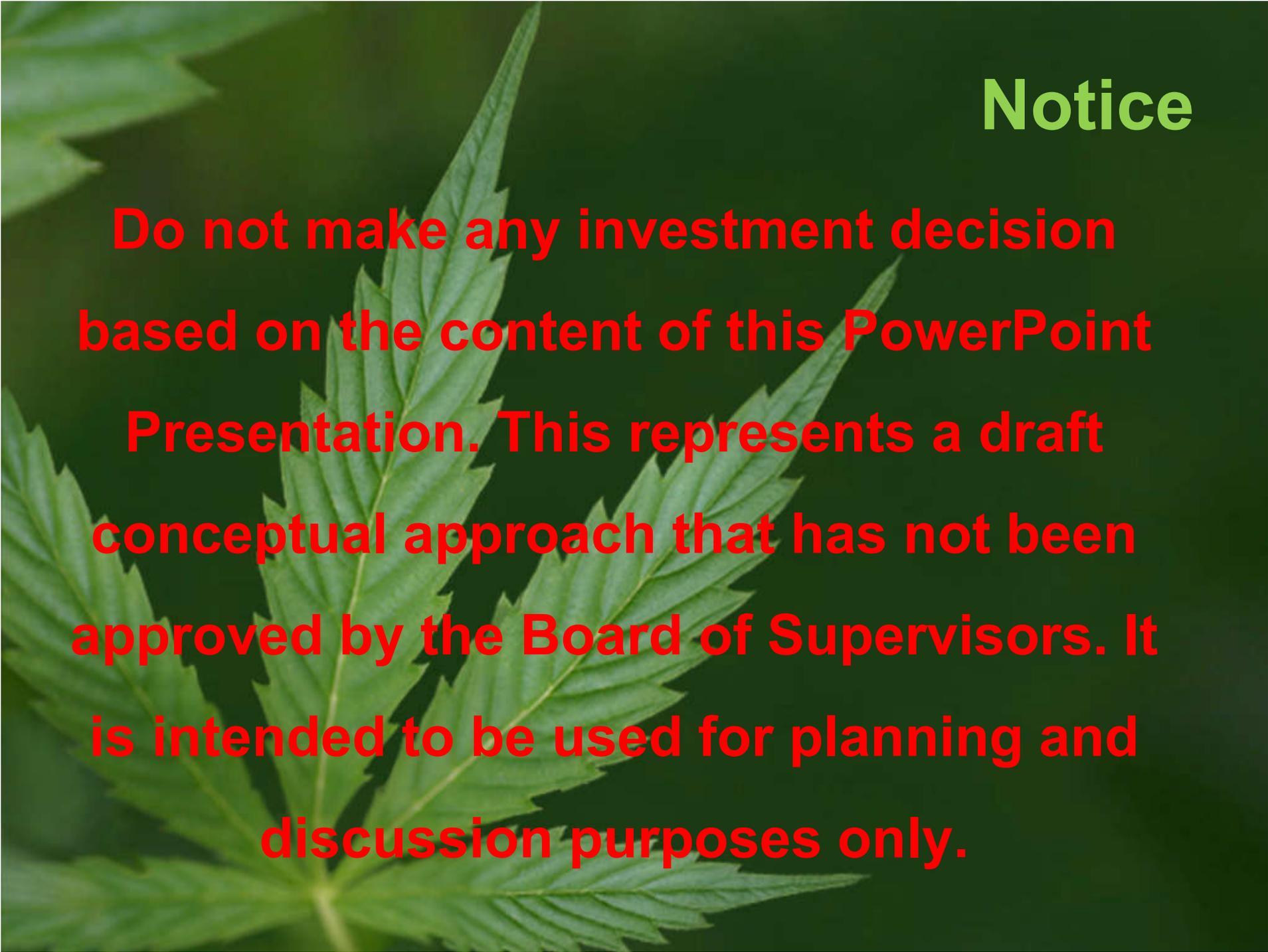


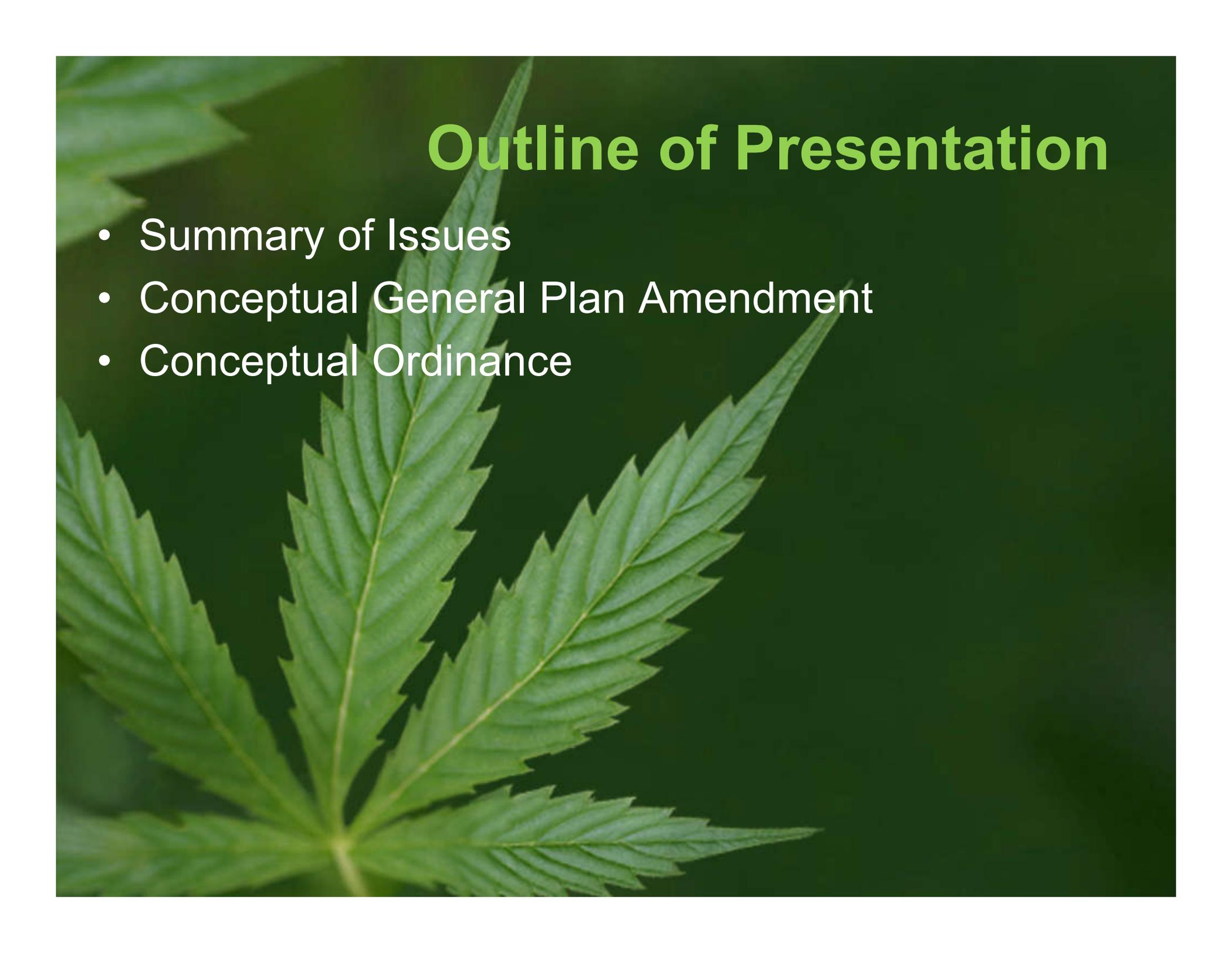


Medical Cannabis Ordinance
*Conceptual General Plan Amendment and
Ordinance Overview*



Notice

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Outline of Presentation

- Summary of Issues
- Conceptual General Plan Amendment
- Conceptual Ordinance

Summary of Issues

- Lack of data
- Diversity of opinions
- Desire for regulations
- Alternative paths forward
 - Address all personal use and all licenses
 - Address personal use and a few licenses and prohibit the rest
 - Just address personal use and prohibit all licenses

Goals

- Protect the public health, safety, morals, or general welfare of the county.
- Bring on-going cannabis economic activities into compliance with state and local laws through expanded “permitted” structure.
- Maximize economic opportunities & benefits of “new” business models.



Objectives – General

- To create a regulatory climate that encourages the medical cannabis industry to come out of the shadows and become legitimate businesses.
- Include strong penalties and revocation procedures.
- Protect existing communities from the negative impacts of marijuana cultivation.



Objectives – General

- Limit commercial cultivation to defined areas.
- Promote the collocation of large indoor nurseries, manufacturing, testing, distribution, and transportation in a few sites.
- Permit should not be assignable, limited to a specific parcel and should have a specific time limit.
- Consider possible future marijuana laws.

Proposed General Plan Amendment

Policy LU-1.10 Medical Cannabis

The County shall create a regulatory system that requires the medical and adult use cannabis industry to operate as legitimate and regulated businesses while protecting existing communities from the negative impacts of cannabis cultivation, preserving traditional agriculture, and protecting the environment.



