

ADDITIONAL CONSIDERATIONS FOR DIFFERENT CANNABIS USE TYPES

Commercial Cultivation

Considerations for indoor:

- Indoor grows less visible to the public. Possible for security to be tighter. If allowed, require security cameras and other measures.
- Odor/neighbor impacts better able to be mitigated. Should require carbon filters and/or other mechanisms to minimize odors.
- Water used likely to be treated, potable water. A burden on supply or infrastructure?
- Significant power for lighting would be required. Mitigate burden on electrical generation by requiring solar power to be developed to offset? Maximize skylights?
- Relatively more/better employment opps?

Considerations for outdoor:

- Outdoor grows more visible to the public. Harder for security to be tight.
- Odor/neighbor impacts may only be mitigated with siting and buffers.
- Would generally be able to rely on untreated water.
- Little or no power needs.
- Relatively fewer/worse employment opps?

Additional considerations:

- If allowed, specify eligible zoning districts – perhaps Agricultural Zoning (A-) for outdoor; Heavy-Industrial (H-I), Light-Industrial (L-I), General Commercial (C) for indoor
- Limit size of grow (sq ft) or acreage
- Cultivation Operations plan
- Display cultivation permit
- If allowed, consider limit on # of commercial cultivation operators (no limit on outdoor?) and consider RFP selection process of operator (indoor only?).
- Pesticide and herbicide use
- Establish a 1500 feet buffer zone from schools, playgrounds, residential zoning districts, other cultivation sites, etc.
- Require all workers to be at least 21 years of age or older

Personal Cultivation

Personal cultivation for medical or recreational use can be regulated under MCRSA and AUMA. Under MCRSA local jurisdictions may prohibit all cultivation of medical marijuana for personal but under AUMA local jurisdictions can adopt "reasonable" regulations for the indoor cultivation of up to six plants, by an adult over the age of 21, within a private residence, but cannot completely ban indoor cultivation.

Considerations:

- Continue provisions of urgency ordinance (which comply with the minimum requirements set by state but also include requirements for renters to have permission from property owner, etc.)
- Or, expand to allow outdoor grow under certain conditions
- Typical restrictions on outdoor personal cultivation include allowing a maximum 100 sf of canopy area, limit on # of plants, setback from property lines, height limitation (10 ft), not visible from public right of way.
- Typical restrictions on indoor cultivation include: maximum of 50 sf of canopy area, limit on # of plants (6), grow area must be locked, building code requirements for electrical system,

Manufacturing

The manufacturing of cannabis and cannabis related products is a growing industry which is expected to continue growing based on the approval of Proposition 64. The processing/manufacturing of certain cannabis products is similar to the processing/manufacturing of other agricultural products. Cannabis manufacturing facilities could be permitted within agricultural zoning districts with a land use permit. Staff has been made aware of business owners interested in establishing manufacturing business in agricultural area of County.

Considerations, if allowed at all:

- Limit the # of manufactures in unincorporated areas-RFP selection process
- Could be allowed in specific zoning districts such as Light-Industrial (L-I), Heavy-Industrial (H-I), General Commercial (C)
- Establish 1500 feet buffer zones from schools, playgrounds, residential zoning districts, other cultivation sites, etc.
- Cannabinoid extraction methods –THC, CBD. Some methods may be “safer” than others in terms of Hazardous Materials. Some methods may offer “cleaner” extraction – that is less chance of contamination with pesticides, herbicides.
- Determine Occupational safety exposure level
- Product labeling/warning
- Comply with track and trace requirements
- Waste disposal plan
- Odor mitigation requirements
- Security and safety requirements (e.g. security cameras)
- Require all workers to be at least 21 years of age or older

Testing

Considerations, if allowed at all:

- Place a limit on the # of testing facilities in unincorporated areas - RFP selection process
- Lab testing for THC, Pesticides etc.
- Could be allowed in specific zoning districts such as Retail-Business (R-B), Neighborhood-Business (N-B), Commercial (C)

- Establish 1500 feet buffer zones from schools, playgrounds, residential zoning districts, other cultivation sites, etc.
- Weights and Measures
- Waste disposal plan
- Security and safety requirements
- Require all workers to be at least 21 years of age or older

Retailing/Dispensaries

Considerations, if allowed at all:

- Place a limit the # of retail/dispensing businesses in unincorporated areas - RFP selection process.
- Could be allowed in specific zoning districts such as Retail-Business (R-B), Neighborhood-Business (N-B), Commercial (C)
- Establish 1500 feet buffer zones from schools, playgrounds, residential zoning districts, other cultivation sites, etc.
- Odor mitigation requirements
- Security and safety requirements
- Prohibit storefront product advertising. Signage limited to place of business only.
- Restrict product sales to marijuana related products only and prohibit other food, beverage, sundries, clothing etc.
- Prohibit sale of flavored leaf/bud and flavored e juices
- Prohibit all vending sales of any and all marijuana related products.
- Prohibit on site consumption due to concerns of being “under the influence”.
- Require all workers to be at least 21 years of age or older

Distribution

Considerations, if allowed at all:

- Allow limited number (2 or 3)of regional distribution facility with RFP process
- Development Agreement opportunity
- Tax on volume distributed
- Discrete markings on transport vehicle

Microbusiness

- A microbusiness is a small retailer with a farm not exceeding 10,000 square feet.

Establish pilot program for microbusinesses through RFP??