



Legislation Text

File #: 18-103, **Version:** 1

MEMORANDUM

TO: Board of Supervisors

FROM: Carol J. Huchingson, County Administrative Officer
Robert Massarelli, Community Development (CD) Director

DATE: February 15, 2018

SUBJECT: CANNABIS WORKSHOP - (a) Consideration of Staff Reports during Cannabis Workshop #2; (b) Direction to staff to prepare the Cannabis Cultivation Ordinance for first reading at the next regular Board meeting; and (c) Direction to staff to prepare draft Cannabis Distribution and Manufacturing Ordinances for the consideration of the Planning Commission during March 2018, returning to your Board during your 4th Cannabis Workshop on April 19, 2018.

EXECUTIVE SUMMARY:

This is the second in a series of Cannabis Workshops which is part of your approved work plan to finalize recreational cannabis provisions in Article 72 in a manner which is consistent with but not duplicative of state regulations.

This second workshop will be divided into three segments:

A. The first segment will include reports from your Department Heads (DH) who are a part of the Ordinance Subcommittee of the larger Cannabis Stakeholder DH Stakeholder Workgroup. Each DH will discuss the role of his/her department in cannabis implementation/regulation followed by a summary report from the CD Director outlining how each area is addressed in the draft Cultivation Ordinance.

B. The second segment will consist of a review of the recommendations of the Planning Commission, following its February 8, 2018 meeting during which it considered the draft Cannabis Cultivation Ordinance:

1. RG 2: The Planning Commission was split on personal use outdoor/outdoor cultivation on a

minimum one or five acre parcels. The attached draft has the staff recommendation of five acres.

2. RG3: The Planning Commission recommended outdoor commercial cannabis in Agricultural Preserve, Timber Preserve, Suburban Residential, and Rural Residential zoning districts.
3. The Planning Commission recommended outdoor commercial cannabis (Permit Types 1, 2, 3 and 4) in the Planned Development Commercial zoning district with a Major Use Permit.
4. RG 6: The Planning Commission recommended against a requirement for a residence at a commercial cannabis cultivation site.
5. RG 7: The Planning Commission recommended flexibility of the cultivation site screening requirements if the cultivation site cannot be seen by public views due to topography, vegetation, viewing distance etc.
6. RG11: The Planning Commission recommended against deliveries from water purveyors as the main source of water, but recommends an exception for emergency conditions.
7. RG 12: The Planning Commission recommended co-location of permits consistent with State regulations.
8. The Draft Cultivation Ordinance states that background checks need to be completed for applicants and their employees. However, the Planning Commission recommended limiting background checks for applicants only.
9. The Planning Commission recommended limiting the number of permits a permittee may hold to four.
10. The Planning Commission recommended "Within areas designated as prime farmland, farmland of statewide importance, unique farmland, and farmland of local importance as depicted on Lake County Important Farmland, 2016 prepared by the State of California Department of Conservation Farmland Mapping and Monitoring Program, commercial cannabis cultivation shall be limited to indoor, mixed light, and greenhouses that are equipped with filtrations systems that prevent the movement of odors, pesticides, and other airborne contaminates out of or into the structure."
11. The Planning Commission recommended including language at the end of the ordinance that states that the Planning Commission will report how the cultivation program is going in two years from adoption and will suggest changes if necessary.
12. The Planning Commission recommended including the Ag Commissioner recommendations:
 - a. Page 18, lines 4,5,6: change the phrase "Pest Management" to " Pesticide
 - b. Page 33, lines 13,14,15: requirements found in the California Food and Agriculture Code, California Code of Regulations and the California Business and Professions Code.
 - c. Page 52, line 35 and Page 55, line 11 change Planning Commission to Agricultural Commissioner.
13. Planning Commission recommended that Tribal Rancheria should be renamed "Federal Indian Trust lands"
14. Pg. 10- section 3(s): Planning Commission recommended removing "medicinal".
15. Pg. 40- Planning Commission recommended removing resident for 5 years

16. Pg. 54- Planning Commission recommended removing all reference to retail

17. Planning Commission directed the staff to correct all scrivener's errors.

With these changes, the Planning Commission recommended approval of the draft Cannabis Cultivation Ordinance.

C. The final segment of workshop #2 will include a brief overview, from CD staff, on cannabis manufacturing and distribution.

FISCAL IMPACT: ☒ None ☐ Budgeted ☐ Non-Budgeted

Estimated Cost:

Amount Budgeted:

Additional Requested:

Annual Cost (if planned for future years):

FISCAL IMPACT (Narrative): None

STAFFING IMPACT (if applicable): None

RECOMMENDED ACTION:

- a) Discussion only.
- b) Direction to staff to prepare the Cannabis Cultivation Ordinance for first reading at the next regular Board meeting
- c) Direction to staff to prepare draft Cannabis Distribution and Manufacturing Ordinances for the consideration of the Planning Commission during March 2018, returning to your Board during your 4th Cannabis Workshop on April 19, 2018