

Cannabis Regulatory Program and its Relationship to County Ordinances

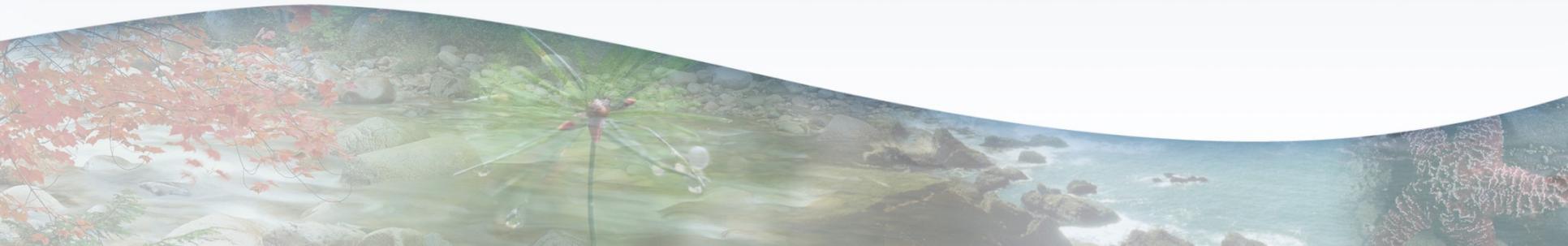
Kason Grady, Senior Water Resource Control Engineer
Connor McIntee, Environmental Scientist

