Board of Supervisors
March 15, 2022

Cannabis Program Update Framework

ORD21-0004

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Cannabis Program Update

- Purpose

- Background

- Draft Program Update Framework

- Project Timeline

Cannabis Program Update – Purpose

- Comprehensive review of existing program
- Ordinance update
- Environmental Impact Report (EIR) to comply with the California Environmental Quality Act (CEQA)
- Streamlined permitting

Cannabis Program Update – Background

- June 8, 2021: BOS directed comprehensive program update
- August-Sept 2021: Community engagement
- September 28, 2021: BOS study session
  - Received report summarizing results of community engagement
  - Identified overall goals and policy options
- Nov 16, 2021: BOS approved Ord staff

Policy Options to carry forward to EIR	Staff Recommend	BOS Direction
Cultivation Only		
Full Supply Chain	✓	✓
Exclusion Zones	✓	✓
Inclusion Zones	✓	✓
AR/RR Consideration	✓	✓
GW Zone Mapping		
GPA Agriculture	✓	✓
Ministerial Program	✓	✓
Program EIR	✓	✓
Moratorium		
Transitional Pathway	✓	✓

September 28, 2021 BOS Study Session

Cannabis Program Update Framework

- Concise set of guiding principles to direct policy development

- Ensure consistency with BOS direction

- Provide transparency to public on what will be considered during development of the draft ordinance

- Function as preliminary scope of work to inform EIR consultant competitive proposals

Cannabis Program Update Framework

1. Zoning Ordinance
2. Transparency
3. Community Engagement*
4. Allowed Activities*
5. General Plan Amendment*
6. Administrative Adaptability
7. Neighborhood Compatibility*
8. Permit Streamlining*

Cannabis Program Update Framework

9. Development Standards

10. Environmental Analysis*

11. Transitional Pathway

12. Equity*

13. Enforcement

14. Jurisdictional Comparison

15. Mapping

16. Economic Analysis*

3. Community Engagement

- Continue to accept written comment
  - Post on website monthly
- Meetings with interest groups (Zoom)
  - Meetings to be recorded and posted
- Not proposing to form a new community advisory group
  - Previous CAG reports and recommendations will be reconsidered

4. Allowed Activities

- Evaluate all activities allowed by State
  - Does not mean will be allowed in ordinance
- Which activities suitable in what GP/Zoning
  - Activities which are allowed by right
  - Activities which are allowed by right, but require a business license
  - Activities which are allowed by ministerial permit
  - Activities which are allowed by discretionary permit
  - Activities which are excluded

5. General Plan Amendment

- Ordinance needs to be consistent with GP
- If ag lands suitable for expanded cannabis uses, uses would need to be consistent with GP to preserve and promote agriculture
- Consider GP amendment to ensure compatibility of cannabis with agriculture and agricultural uses
- Ordinance can still impose limitations

7. Neighborhood Analysis

- To be informed by data/results of EIR
- Separation criteria – cannabis & residential
  - Odor, groundwater, visual, safety, and noise
- "Rural Neighborhood enclave"
  - Residential density and community character
- Criteria for Exclusion Zones
  - Groundwater, topography, infrastructure, safety, and biological habitat protection

8. Permit Streamlining

- To be informed by data/results of EIR
- Site development and operating standards for ministerial permits
- Criteria for Inclusion Zones
  - Groundwater, infrastructure, safety, biological habitat protection, and proximity/density of sensitive uses
- CEQA streamlining checklist for permits

10. Environmental Analysis

- Aesthetics: fences, lights, equipment, hoop houses
- Agriculture: cannabis compatibility with traditional ag
- Air Quality: cannabis odors
- Biological Resources: locally-important watersheds
- Energy: grow lights & HVAC
- Hydrology: overdraft, well interference, streamflow
- Noise: generators, HVAC, vehicles, tourism/events
- Utilities/Services: hoop house & cultivation waste
- Wildfire: road access, response times, water
- Cumulative Impacts: over-concentration

12. Equity

☐ Ordinance development will consider socio-economic equity throughout all policy decisions consistent with Strategic Plan Racial Equity and Social Justice Pillar - Goal 3

Ensure racial equity throughout all County policy decisions and service delivery

16. Economic Analysis

- Recommended to inform policy decisions such as feasibility of mitigation measures or project alternatives
- Cannabis tax collection revenue & methods
- Staffing costs to implement program
  - Permitting, compliance inspection, enforcement
- Applicant costs for permits & inspections

Cannabis Program Update Project Timeline

- Draft Ordinance Framework
  - March 15, 2022
    - Adopt Resolution of Intention and Program Update Framework

- Draft Ordinance Refinement
  - March – August 2022
    - March 2022 Initiate competitive RFP process for EIR consultant
    - Resume public engagement
    - August 2022 Preliminary draft ordinance & General Plan Amendment(s) complete for EIR analysis

- Environmental Impact Report
  - Sept 2022 – Fall 2023
    - Sept 2022 EIR contract award
    - Sept 2022 NOP published
    - Oct 2022 EIR public scoping
    - Fall 2023 Draft EIR published

- Ordinance & EIR Approval
  - Fall 2023 – Summer 2024
    - Fall 2023 Draft EIR to Planning Commission for public comment
    - Spring 2024 PC hearing
    - Summer 2024 BOS hearing

Recommended Action

- Adopt a Resolution of Intention and the Cannabis Program Update Framework

- OPTIONS:
  - Adopt with revised Framework (minor changes)
  - Continue to date certain for staff to return with revised Framework based on BOS direction received today

Framework Tenet	Framework Tenet
1. Zoning Ordinance	9. Development Standards
2. Transparency	10. Environmental Analysis
3. Community Engagement	11. Transitional Pathway
4. Allowed Activities	12. Equity
5. GP Amendment	13. Enforcement
6. Admin Adaptability	14. Jurisdictional Comparison
7. Neighborhood Compat	15. Mapping
8. Permit Streamlining	16. Economic Analysis

Adopt as proposed	✔		*Discuss for revision*	R
Adopt w minor revisions	M		*Eliminate*	X

End of Presentation