



**Contra  
Costa  
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: April 24, 2018

Subject: Cannabis Framework Public Outreach Update and Report on Proposed Cannabis Regulations for the Unincorporated Areas of Contra Costa County

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**RECOMMENDATION(S):**

A. ACCEPT staff's update on public outreach for the Cannabis Framework;

B. APPROVE the Final Draft of the Framework for Regulating Cannabis in the Unincorporated Areas of the County; and

C. DIRECT Department of Conservation and Development staff to prepare an ordinance based on the Final Draft of the Framework.

**FISCAL IMPACT:**

Preparation of a zoning ordinance regulating commercial cannabis uses and personal cultivation is expected to cost in the range of \$150K-\$250K in staff time. This expense has been anticipated in the current Department Budget.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/24/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 24, 2018

Contact: Ruben  
Hernandez, (925) 674-7785

David Twa, County Administrator and Clerk of the Board of  
Supervisors

By: , Deputy

cc:

## **BACKGROUND:**

On November 14, 2017, the Board approved the *Preliminary Working Draft for Regulating Cannabis in the Unincorporated Area of Contra Costa County* along with a public outreach plan for obtaining public comment and input on the Framework. This action was preceded by detailed Board discussions on October 24, 2017, July 18, 2017 and April 25, 2017. Proposed revisions to the Framework are included in Exhibit A. Two versions are included, one clean and one tracking changes from the November 2017 version.

The public outreach plan directed the Department of Conservation and Development to engage in an effort to obtain input and comment on the Preliminary Framework from various organizations including local Municipal Advisory Committees (MAC), the Alcohol and Other Drug Advisory Board, and working with Supervisor District offices on other outreach including to City Councils. Beginning with the Alamo MAC on February 6, 2018, Department staff presented a Cannabis Framework Power Point to each of these groups. The presentation included background on current County cannabis regulations, potential regulation for commercial cannabis uses, maps, and other pertinent information related to the establishment of cannabis regulations as described in the Framework. The presentation also identified specific areas where public input was particularly needed, including obtaining input on overall reaction to the Framework, the use and extent of buffers, caps on the number of commercial cannabis uses and addressing outdoor personal cultivation. A cannabis regulation survey addressing these same four topics was also prepared and shared with the public at each of the meetings. The survey was also posted on the County's cannabis web page and respondents were able to complete and submit it online.

## **COMMUNITY INPUT**

In order to provide the Board with a understanding of the range of comments received throughout this process, the comments have been summarized in attachments to this Board Order.

Exhibit B, the slides to be presented on April 24, contains a high-level summary of the input received from the various bodies and from the survey. Exhibits C-H provide more detailed summaries.

## **CHANGES TO FRAMEWORK**

After taking into consideration the input received during the public outreach process and after additional staff analysis, a number of proposed modifications to the Preliminary Draft of the Framework have been made. The proposed revised Framework is included in Exhibit A (one clean version, one version tracking changes from November 2017). Revised maps with three buffer scenario options are provided in Attachment 1 to Exhibit A. A summary of the major changes listed below is included in Exhibit B (the slides to

be presented on April 24).

- General Permit Terms
- Caps and Applicant Selection Process
- Revised Zoning Matrix
- Exclusion Areas
- Buffer Zones
- Outdoor Personal Cultivation
- Retail Delivery From Outside County

#### CONSEQUENCE OF NEGATIVE ACTION:

If the Board were not to approve the Draft Framework, staff would not have direction to prepare a draft ordinance.

#### CHILDREN'S IMPACT STATEMENT:

Approval of the revised Framework would allow preparation of a Countywide cannabis ordinance to move forward. Approval of a cannabis ordinance could potentially allow access to State grant funding and new revenue streams from the future County cannabis tax which could be used for drug prevention education, additional law enforcement services and health services.