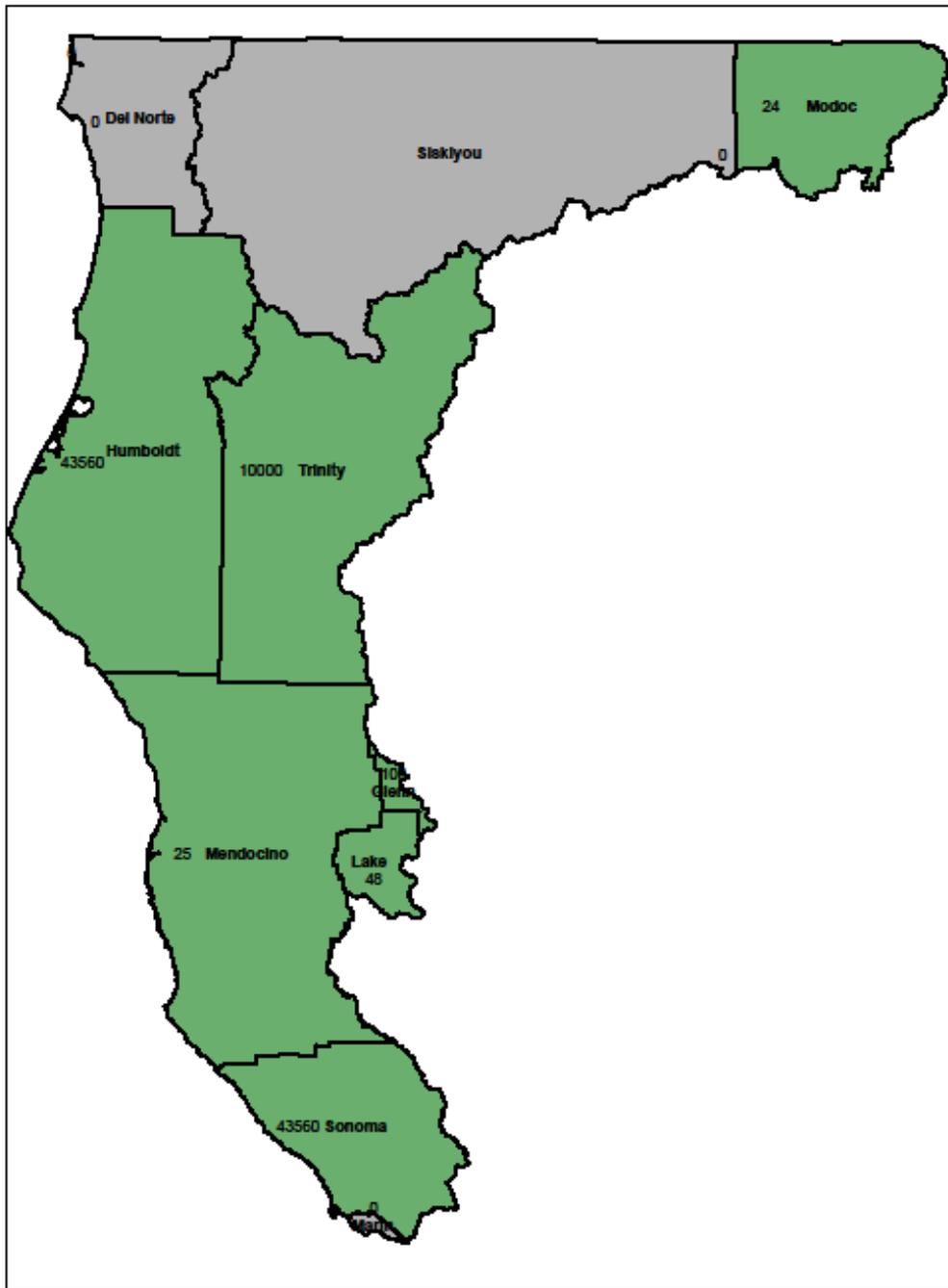
March 8, 2017



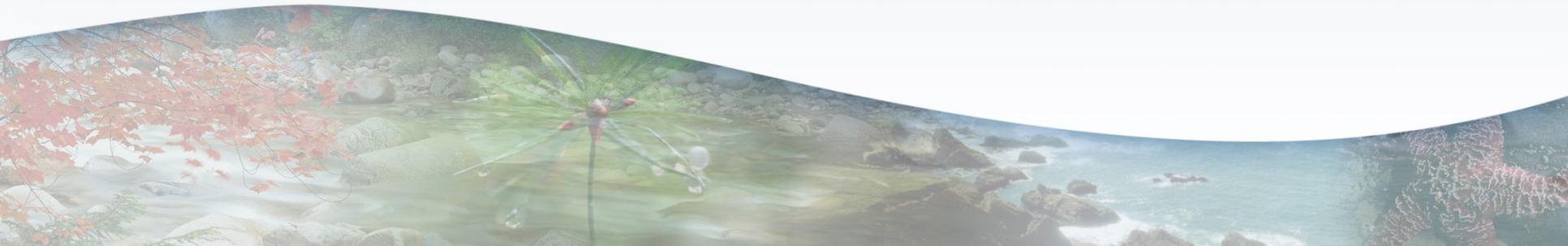
Context

- Order No. R1-2015-0023, adopted 8/13/15
- Medical Cannabis Regulation and Safety Act (MCRSA) effective 1/1/16
 - AB 266, 243, and SB 643
 - Allows 10 license types (7 types for outdoor)
- Adult Use of Marijuana Act (AUMA), 11/8/16





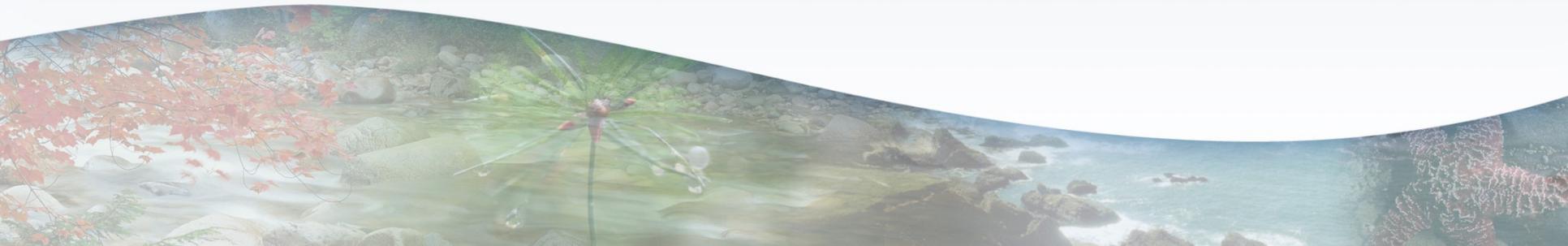
	Current Ordinance	Allows Outdoor Cultivation ?	Max Cultivation Area	Requires Water Board Enrollment	Compliance with the California Environmental Quality Act (CEQA)
Humboldt	Commercial Medical Marijuana Land Use Ordinance	✓	1 Acre	✓	Mitigated Negative Declaration
Trinity	Urgency Ordinance 315-816.EXT(A1), CEQA Exempt	✓	0.23 Acre	✓	Exempt
Mendocino	Urgency Ordinance & 9.31 Program	✓	99 25 Plants		Exempt
Sonoma	Medical Cannabis Land Use Ordinance No. 6189	✓	1 Acre	✓	Negative Declaration
Lake	Article 72 Sec. 21-72 Regulations for the Cultivation of Medical Marijuana	✓	48 Plants		Unknown
Modoc	Ordinance #349-C Medical Marijuana Cultivation	✓	24 Plants		Exempt
Glenn	Chapter 797 Medical Marijuana	✓	100 sq. ft.		Exempt
Del Norte	County Guidelines for Medical Marijuana	✗			
Siskiyou	Ordinance Nos. 15-18 and 15-19	✗			
Marin	N/A	✗			



