings.

### 6. Training

- Provide training to planning and code enforcement staff on cannabis odor control, including any newly established odor control permitting process and post-construction inspections.

Optionally, responses may include a proposal to perform third-party reviews of odor control permits, should an odor control permitting process be established by the City.

### **Project Timeline**

1. Project Kickoff: May 2025
2. Assessment and Evaluation: May-June 2025
3. Development of Odor Control Permitting Process and Checklists: June-July 2025
4. Review of Draft Ordinance: July 2025
5. Presentation of Ordinance to City Cannabis Task Force/Planning Commission: August 2025

6. Presentation of Ordinance to City Council: September 2025
7. Training: October 2025

**Instructions to Submit a Response**

Responses must be submitted by 5:00 p.m. Pacific Standard Time (PT) on Monday, April 28, 2025, through an email to [afirestine@cathedralcity.gov](mailto:afirestine@cathedralcity.gov). The response should include a brief statement of qualifications, a proposed methodology addressing the full scope of work, and a cost proposal with a breakdown of fees. Responses may optionally include a proposal to perform third-party reviews of odor control permits, should an odor control permitting process be established by the City.