Yolo County
Cannabis Land Use Ordinance and
Draft Environmental Impact Report
PLANNING COMMISSION
December 3, 2019
Purpose of Meeting

- Receive staff presentation on CLUO and DEIR
- Planning Commission questions and clarifications
- Accept public comments
- Provide Planning Commission comments
Background

- Draft CLUO Released for Public Review in Apr 2018
- 5 CLUO Alternatives Selected for Equal Weight Evaluation in DEIR
- Aug 2018 to Oct 2019 – Preparation of DEIR
- Oct 25, 2019 - DEIR Released for Extended (60 Day) Public Comment
- Appendix C of DEIR Contains Revised Proposed CLUO
- Public Comment Period Ends on Dec 23, 2019 at 4:00
Yolo Licensing and Permitting

**Current Process**
- Licensing only
- Ministerial
- No Public Notice
- Exempt from CEQA
- Limited Scope
- No Public Hearing

**Proposed New Ordinance**
- Licensing and Use Permit
- Discretionary
- Public Notice
- Subject to CEQA
- Comprehensive scope (e.g. location, buffers, density)
- Public Hearing
Overall Cannabis Licensing and Permitting

**State License**
- CA Dept of Food and Agriculture Regulations (CDFA)
- Bureau of Cannabis Control Regulations (BCC)
- CA Dept of Public Health Regulations (CDPH)

**Yolo License(s)**
- County Cannabis License
- County Cannabis Business License

**Yolo Use Permit**
- Comprehensive Performance Standards
- CEQA Compliance
- Public Hearing
Process for Proposed CLUO

- Public, agency, and grower review and comment
- Citizen’s Advisory Committee recommendation on CLUO to Planning Commission
- Planning Commission recommendation on EIR and CLUO to Board of Supervisors
- Board of Supervisors makes final decision (e.g. license types, locations, business density, buffers, etc)
- Integrate existing license holders into new process
- Potentially expand allowed cannabis businesses
Proposed Changes to Draft CLUO (since April 2018 release)

- Added Definitions
- Modified the following Performance Standards:
  - Driveway Access
  - Agricultural Maintenance
  - Energy Use
  - Generators
  - Good Neighbor Communications
  - Hoop Houses
  - Nuisance
- Security
- Waste Management
- Odor Control
- Parking Requirements
- Roadways
- Added Enforcement
- Added Effectiveness
EIR Overview

- Adoption of CLUO requires compliance with CEQA
- Preparation of a Programmatic Environmental Impact Report (EIR)
- Purpose of CEQA / EIR is to:
  - Inform decision makers and the public
  - Analyze potential environmental impacts and mitigation measures of the proposed project
  - Allow public input
EIR Evaluates Potential Impacts To:

- Aesthetics
- Agricultural Resources
- Air Quality and Odors
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions and Climate Change
- Hazards & Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Public Services
- Transportation
- Utilities and Service Systems
DEIR CLUO ALTERNATIVES
Alternative 1: Cultivation (Ancillary Nurseries and Processing only) with Existing Limits (CEQA Preferred Alternative)

- Existing program plus CLUO with EIR mitigation measures
- 78 existing and eligible cultivation sites
- 75-foot buffers from occupied residences and 1,000-foot buffer from other identified special uses
- 9 of 78 relocations based on zoning
Alternative 2: All License Types with Moderate Limits:

- 80 cultivation sites and 52 non-cultivation sites
- 1,000-foot buffers
- 30 of 78 relocations based on zoning and buffers
Alternative 3: All License Types with High Limits:

- 160 cultivation sites + 104 non-cultivation sites
- 75-foot buffers
- 9 of 78 relocations based on zoning
Alternative 4: Mixed-Light/Indoor License Types Only with Moderate Limits, No Hoop Houses or Outdoor Types:

- 80 cultivation sites and 52 non-cultivation sites
- No buffers
- 9 of 78 relocations based on zoning
Alternative 5: All License Types with Moderate Limits, within Ag Zones Only, No Retail

- 80 cultivation sites and 52 non-cultivation sites
- 1,000-foot buffers
- 30 of 78 relocations based on zoning and buffers
No Project Alternative: Maintains existing licensing program (CEQA requirement)