Humboldt County

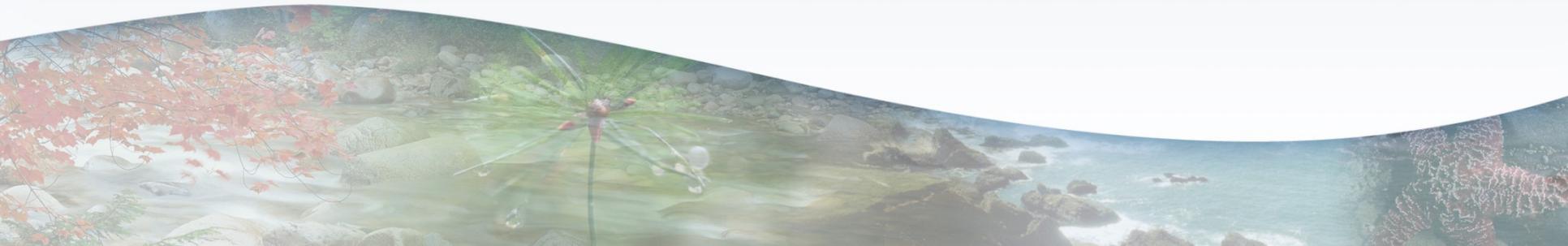
Commercial Medical Marijuana Land Use Ordinance

- Effective as of 2/26/2013
- Applications were due by 12/31/2016
 - 2300 applications received with ~75% for existing operations
 - >100 complete applications are being reviewed
 - 18 approved
- Requires compliance with Order R1-2015-0023
- Existing operation permit tiers depend on zoning and size, up to 1 acre
- New operations only allowed on prime agricultural soils and slopes less than 15%
 - 10,000 ft² or up to an acre in special cases



Humboldt County

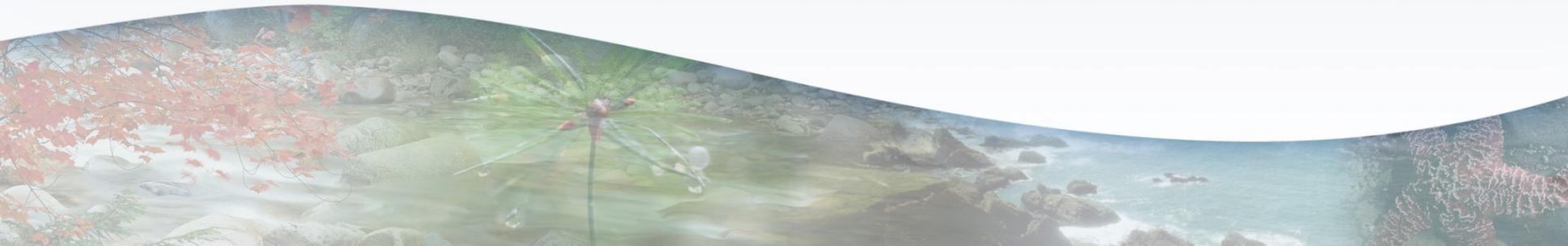
- Requires compliance with CDFW & Div Water rights
- Does not require a residence to cultivate
- Allows for 4:1 relocation, remediation, and retirement of infeasible sites to prime ag soil site
- Max of 2 years to correct code violations
- County Staff are working on an Environmental Impact Report and a revised Post-EIR Ordinance