Conceptual Ordinance

- Findings and Purpose
- Intent
- Applicability
- Zoning
- Use Standards
- Site Standards
- Procedures
- Enforcement
- Abatement

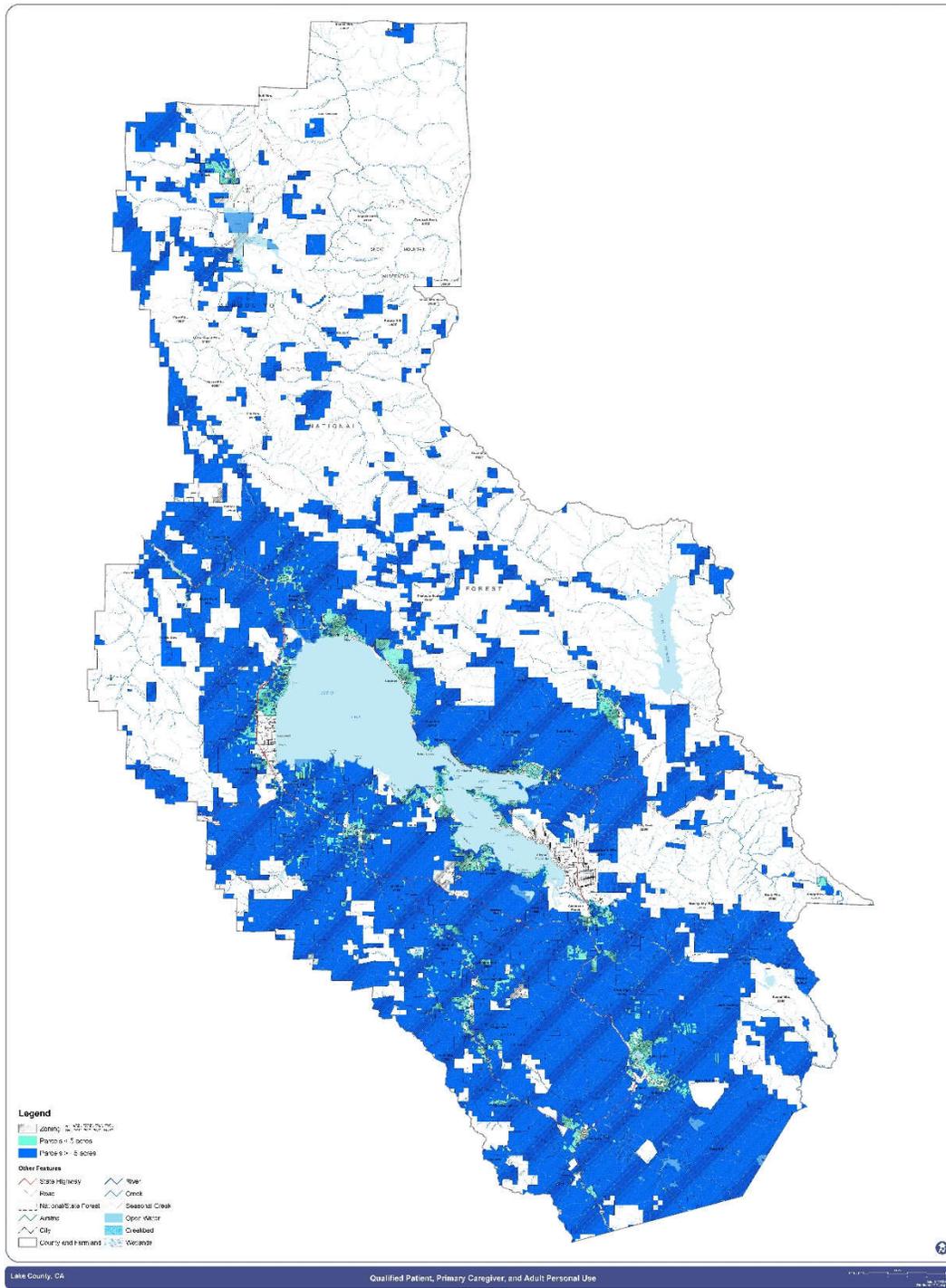
Personal Use

- Qualified Patient
- Primary Caregiver
- Adult Use
 - APZ, A, TPZ, RL, RR, SR, R1, R2, R3, and PDR zoning district.
 - <5 acres shed or separate grow room
 - >5 acres shed, grow room, outdoors in fence area
 - Building permits
 - Annual renewals

Personal Use

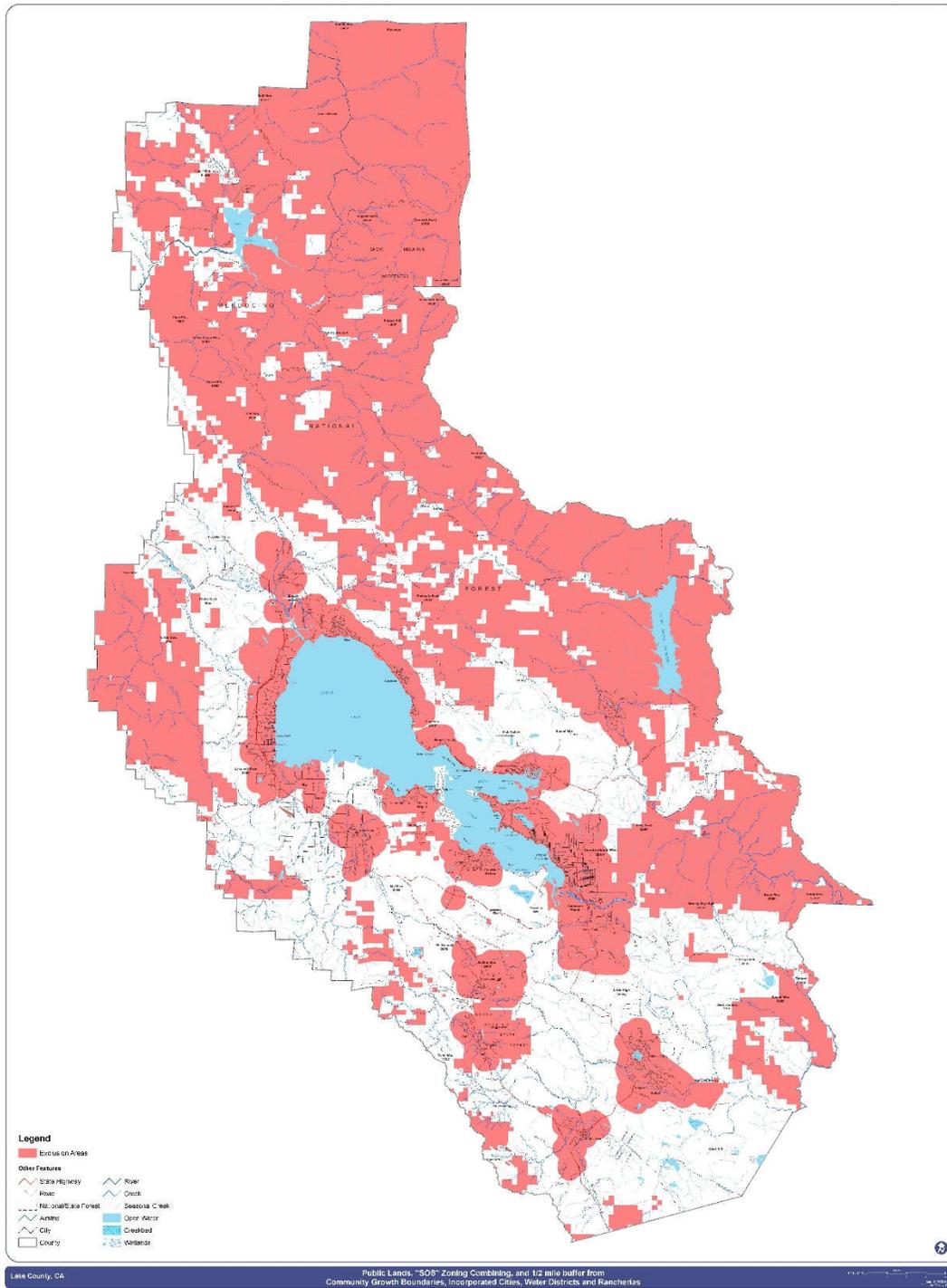
Allowed in APZ, A, TPZ, RL, RR, SR, R1, R2, R3, and PDR zoning districts.

<5 acres – no outdoors
>5 acres – outdoors allowed



Outdoor Cannabis Cultivation Exclusion Areas

community growth boundaries, incorporated areas, water district service areas, and Rancherias plus ½ mile buffer for each, SOS combining district, and public lands.



Agricultural Lands

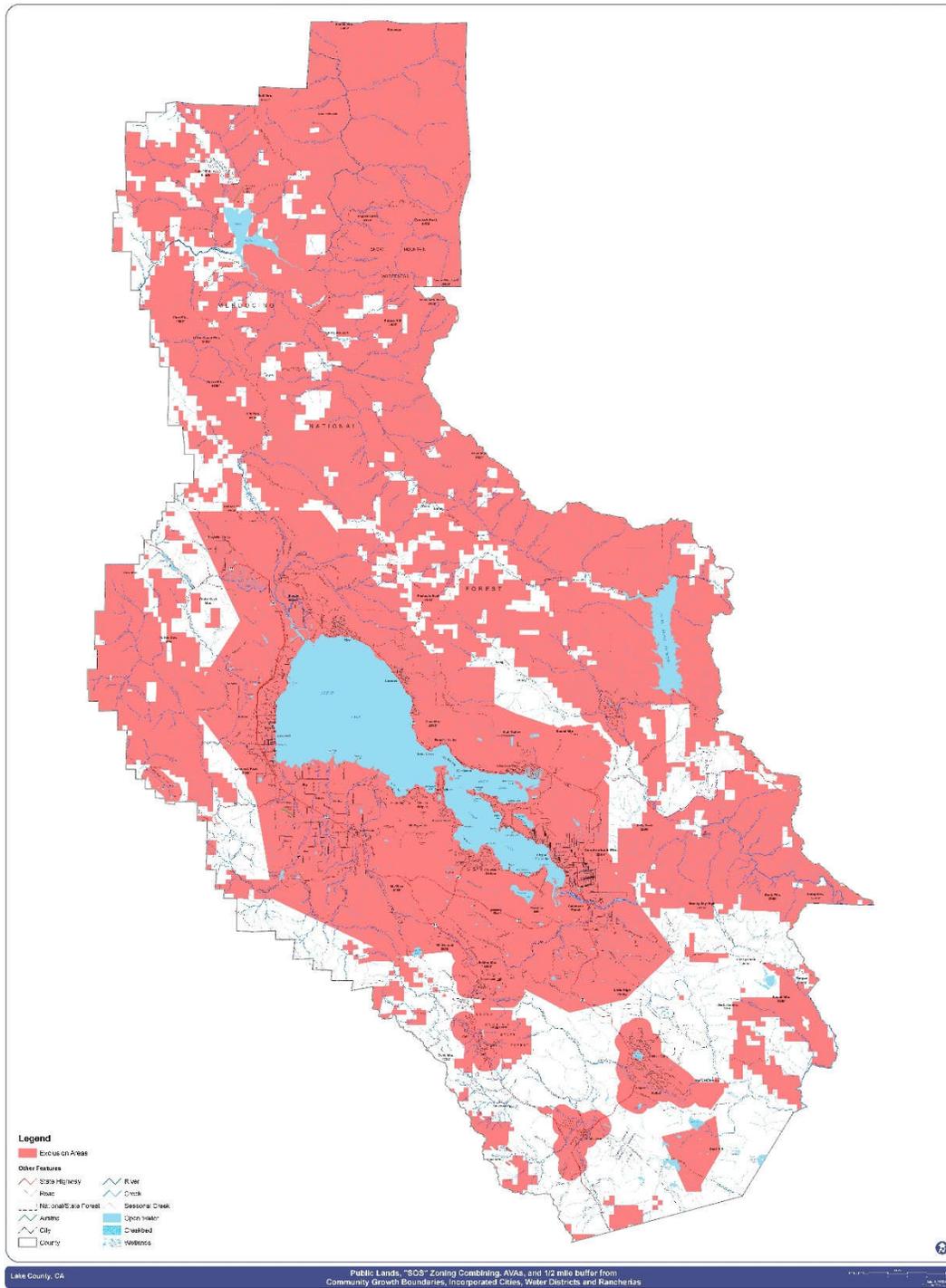
- Preserve opportunities for traditional Lake County agricultural crops
- Create opportunities for diversification of agricultural products grown in Lake County
- Minimize conflicts between various agricultural activities