- Existing licensing program with no CLUO
- 78 existing and eligible cultivation sites
- 75-foot buffers from occupied residences and 1,000-foot buffers from other identified special uses
<table>
<thead>
<tr>
<th>ALTERNATIVE</th>
<th>KEY FEATURES</th>
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| No Project – Existing Licensing Program                                      | Exiting Conditions  
Retains cap of 78 cultivation sites  
Current licensing ordinance applies  
CLUO and mitigation measures do not apply  
75/1,000-foot buffers                                                             |
| Alt 1 – Cultivation with Exiting Limits (CEQA Preferred Alternative)        | No Project plus CLUO and EIR mitigations                                                                                                    |
| Alt 2 – All license Types with Moderate Limits                              | Alt 1 limits plus non-cultivation uses  
Cap of 80 cultivate sites  
Cap of 52 non-cultivation uses  
1,000-foot buffers                                                              |
| Alt 3 – All License Types with High Limits                                  | Alt 2 limits X 2  
Cap of 180 cultivation sites  
Cap of 104 non-cultivation uses  
75-foot buffers                                                                  |
| Alt 4 – Mixed Light/Indoor License Types Only with Moderate Limits (No Hoop houses or Outdoor) | Alt 2 limits, all uses in greenhouses or indoors  
Cap of 180 cultivation sites  
Cap of 104 non-cultivation uses  
No buffers                                                                        |
| Alt 5 – All License Types, in Ag Zones Only, No Retail                      | Alt 2 limits, in Ag zones only, no Retail  
Cap of 80 cultivate sites  
Cap of 52 non-cultivation uses  
1,000-foot buffers                                                                |
DEIR Impact Assessment

- Evaluates 82 possible impacts
- Incorporates compliance with existing state and local requirements
- Incorporates compliance with proposed CLUO requirements
- With implementation of CLUO majority of impacts are addressed except...
Visual Character

- Impact AES-3: Degradation of Visual Character (all alternatives)
- Impact OVC-1: Visual Character Impacts from Overconcentration of Cannabis Uses (all alternatives)
- Impact CUM-1: Cumulative Visual Character Impacts (all alternatives)

Odor

- Impact AQ-4: Exposure to Adverse Odors (all alternatives)
- Impact OVC-3: Odor Impacts from Overconcentration of Cannabis Uses (all alternatives)
- CUM-3: Cumulative Odor Impacts (all alternatives)
Mitigation Measures (MM)

- **MM AQ-4**: Adds a requirement for wind pattern evaluation for cannabis use permits to increase understanding of site conditions related to odor.

- **MM BIO-1**: Clarifies biological resource survey requirements for sensitive species that are covered by the Yolo HCP/NCCP and other sensitive species.

- **MM GHG-1**: Adds language to the CLUO requiring cannabis use permit applicants to demonstrate compliance with the County Climate Action Plan (CAP).

- **MM HYDRO-1**: Adds a requirement for applicants to provide information about whether their wastewater constituents will require additional treatment measures, to ensure compliance with water quality standards.

- **MM NOI-1**: Establishes noise standards for cannabis activities.

- **MM OVC-1**: Changes and expands CLUO Section 8-2.1406(H) related to Over-Concentration; requires the development of detailed procedures for processing cannabis use permits in areas of over-concentration.
Mitigation Measure OVC-1

- < 5 cannabis sites within any 6-mile diameter area is not an over-concentration.

- Between 6 and 22 sites within any 6-mile diameter area may be over-concentrated subject to the determination of a precise threshold by the Board.

- Cannabis use permits cannot be issued in excess of the final over-concentration threshold unless special findings are made related to the illegal market, enforcement, and public nuisance (see MM OVC-1a).
Mitigation Measure OVC-1 (cont)

- The Board will be the final decision-making authority for cannabis use permits in areas of potential over-concentration and over-concentration.

- Cannabis use permits within any six-mile diameter area that is potentially over-concentrated or over-concentrated will be processed simultaneously to ensure consideration of community specific issues and facilitate community involvement.

- Cannabis use permits for the 78 existing and eligible sites will be processed first.

- Expanded findings of fact to address 12 additional community considerations beyond those listed in Section 8-2.1406(L).
When Are Comments Due?

- Comments due on December 23, 4:00 p.m.
- Email to Cannabis@yolocounty.org
- Mail or drop off at
  Susan Strachan
  Yolo County Community Services Dept.,
  292 West Beamer St.
  Woodland, CA 95695
# Next Steps

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<th>TASK</th>
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<tr>
<td>Public Outreach Meetings</td>
<td>November- December 2019</td>
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<tr>
<td>Planning Commission Meeting on CLUO and DEIR</td>
<td>December 3 at 8:30 am</td>
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<td>End of DEIR Public Comment Period</td>
<td>December 23 at 4:00 pm</td>
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<tr>
<td>CAC Recommendations</td>
<td>January/February 2020</td>
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<td>Final Environmental Impact Report Released</td>
<td>Early March</td>
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<tr>
<td>Planning Commission Hearings</td>
<td>March/April</td>
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<tr>
<td>Board of Supervisor Hearings on CLUO, FEIR, and New Licensing Ordinance</td>
<td>May/June</td>
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Thank you!