Yolo County
Cannabis Land Use Ordinance and
Draft Environmental Impact Report
Outreach Meetings
Nov. & Dec. 2019

Leslie Lindbo, Director of Community Development
Susan Strachan, Cannabis Policy and Enforcement Manager
Heidi Tschudin, Tschudin Consulting Group
CLUO and DEIR Discussion Overview

- Background
- Overview of CLUO and DEIR
- How to Review/Comment
- Process and Schedule
Background

- Draft CLUO Released for Public Review in April 2018
- 5 CLUO Alternatives Selected for Equal Weight Evaluation in DEIR
- August 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 December 23, 2019 at 4:00
What we’re talking about

Current County Process:
License - Ministerial

- County Cannabis License - Required for all cannabis uses.
- Enforcement

Cannabis Land Use Ordinance & Draft EIR

- Requires Discretionary Use Permit
- Public Notification
- Considers: What license types are allowed and Where?
- Buffers
- Over Concentration
Cannabis Licensing & Permitting

State License
- CA Dept. of Food and Agriculture Regulations
- Bureau of Cannabis Control Regulations
- CA Dept. of Public Health Regulations

Co. License(s)
- New County Cannabis Licensing Ordinance

Co. Land Use Permit
- Public Notification
- CEQA
- Public Hearing
Citizen’s Advisory Committee Role

- We will return to CACs in Jan/Feb for Recommendations to Planning Commission on:
  - Final CLUO
    - Number/type of cannabis uses
    - Buffers
    - Controls for Over-Concentration
  - Planning Commission to make recommendation to BOS
Board of Supervisor’s Role

- Board will make decision on license types allowed, numbers of licenses, buffers, etc.
- Board will certify FEIR, take action on CLUO, take action on new licensing ordinance
CLUO & 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
DRAFT CLUO CHANGES SINCE APRIL 2018
Revised Draft CLUO

- 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 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
CLUO DEIR Alternatives

- **Alternative 1**: Cultivation (Ancillary Nurseries & Processing only) with existing limits (Existing Operations with CLUO) (CEQA Preferred Alternative)
  - 78 existing and eligible cultivation sites
  - 75-foot buffers from occupied residences & 1,000-foot buffer from other identified special uses
  - 9 of 78 would relocate due to zoning restrictions in CLUO
  - Existing program with CLUO and EIR mitigation measures
Alternative 2: All License Types with Moderate Limits:

- 80 cultivation sites and 52 non-cultivation sites
- 1,000-foot buffers
- 30 of 78 existing/eligible sites would relocate based on zoning and buffer restrictions
Alternative 3: All License Types with High Limits:
- 160 cultivation sites and 104 non-cultivation sites
- 75-foot buffers
- 9 of 78 existing/eligible sites would relocate based on zoning restrictions
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 existing/eligible sites would relocate based on zoning restrictions
**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 existing/eligible sites would relocate based on zoning and buffer restrictions
CEQA Required No Project (No CLUO)

Alternative:
- Maintains the Existing Program
  - 78 Existing and Eligible cultivation sites
  - 75-foot buffers from occupied residences
  - 1,000-foot buffers from other identified special uses
  - Current licensing ordinance applies
  - CLUO and DEIR mitigation measures do not apply
DEIR Conclusions
DEIR Impact Assessment

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

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

Odor

- Impact AQ-4: Exposure to Adverse Odors (all alternatives)
- Impact CUM-3: Cumulative Odor Impacts (all alternatives)
- Impact OVC-3: Odor Impacts from Overconcentration of Cannabis Uses (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 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).
What Do I Read First?

- Read the Executive Summary for a brief summary of the proposed CLUO and the EIR conclusions.
  - Review Appendix C to see the precise language of the proposed CLUO.
  - Skim Chapter 2 to better understand the details of the proposed CLUO and the various EIR Alternatives.
  - Review any or all of portions of Chapter 3 for detailed analysis of impacts by environmental issue area.
  - Read Section 3.3 to learn more about the odor analysis.
  - Read Section 4.2 to learn more about the analysis of “over-concentration”.
How Do I Comment Effectively on the EIR?

- Express your comments as specifically as possible.
- State your concern, support it with facts, explain the change you believe should be made.
- Does the EIR cover everything you think it should cover?
- Have you found errors in the EIR or conclusions that are not substantiated by facts?
- Does EIR analysis use appropriate methodologies?
- Are the EIR conclusions fair and accurate?
How Do I Comment Effectively on the Proposed CLUO?

- Make your comments as specifically as possible so that we will understand what is important to you and why.
- Do you have suggestions for specific changes to the CLUO?
- Do you support a particular CLUO alternative, or specific aspects of different alternatives?
- Do you want to express your general support or opposition to the cannabis industry?
- Do you have comments about existing allowed cultivation?
- Do you have comments about proposed new cannabis activities like retail sales and manufacturing?
- Do you have comments about where cannabis activities should and should not be allowed?
- Do you support buffers from certain uses? What buffers do you support?
Will I have Other Opportunities to Comment?

- Yes, but this is a very important time to provide comments.
- Your comments on the CLUO and on the EIR will have the greatest chance of making a difference in what is presented to the Board of Supervisors if you provide them now.
- If you comment on the Draft EIR after the close of the comment period your comment will not be included in the Final EIR and you may not receive a response to your comment.
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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<td>Planning Commission Meeting on CLUO and DEIR</td>
<td>December 3, 2019, 8:30 a.m., Board of Supervisors Chambers</td>
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<td>End of DEIR Public Comment Period</td>
<td>4:00 p.m., December 23, 2019</td>
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Citizen’s Advisory Committee Role

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Questions?