Planning and Development Department
LONG RANGE PLANNING DIVISION

CANNABIS AMENDMENTS TO THE UNIFORM RULES AND RIGHT TO FARM ORDINANCE

Board of Supervisors

May 1, 2018

Uniform Rules - Overview

- Implement the Williamson Act
  - Property tax reduction for owners of land in agricultural production
  - 10- to 20-year Contracts

- Sets eligibility requirements for Agricultural Preserves

- Provides rules for other uses (ag related and non-ag related) on Agricultural Preserves

Direction on the Uniform Rules

- ☐ Cannabis cultivation and ancillary facilities are agriculture

- ☐ Retail sales and marketing are prohibited

- ☐ Processing, distribution, and manufacturing of cannabis from offsite sources shall be allowed as long as 10% is from on premises

Right to Farm - Overview

- Agriculture is protected from being a public nuisance
  - No agricultural activity conducted for commercial purposes shall be or become a nuisance, due to any changed condition in or about the locality, after it has been in operation for more than three years

Direction on the Right to Farm Ordinance

- Cannabis cultivation is not afforded the protections of the Right to Farm ordinance
  - Federal status as a controlled substance
  - Involves potential adverse effects that differ from the cultivation of other crops
  - Requires unique development standards
  - Taxed different than other agricultural products

Recommendation

- ☐ Make the required findings, including CEQA
- ☐ Adopt the resolution amending the Uniform Rules
- ☐ Consider the introduction of amendments to the Right to Farm Ordinance
- ☐ Read title and waive reading of the Ordinance in full
- ☐ Determine for the purpose of CEQA
  - ☐ That the approval of the amendments are within the scope of the Cannabis Land Use Ordinance and Licensing Program, and the PEIR
  - ☐ That no subsequent EIR or Negative Declaration is required

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