Trinity County

Urgency Ordinance to Create Commercial Marijuana Cultivation Regulation

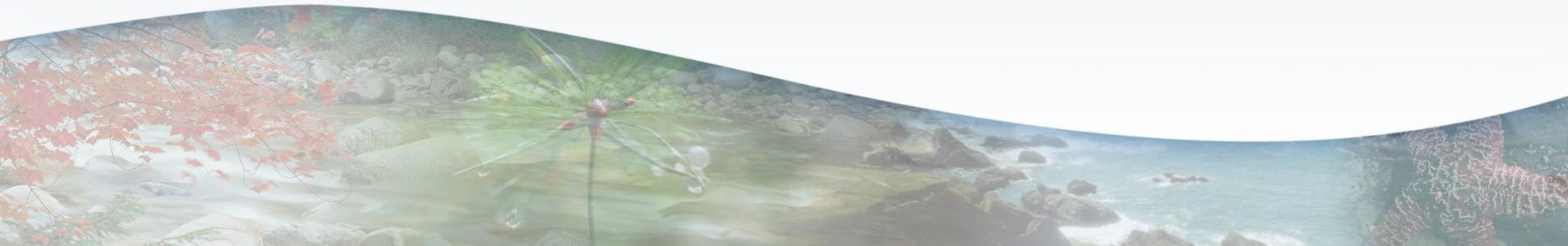
- Effective as of 12/21/2016
- Requires enrollment in Order No. R1-2015-0023
 - Prioritizes permits based on date of enrollment in Order No. R1-2015-0023
- Allows up to 10,000 square feet (0.23 acres)
 - Four license types: 1, 1C, 2, 2B
- Requires a permitted residence and a septic system or active permit
- Existing Personal Grow Ordinance Allows 2-8 Plants Per Parcel



Mendocino County

Medical Marijuana Cultivation Regulation Chapter 9.31 title 9 Mendocino County Code

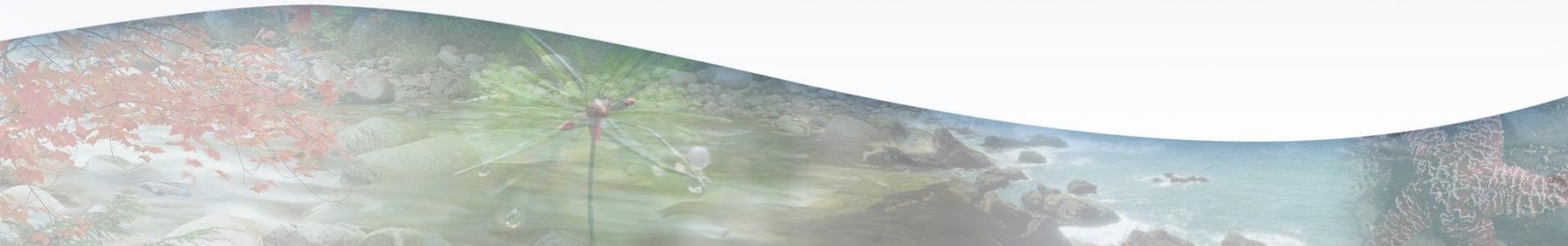
- Effective 2008, modified 2012 and 2016
- Does not require enrollment in Order No. R1-2015-0023
- Allows cultivation of up to 25 plants/parcel
- Future Ordinance: Medical Cannabis Cultivation Regulation (April, 2017)
 - Draft requires compliance with Order R1-2015-0023, the Division of Water rights, and California Department of Fish & Wildlife
 - License types depend on cultivation size and zoning
 - Applies to cultivation of >100 ft² per patient



