

SUMMARY OF PROPOSED CHANGES TO CANNABIS CULTIVATION ORDINANCE BY SECTION (04/2022)

Definitions (5.148.020):

- Change to the definition of “Premises” to allow for non-contiguous areas if infeasible on the site.

Prohibited Cannabis Activity (5.148.050):

- Expansion of cannabis cultivation licenses to allow for distribution of cannabis between State and local cannabis licenses. Physical locations for stand-alone distribution remain prohibited.

Application Requirements (5.148.060):

- Elimination of requirements to provide financial documentation related to the proposed cannabis activity.
- Elimination of many requirements related to providing personal information about owners.
- Elimination of the requirement to provide a copy of a rental agreement, as applicable.
- Elimination of the requirement to provide written proof that all employees are 21 years of age or older and to instead allow submission of an affirmation by the applicant.
- Changes to the labor peace agreement requirement in recognition that many applicants will not have hired employees prior to approval of a commercial cannabis cultivation license.
- Addition of requirement that provided security plan includes a graphical depiction of security measures.

Review, Approval and Issuance (5.148.070):

- Extend approval period of commercial cannabis cultivation licenses from one year to five years.

Grounds for Denial of an Application (5.148.080):

- Changes for clarity and to allow more discretion on the part of the Community Development Director regarding denial of commercial cannabis cultivation license applications.

License Renewal (5.148.090):

- Changes for clarity and to allow more discretion on the part of the Community Development Director regarding whether to revoke a commercial cannabis cultivation license that has not applied for license renewal within the required timeframe.
- Addition of a requirement to provide the current contact information of the primary point of contact.

Change in Ownership (renamed from License Nontransferable, 5.148.100)

- Addition of a procedure for transferring ownership of an operator with a valid cannabis license.

Fees (5.148.110)

- Clarification of the procedure for modification of an existing cannabis license.

Cultivation Requirements (5.148.160)

- Elimination of the 66,000 square feet per operator per parcel limit. Operators now need only to meet all State requirements and not conflict with other parts of the ordinance.
- Elimination of requirement to provide replacement agriculture if the operator proposes to displace agriculture that was existing as of June 1, 2017.
- Elimination of the prohibition on use of razor wire, chain link and similar fencing. Fencing and fencing materials are still required to be consistent with the surrounding area.
- Addition of requirement that structures must comply with Title 24, Part 6 Energy Code.
- Elimination of requirements for waste management. Operators must still properly store and secure all cannabis waste. Applicants now must only submit a plan demonstrating compliance with applicable State regulations regarding waste management.
- Alteration of water source documentation requirements to account for various water source types.
- Addition of a limitation on water use to the historic usage if groundwater is utilized and the well is within a basin that is a medium or high-priority basin under the Sustainable Groundwater Management Act.