Agricultural Lands

- Make no distinction between traditional Lake County agricultural crops and marijuana
- Fully or partially limit prime agricultural soils areas to traditional agricultural crops
- Fully or partially limit primarily agricultural areas to traditional agricultural crops
- Fully or partially limit American Viticultural Area (AVA) to traditional agricultural crops

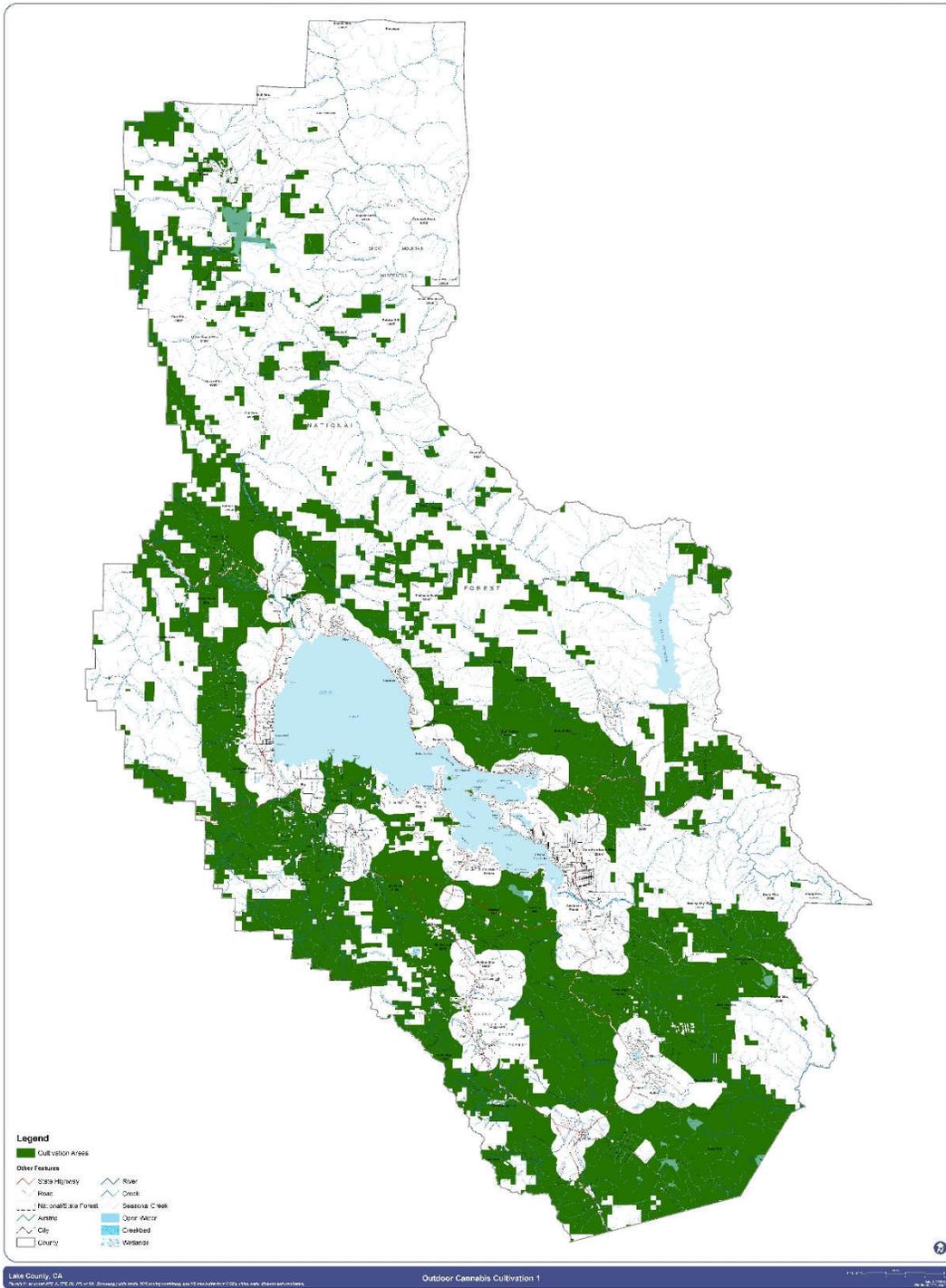
Outdoor Cannabis Cultivation Exclusion Areas

community growth boundaries, incorporated areas, water district service areas, and Rancherias plus 1/2 mile buffer for each, SOS combining district, public lands, and AVAs.



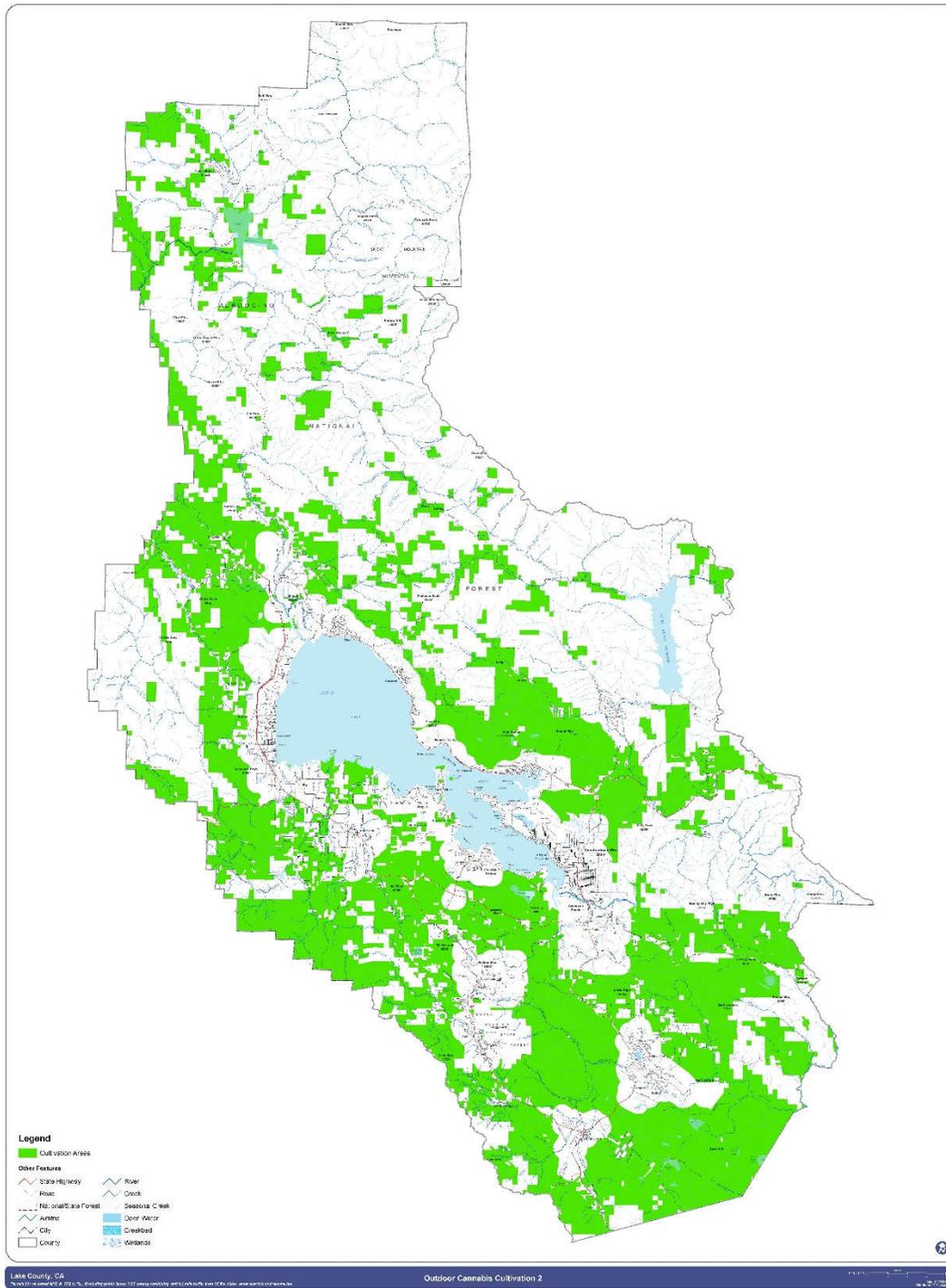
Outdoor Cannabis Cultivation Area 1

5 acre parcels or greater in APZ, A, TPZ, RL, RR, and SR zoning district less community growth boundaries, incorporated areas, water district service areas, and Rancherias plus ½ mile buffer for each, SOS combining district, and public lands.