Sonoma

Medical Cannabis Land Use Ordinance

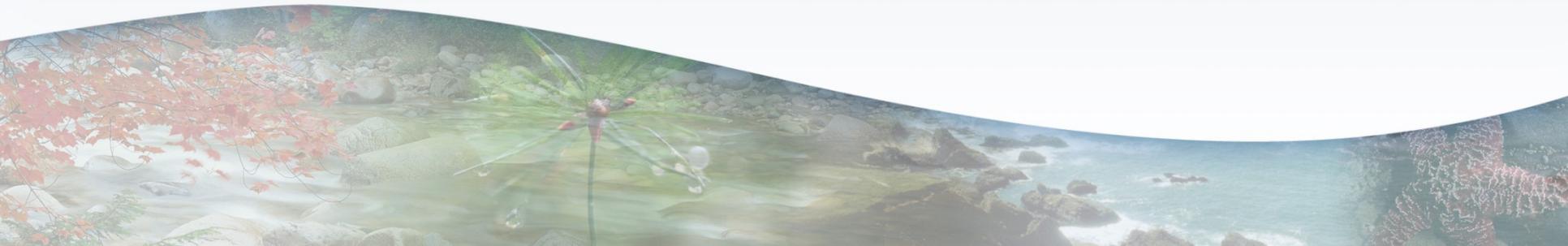
- Effective January 19, 2017
- Requires enrollment in Order No. R1-2015-0023
- Allows all 10 license types in MCRSA
 - Up to 1 acre cultivation in Agricultural Zones
 - Up to 0.5 acre of mixed light in Industrial Zones
- Includes various stringent requirements/plans
- Phase 2 is anticipated in the next year, which could include an EIR, cultivation for recreational uses, and allowances to cultivate in other zones (e.g. AR, RR)



Lake

Regulations for the Cultivation of Medical Marijuana

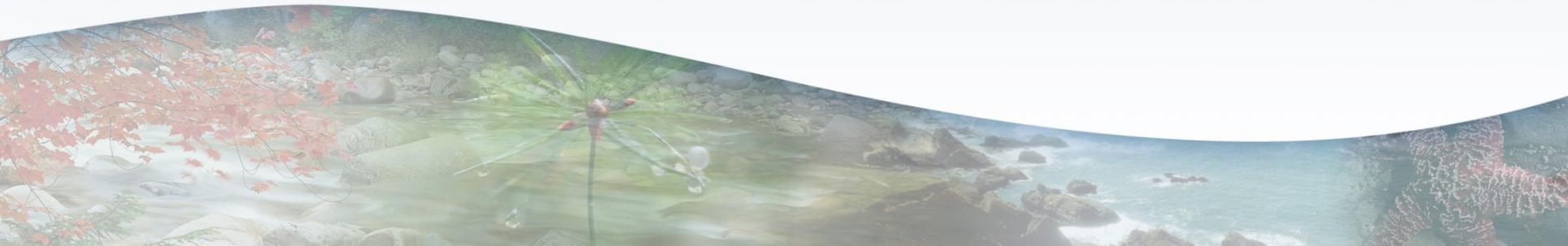
- Effective 1/16/2014
- Does not require enrollment in Order No. R1-2015-0023
- 6 plants allowed on >1 acre parcels
- 48 plants allowed ≥ 20 acre parcels for collectives
- 100 foot riparian buffers
- Accessory use to permitted residence
 - Prohibited on vacant properties
- Workshop held on 3/7/2017 to discuss new Ordinance



Glenn

Medical Marijuana

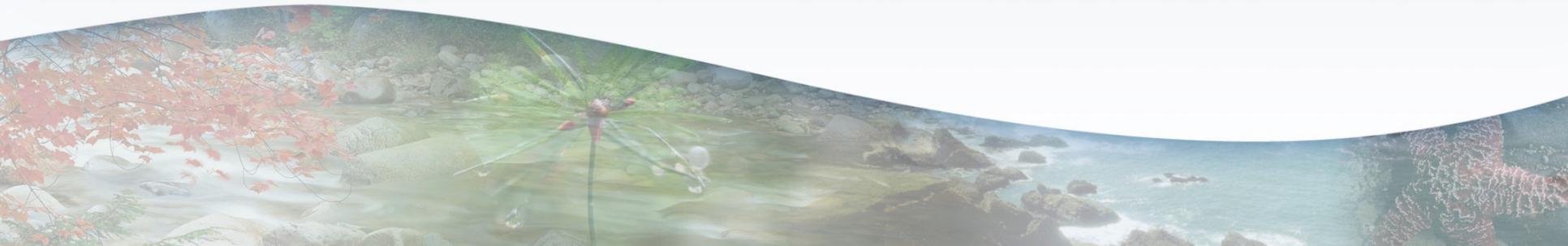
- Effective Date 3/22/2012
- Does not require enrollment in Order No. R1-2015-0023
- 100 square feet limit per parcel
- Accessory use to permitted residence
 - Prohibited on vacant properties
- AdHoc Committee formed on 1/3/2017
 - Develop recreational and commercial ordinance