#### CLERK'S ADDENDUM

*Speakers: Marsha Golangco, resident of Alamo; Bhagat Aramandia, resident of San Ramon; Michael Cox, CCCARM; Azad Aramandla, resident of San Ramon; Alice Zhang, Rossmoor Seniors; Corliss Lee, resident of WC; Hongmei Gao, East Bay Trinity Chinese Church; Dr. Phillip Drowm, resident of Martinez; Sara Mai, resident of San Ramon; Yan Way, PTA Dougherty Valley High School; Kieran Ringgenberg, Global Quality Foods; Lily Ding, Silicon Valley Chinese Association Foundation (SVCA); Jay Yao, CCC Against Recreational Marijuana Crystal Lu, SVCA; Crystal Lu, SVCA; Jiyun Xu, resident of Moraga; Fanbo Jiang, Pleasant Hill church; Renee M. Lee, Rossmoor Medical Marijuana Club; Greg Kremenliev, NORML; Yan Heim, resident of Orinda; Stephanie Shu, resident of San Ramon; Mark Unterbad, resident of Brentwood; Max Unterbach, resident of Brentwood; Patrick Irnion, resident of Pleasant Hill; Jacob Coggshall, resident of Crockett; Marisol Pena, resident of Crockett; Melanie Walker, resident of Brentwood; (handout); Stephen Shub, resident of Oakland; Mei Leng, HOA Rose Garden Oncore; Shalini Jaipuriyar, HOA Rose Garden Oncore, San Ramon; Jaime Rich, ADAPT Lamorinda, resident of Concord; Oscar Burrula, resident of Brentwood ; Israel Martinez, resident of Brentwood; John thiella, Jim Gonzelz & Associates LLC; Sabrina Li, resident of Pleasant Hill; Frank Lee, resident CCC; Charles Huang, resident of CCC; Chris Conrad, Family Council on Drug Awareness; Mikki Norris resident of El Sobrante; Ivy Liu, resident of San Ramon; Fang Pan; Xinchuan Huang, resident of San Ramon; Juan Pablo Galvan, Save Mt. Diablo; Jinsong Zhang, resident of Walnut Creek; Alfred Crancter, resident of Moraga; Ken Zheng, resident of Orinda; Vijay Chirumanilla, resident of San Ramon; Shyla Knowton Mangipundi; Wenge Sun, business operator Brentwood; Brian Eliff, resident of Knightsen; Juan Chen-Olsen, resident of Lafayette*

*The following people left written comments for the Board's consideration (attached):*

*Ali Wohlgemuth, resident of Contra Costa; Qinl Woul, East Bay Trinity Chinese church, resident of San Ramon; Lin Dong, East Bay Trinity Chinese Church; Juan Chen-Olsen, resident of Lafayette; John Rudniski, resident of Lafayette; Ye Liu, resident of Orinda; Li Long, resident of Lafayette; Kieran Ringgenberg, resident of Oakland; Vijay Chirumamilla and SailaJa Mangipudi, residents of San Ramon; Maggie Huang, resident of San Ramon; Ting Ding, Resident of San Ramon; Fang Pan, San Ramon; Mingying Chen, resident of San Ramon; Zhenfang Zhang, resident of San Ramon; Ying Tian, resident of San Ramon; Ruiyu Wang, resident of San Ramon; Mei Tao, resident of Danville; Zhen Yuan, resident of San Ramon; Liwen Liu, resident of Livermore. ADOPTED staff's recommendations to include staff's recommended changes to the framework with the following adjustments to the seven major areas of change proposed by staff: Adjustments to Change # 1 General Permit Terms – Replaced the original provision calling for compliance review annually for three years, then very three years thereafter with a provision requiring compliance review in years, 1, 2, 4 and the midpoint of any future renewal. Adjustments to Change No. # 2 Caps and Applicant Selection Process – Retail Storefront – Concurred with the limit of four but changed the re-evaluation period from three years to two years. Manufacturing – Added a limit for a certain type of manufacturing: manufacturing in an agricultural zone as a stand-alone operation, not combined with cultivation, a maximum of two (2). Adjustments to Change #3 Revised Zoning Matrix – Adjusted the matrix to reflect that up to 2 stand-alone manufacturing facilities could be in an agricultural zone. Adjustments to Change #4: Exclusion Areas – Added Contra Costa Centre to the list of unincorporated communities in which certain zoning districts would be designated ineligible for commercial cannabis. Adjustments to Change #5 Buffer Zones – Chose Option B – reflecting 1000 foot buffers from any K-12 school, day care center or youth center, as well as 1000 foot buffers from drug treatment shelters. Directed to staff to include in future RFP process and permit issuance findings considerations related to proximity to other sensitive receptors. Adjustments to Change #7 Retail Delivery from Outside County – Staff will bring the Board data on safeguards in state law or County regulations regarding ensuring deliveries are made only to persons of legal age and some data on staff resources required to implement a permit process compared to allowing by right.*

## ATTACHMENTS

Exhibit A1-Draft Cannabis Framework-Clean Version

Exhibit A2- Redline Version Cannabis Framework Document

Exhibit A-Attachment 1- Maps

Exhibit B-PowerPoint Presentation 4-24-18

Exhibit C-MAC Comments Summary

Exhibit D- AOD Advisory Board Comments Summary

Exhibit E- Youth Town Hall Meeting Comments Summary

Exhibit F- CCC Council on Homelessness Draft Meeting Minutes Excerpt

Exhibit G- Public Survey Comments Summary