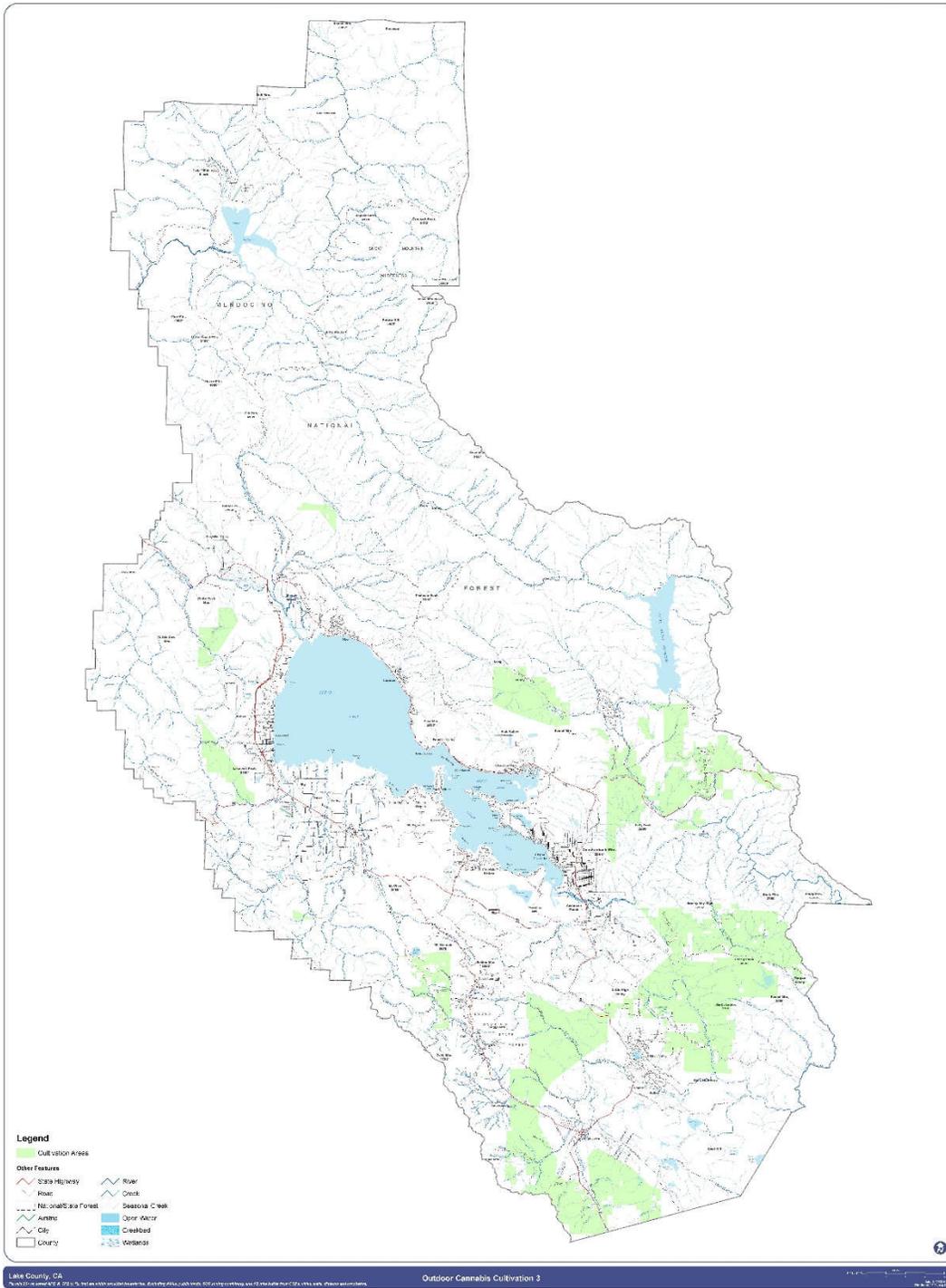
Outdoor Cannabis Cultivation Area 2

20 acre parcels or greater in APZ, A, TPZ, and RL zoning district less community growth boundaries, incorporated areas, water district service areas, and Rancherias plus ½ mile buffer for each, SOS combining district, and public lands.



Outdoor Cannabis Cultivation Area 3

20 acre parcels or greater in APZ, A, TPZ, and RL zoning district in the gold boxes that Mireya has provided less community growth boundaries, incorporated areas, water district service areas, and Rancherias plus ½ mile buffer for each, SOS combining district, public lands and AVAs.

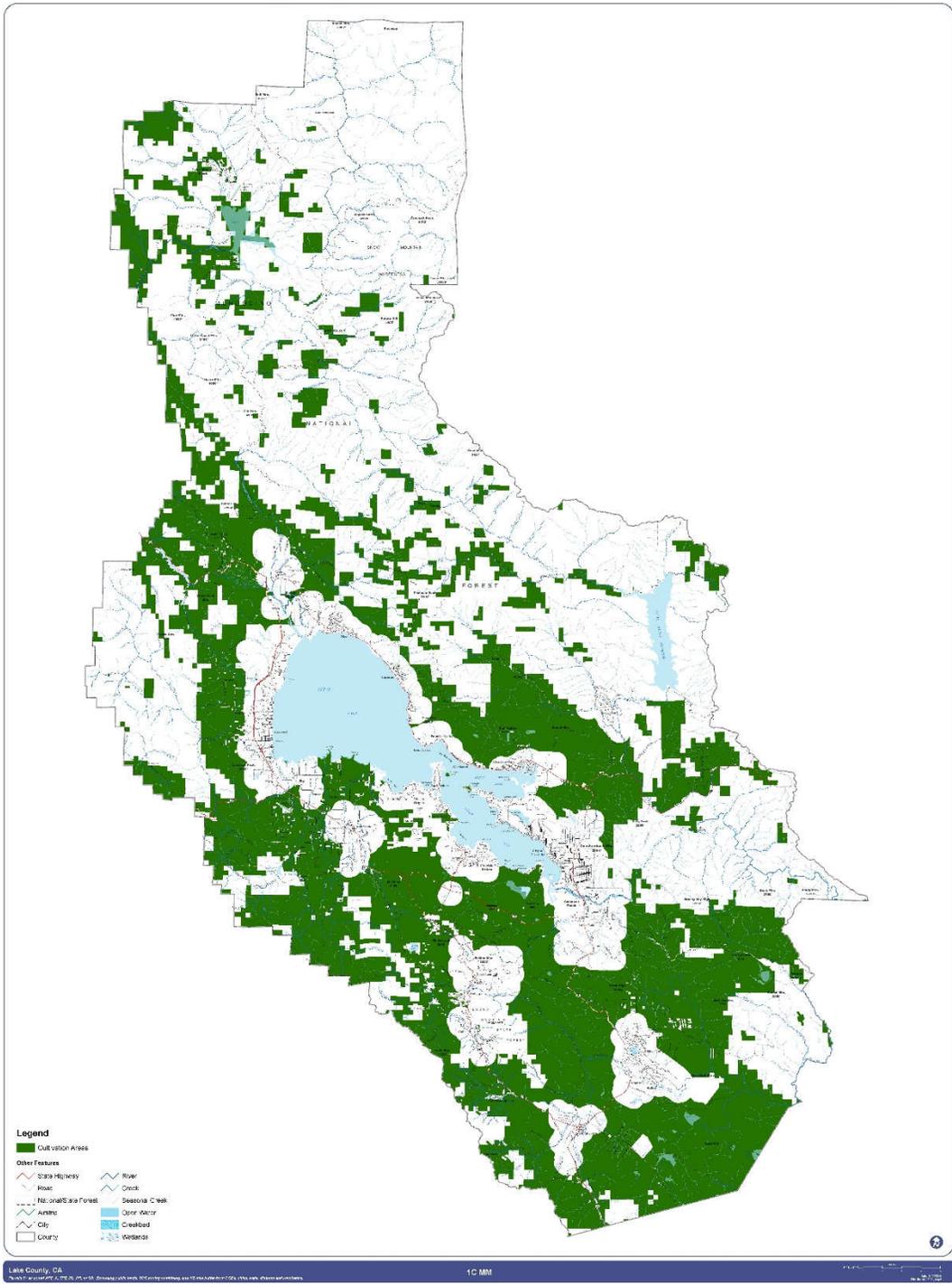


Cultivation

- Shall not be located within 1,000 feet of:
 - any public or private school, grades 1 through 12,
 - developed park containing playground equipment,
 - drug or alcohol rehabilitation facility,
 - child care facility or nursery school,
 - church or youth-oriented facility catering to or providing services primarily intended for minors.

