



Planning and Development Department  
**LONG RANGE PLANNING DIVISION**

# **CANNABIS LAND USE ORDINANCE AMENDMENTS**

County Board of Supervisors  
July 9, 2019

# Background

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- On January 29, 2019, the Board directed staff & PC to consider ordinance amendments to:
  - 1) Expand noticing requirements for commercial cannabis activities in EDRNs/RNs (Coastal & Inland areas).
  - 2) Prohibit commercial cannabis operations on small AG-1 zoned lands (Inland area).

# Planning Commission Review

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- April 3<sup>rd</sup> Briefing
  - ▣ Discussion on Noticing and 3 AG-I Options
- May 1<sup>st</sup> Hearing
  - ▣ Review of ordinance amendments

# Existing Cannabis Noticing Requirements

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## Currently Required:

- Noticing of all lots located within 1,000 feet of the lot on which a cannabis use is proposed.
- Standard LUDC/Article II noticing
  - ▣ Published notice in newspaper (if hearing required)
  - ▣ Posted notice at location of use

# Planning Commission

## Recommendation - Noticing

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### Noticing (LUDC and Article II):

Notice all properties within an EDRN/RN for any cannabis application:

- (1) Located within EDRN/RN; or
- (2) Requires the use of a public roadway within that EDRN/RN.

# Noticing - Minor LCP Amendment

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- Article II Amendment:
  - ▣ Minor Local Coastal Program amendment
  - ▣ Amendment takes effect upon Coastal Commission certification without further action by Board

# Board Direction

## Limits on Inland AG-I Parcels

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<b>Board Directed Options</b>	<b>Parcels</b>	<b>Acres</b>
<b>Option 1:</b> Prohibit on AG-I-5, AG-I-10, and AG-I-20 zoned lots	1,923	21,958
<b>Option 2:</b> Prohibit on AG-I-5 & AG-I-10 zoned lots	1,274	9,728
<b>Option 3:</b> Prohibit on AG-I zoned lots $\leq$ 20 acres	1,692	14,057

# PC Review- Limits on Inland AG-I Parcels

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April 3, 2019 PC Direction:

- AG-I amendments
  - Alternative A: Prohibit commercial cannabis activities on: lots zoned AG-I-5, AG-I-10, AG-I-20; and AG-I-40 lots  $\leq 20$  acres.
  - Alternative B: Require conditional use permit (CUP) for all commercial cannabis activities.

# PC Recommendation – Limits on AG-I

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Require a CUP for ALL commercial cannabis activities.

- ▣ Primarily affects AG-I parcels outside EDRNs
- ▣ Changes to Permit Process
  - Higher level review – Staff vs PC
  - Expanded opportunity for public input
- ▣ LUP and CUP can be revoked

# Current & Proposed Permit Requirements in AG-I

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AG-I Uses	Existing Ordinance	Proposed Amendments
Cultivation – Outdoors	<b>LUP</b>	<b>CUP</b>
Cultivation – Mixed Light	<b>LUP</b>	<b>CUP</b>
Cultivation – Indoor	<b>LUP</b>	<b>CUP</b>
Nursery	<b>LUP</b>	<b>CUP</b>
Distribution	<b>Minor CUP</b>	<b>CUP</b>
Non-Volatile Manufacturing	<b>LUP</b>	<b>CUP</b>
Volatile Manufacturing	<b>CUP</b>	<b>CUP</b>

# Minor Correction- LUDC Reference

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- LUDC Section 35.42.075 “Cannabis Regulations”, Subsection H “Revocations”
  - Current Incorrect Reference – Chapter 35.56.140 (Oil/Gas Land Uses Revocations Section)
  - Updated Correct Reference – Chapter 35.84.60 (General Permit Revocations)

# Environmental Review

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- Consistent with CEQA Guidelines Section 15162 & 15168
- No subsequent CEQA required
- CEQA Guidelines Section 15265
  - LCP amendment exempt from CEQA requirements.

# Recommended Actions

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1. Make the required findings for approval;
2. Determine no subsequent environmental document required;
3. Adopt Ordinance Amendments
  - LUDC (Noticing & AG-I Revisions)
  - Article II (Noticing);

# Recommended Actions (continued)

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4. Adopt a resolution authorizing submittal of the Article II amendment to Coastal Commission for certification;
5. Direct P&D to submit adopted resolution to CCC
6. Provide any other direction to staff to amend the ordinances.

Thank you  
Questions?