Modoc

Medical Marijuana Cultivation

- Effective 1/12/2014
- Does not require enrollment in Order No. R1-2015-0023
- 24 plant limit per parcel
- Accessory use to permitted residence
 - Prohibited on vacant properties
- Bans commercial cultivation effective 5/12/2016
- No plans to update the Ordinance



Prohibited Counties

Siskiyou

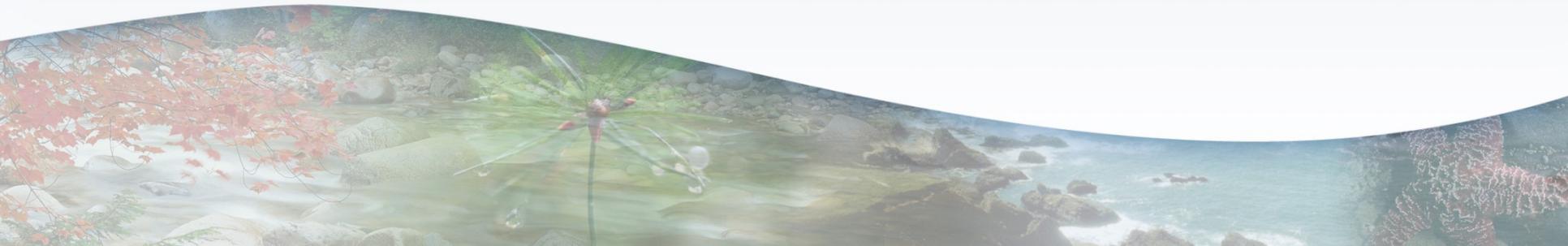
- Prohibition on outdoor cultivation effective 1/7/2016
- Ad hoc committee being formed with 7 members of the community to discuss establishment of an Ordinance consistent with MCRSA and AUMA
- Board Meeting discussed this topic on 3/7/2017

Del Norte County

- Workshop by County Counsel at last Board Meeting 2/28/2017

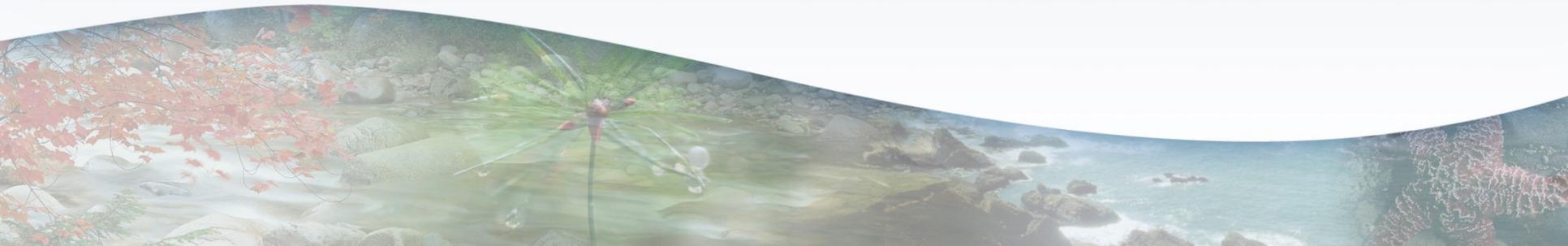
Marin County

- Medical cultivation is currently not regulated
- Plans to address MCRSA and AUMA by 1/1/2018



Ongoing needs with Counties

- Coordination with enrollment and permitting
 - Data sharing
- Provide water quality comments on CEQA documents
 - Ordinances and individual projects
- Grading operations and ordinance development
- Shared use roads education and outreach
- Enforcement



Questions?

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