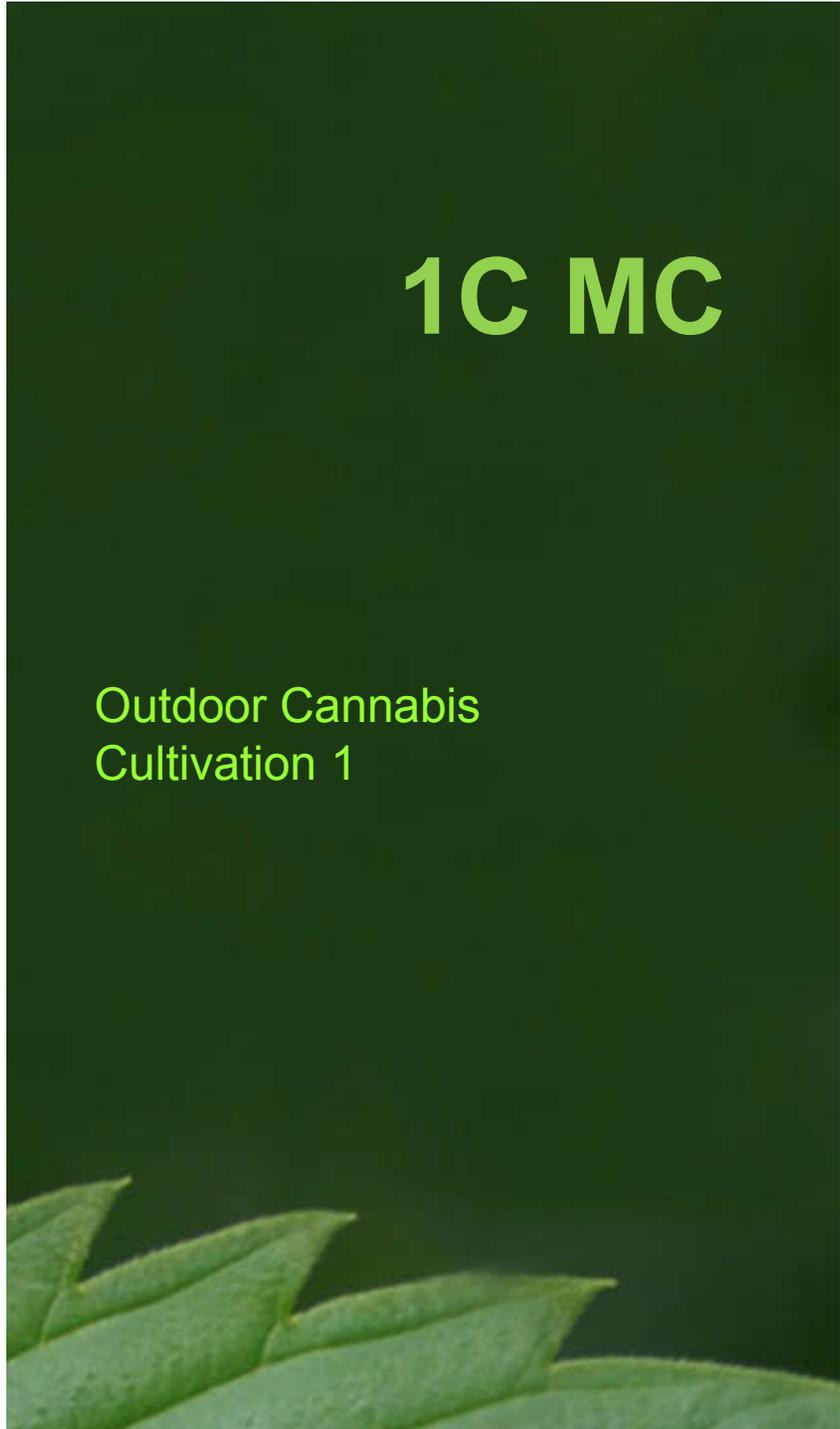
1C MC – Cottage

- APZ, A, TPZ, RL, RR, and SR zoning district less community growth boundaries, incorporated areas, water district service areas, and Rancherias plus ½ mile buffer for each, SOS combining district, and public lands.
- >5 acres – mixed-light, indoors, and outdoors in fence area
- Cannabis Development/Design permit and building permits
- Annual renewals



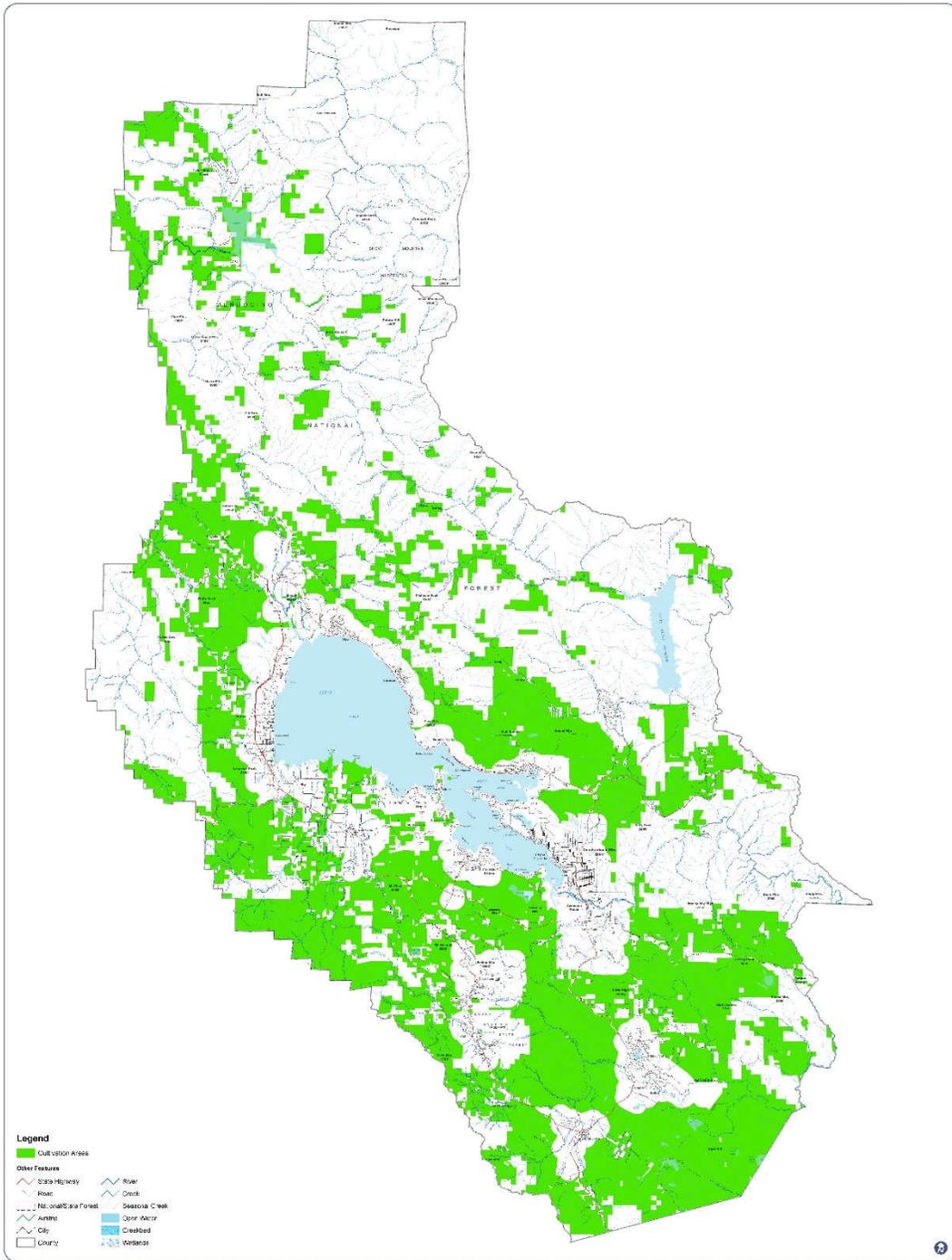
1C MC

Outdoor Cannabis
Cultivation 1



Outdoor Specialty, Small Mixed-Light and Indoor, and Nursery

- APZ, A, TPZ, RL, RR, and SR zoning district less community growth boundaries, incorporated areas, water district service areas, and Rancherias plus ½ mile buffer for each, SOS combining district, and public lands.
- >20 acres - outdoors in fence area
- Cannabis Development/Design permit and building permits
- Annual renewals



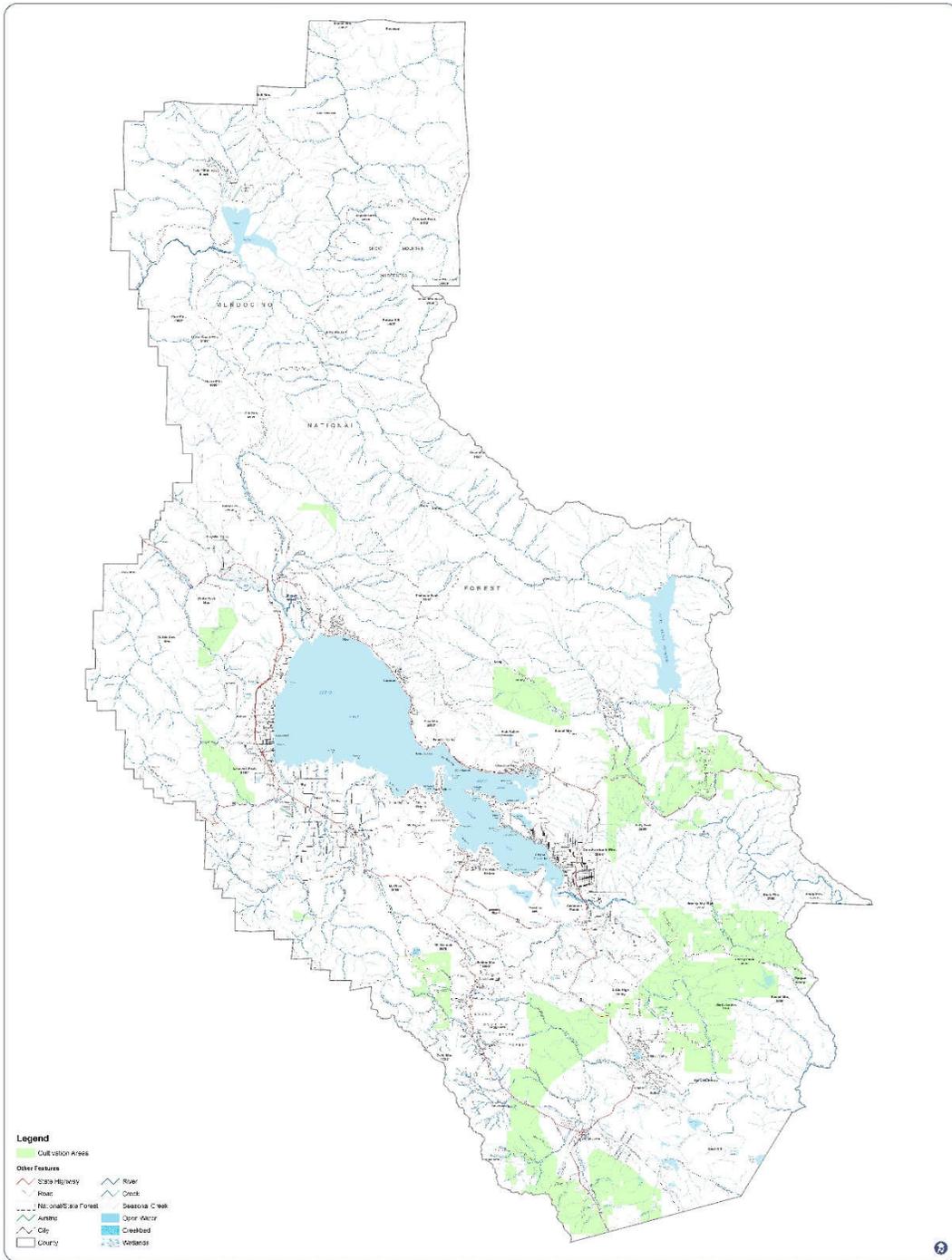
**1 NM,
1A MC, 1A NM,
2A MC, 2A NM,
1B MC, 1B NM,
2B MC, 2B NM,
4 MC, and 4 NM**

