

Amendments to Cannabis Land Use Ordinance (CLUO) Secs. 26-88-250/254

SUBSTANTIAL CHANGES	
CURRENT ORDINANCE	AMENDMENT PROPOSED BY PLANNING COMMISSION
Limitations on Cultivation Area & Structures	
<ul style="list-style-type: none"> Maximum outdoor cultivation area per parcel is 43,560 square feet (1 acre) Maximum mixed light cultivation area of 10,000 sq./ft. Maximum indoor cultivation area of 5,000 sq./ft. 	<ul style="list-style-type: none"> Total cultivation area (outdoor, indoor, mixed light) limited 10% of parcel size New limit on new or expanded structures in place of specific limit on indoor and mixed light cultivation area. New or expanded structures (those built after 1/1/2021) limited to 1 acre or 50% of lot coverage. Aside from total cultivation area limit, no separate limit on reuse of existing permanent structures for cultivation.
Setbacks	
<ul style="list-style-type: none"> Sensitive uses: a school providing education to K-12 grades, a public park, childcare centers, or an alcohol or drug treatment facility Sensitive uses includes public parks and “public park” includes Class 1 bikeways 	<ul style="list-style-type: none"> Define childcare center to align with definition of day care center as defined by California Health and Safety Code Section 1596.76. Remove Class I bikeways from sensitive uses. Require instead that outdoor and mixed light cultivation sites next to Class I bikeways not be visible and that visible fencing be screened.
Other	
<ul style="list-style-type: none"> Events prohibited All on-site propagation limited to 25% of the cultivation area 	<ul style="list-style-type: none"> No cannabis-specific prohibition. Events must conform to existing regulations and be authorized by state licensing requirements. Elimination of 25 % cap of permitted canopy propagation limit and allows for by-right propagation to meet on-site cultivation needs (does not allow for wholesale nursery propagation).

MODERATE CHANGES	
CURRENT ORDINANCE	PROPOSED CHANGE
Commercial Cannabis Uses – General (Sec. 26-88-250)	
<ul style="list-style-type: none"> Cannabis farm stands not allowed 	<ul style="list-style-type: none"> Express prohibition added; similar to existing prohibition on wine sales at farm stands.
Commercial Cannabis Cultivation (Sec. 26-88-254)	

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<ul style="list-style-type: none"> • 1 acre per-person cap on cultivation • Allow multi-tenant operations • No ridgetop protection standard <ul style="list-style-type: none"> • Odor control required through filtration and ventilation for mixed light and indoor cultivation • Renewable energy required • Waste Management Plan required • Adequate and sustainable water supply source required 	<ul style="list-style-type: none"> • No per-person /entity limit on cultivation • Multi-tenant provision removed because not relevant to use permits. • Addition of Ridgetop protection setback: <div data-bbox="909 346 1421 661" data-label="Diagram"> <p>The diagram illustrates a red line representing a slope. A horizontal arrow labeled '50' setback' points from a vertical line to the start of the slope. The slope itself is labeled 'Slope Break' at its base. Further up the slope, a label 'slope length > 50'' is shown. At the top of the slope, a label 'Slope > 50%' is shown.</p> </div> • Clarify requirement that odor from permanent structures not be detectable offsite • Clarify requirements for offsets to ensure enforceability. • Clarify emergency circumstances for generator use. • Add requirement that plastic sheeting be specifically addressed in waste management plan. • Clarify language regarding municipal/retail, recycled water, and surface water sources.
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NO CHANGE / CONTINUED ENVIRONMENTAL PROTECTIONS		
<ul style="list-style-type: none"> • 10 acre minimum lot size • Property line setbacks • Residential/business setbacks • Most sensitive use setbacks • Biotic resource protections • Timberland protections • Riparian corridor setbacks • Farmland protections 	<ul style="list-style-type: none"> • Cultural and historic resource protections. Referral for Northwest Information Center and local tribes. • Fire prevention plan required 15 percent maximum slope • Prohibition on hazardous materials sites • Lighting standards 	<ul style="list-style-type: none"> • Runoff and stormwater control Site security plan required • Fencing required • Hazardous materials regulations • Noise limits • Waste water management plan required • Groundwater monitoring required