**Outdoor Cannabis
Cultivation 2**



Small Outdoor, Outdoor, Indoor, Mixed Light, and Large

- APZ, A, TPZ, RL, RR, and SR zoning district less community growth boundaries, incorporated areas, water district service areas, and Rancherias plus ½ mile buffer for each, SOS combining district, public lands and AVAs.
- Limited areas
- >20 acres - outdoors in fence area
- Cannabis Use permit and building permits
- Annual renewals



2 MC, 2 NM,
 3 MC, 3 NM,
 3A MC, 3A NM,
 3B MC, 3B NM,
 5NM, 5A NM,
 and 5B NM

Outdoor Cannabis
 Cultivation 3

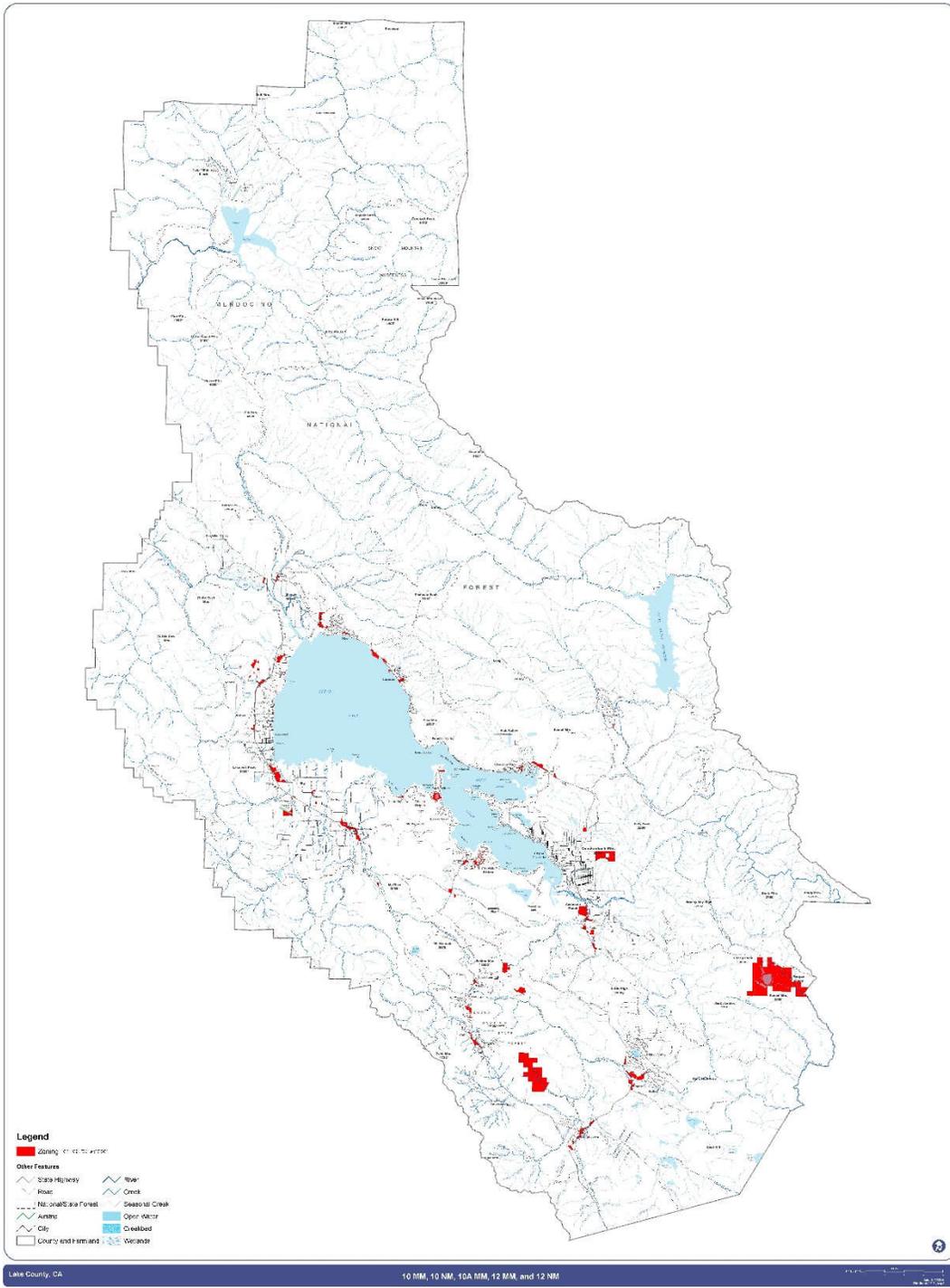


Dispensaries, Retail, Transport

- CI, C2, C3, and PDC zoning districts
- Cannabis use permit and building permits
- Annual renewals

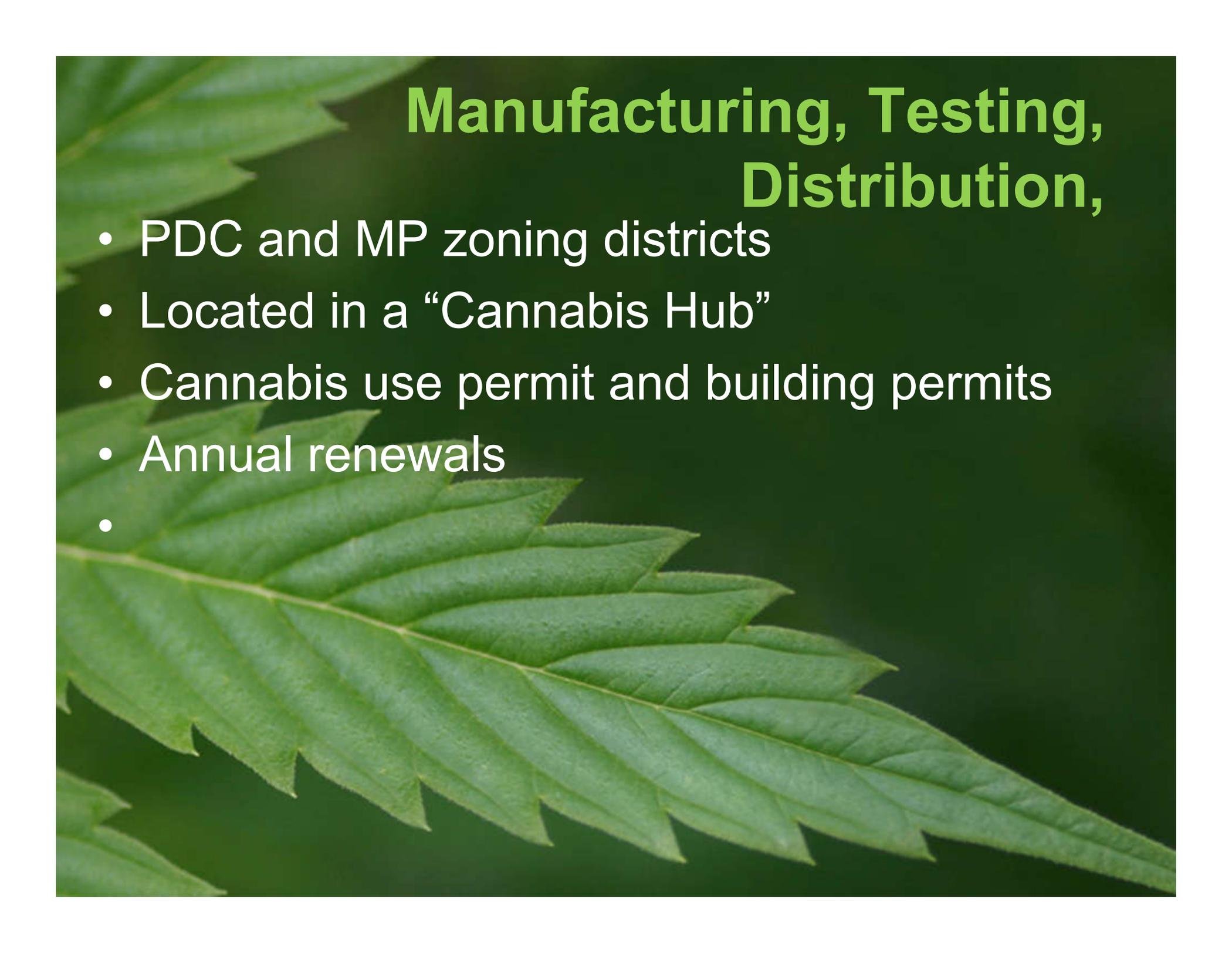
Dispensaries and Retail

- Shall not be located within 1,000 feet of:
 - any public or private school, grades 1 through 12,
 - developed park containing playground equipment,
 - drug or alcohol rehabilitation facility,
 - child care facility or nursery school,
 - church or youth-oriented facility catering to or providing services primarily intended for minors.



**10 MC, 10 NM,
10A MC,
12 MC, and 12 NM**

C1, C2, C3, and PDC

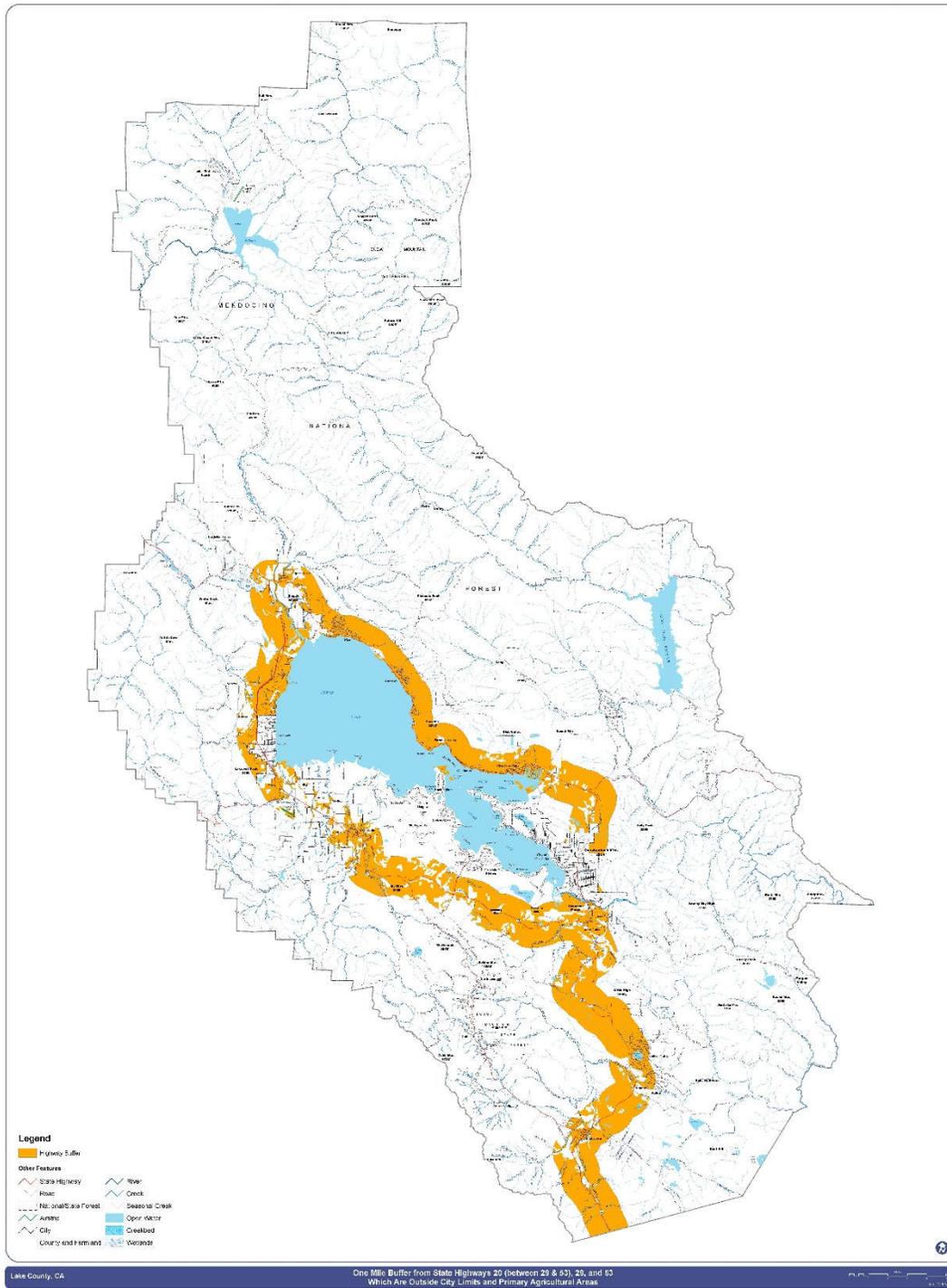
A close-up photograph of several vibrant green cannabis leaves with serrated edges, set against a dark green background. The leaves are the primary visual element of the slide.

Manufacturing, Testing, Distribution,

- PDC and MP zoning districts
- Located in a “Cannabis Hub”
- Cannabis use permit and building permits
- Annual renewals
-

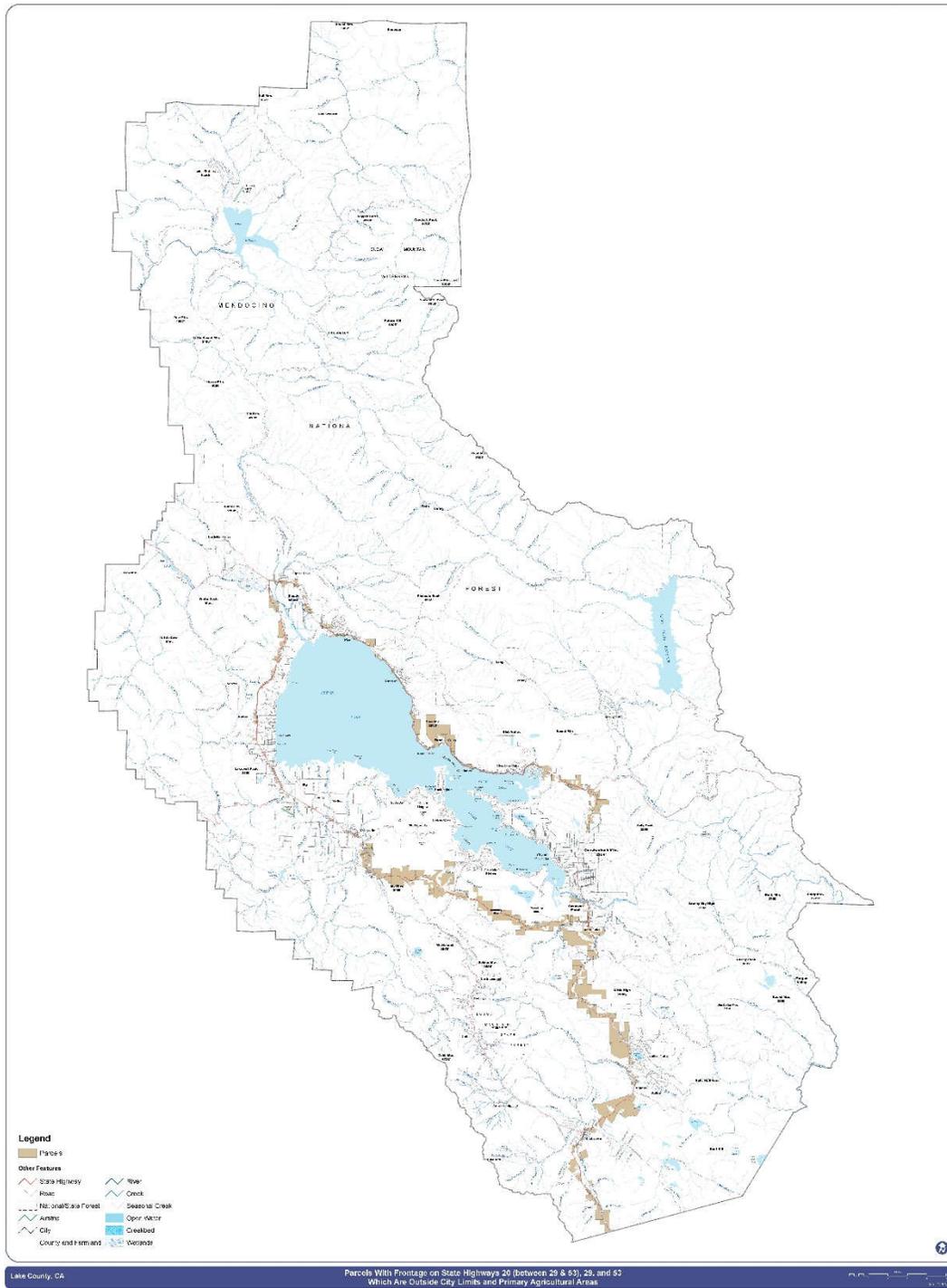
Areas to be considered for the location Cannabis Hub

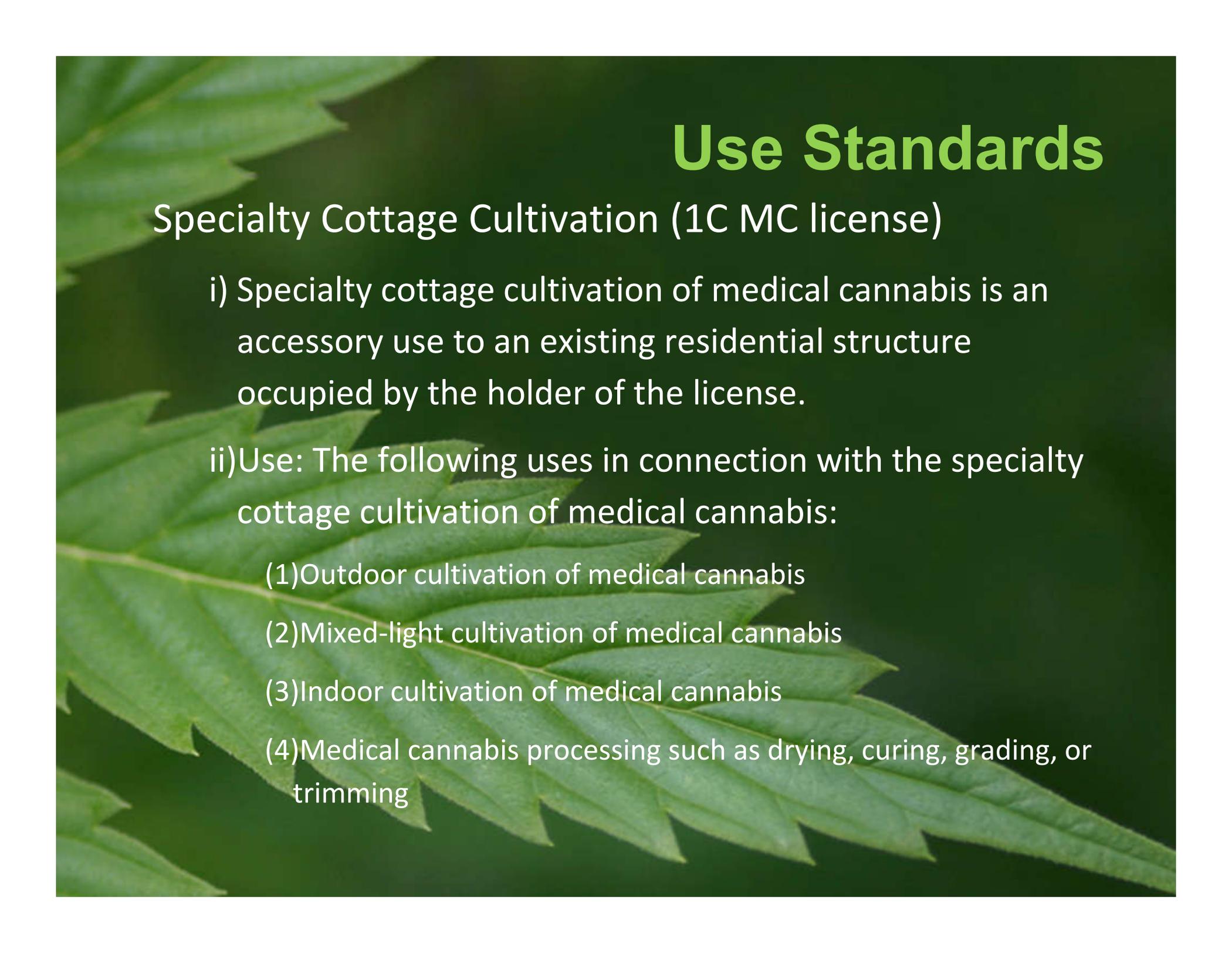
Generally a 2 mile wide corridor along Highways 20, 29, and 53



Potential Parcels to be considered for the location Cannabis Hub

Generally a 2 mile wide
corridor along Highways 20,
29, and 53



A close-up photograph of several vibrant green cannabis leaves with serrated edges, set against a dark green background. The leaves are the primary visual element of the slide.

Use Standards

Specialty Cottage Cultivation (1C MC license)

i) Specialty cottage cultivation of medical cannabis is an accessory use to an existing residential structure occupied by the holder of the license.

ii) Use: The following uses in connection with the specialty cottage cultivation of medical cannabis:

(1) Outdoor cultivation of medical cannabis

(2) Mixed-light cultivation of medical cannabis

(3) Indoor cultivation of medical cannabis

(4) Medical cannabis processing such as drying, curing, grading, or trimming

Use Standards

iii) Development Standards

(1) Minimum Lot Size: 5 acres

(2) Setbacks, measured from the edge of the cultivation area:

(a) 150 feet from the property line

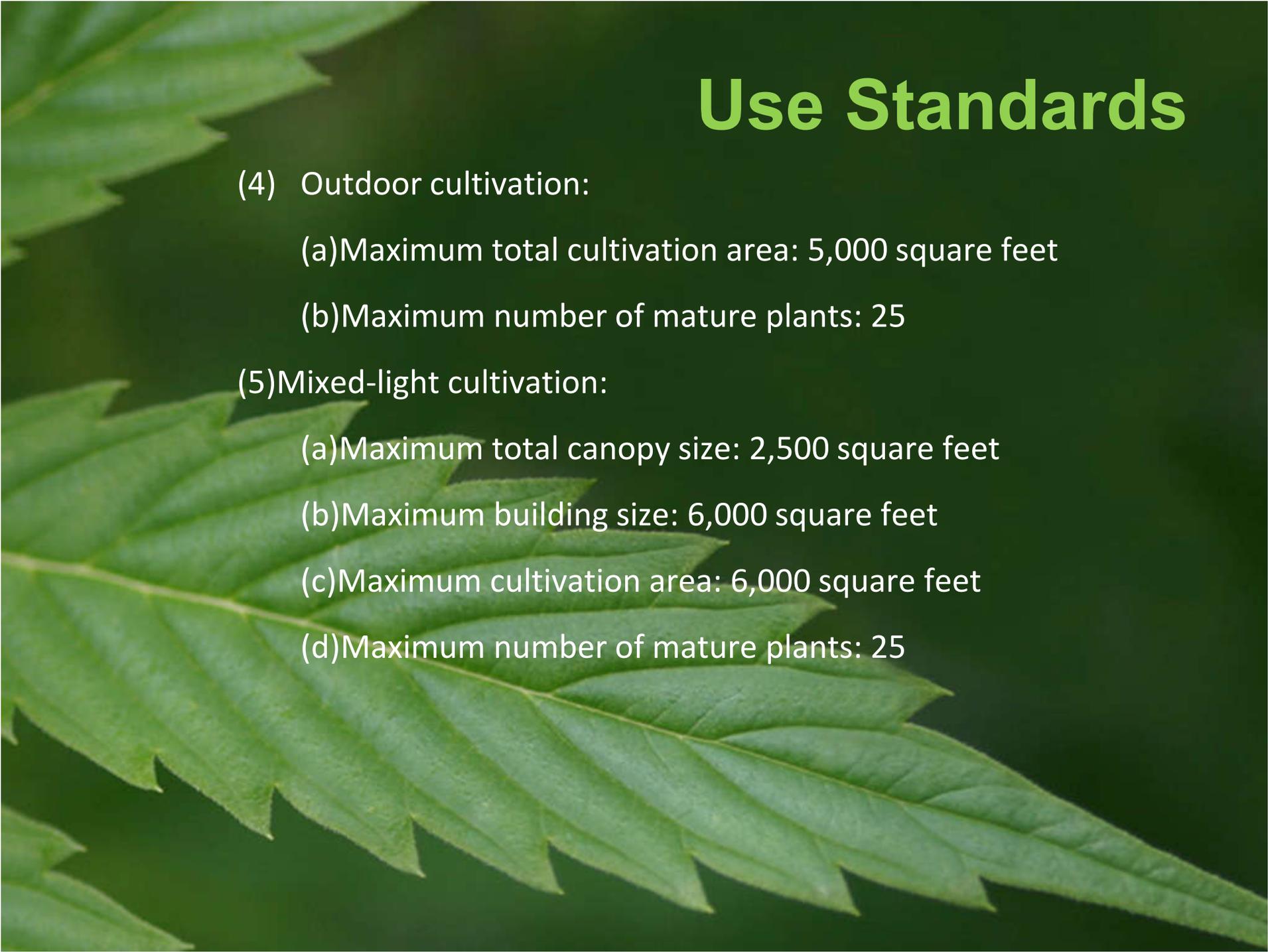
(b) 250 feet from any off-site residence

(3) Height Limits:

(a) Structure: 20 feet

(b) Outdoor cultivated plants: 8 feet

(c) Fences: minimum 6 feet, maximum 8 feet

A close-up photograph of several green cannabis leaves with serrated edges, set against a dark green background. The leaves are the primary visual element of the slide.

Use Standards

(4) Outdoor cultivation:

(a) Maximum total cultivation area: 5,000 square feet

(b) Maximum number of mature plants: 25

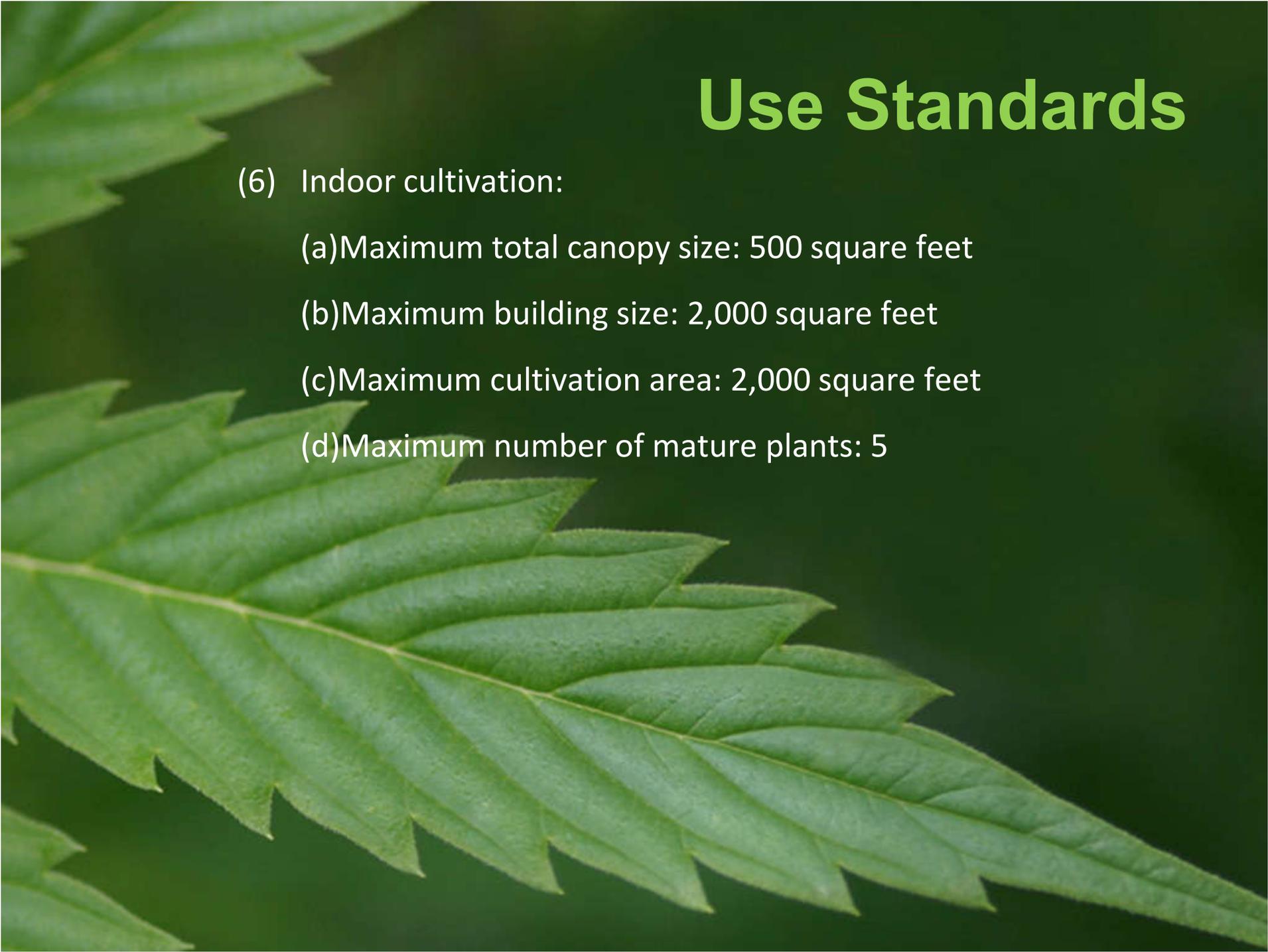
(5) Mixed-light cultivation:

(a) Maximum total canopy size: 2,500 square feet

(b) Maximum building size: 6,000 square feet

(c) Maximum cultivation area: 6,000 square feet

(d) Maximum number of mature plants: 25



Use Standards

(6) Indoor cultivation:

(a) Maximum total canopy size: 500 square feet

(b) Maximum building size: 2,000 square feet

(c) Maximum cultivation area: 2,000 square feet

(d) Maximum number of mature plants: 5

Use Standards

iv) Security

(1) Outdoor, mixed light, and indoor cultivation areas shall be completely enclosed by a chain-link fence of a minimum 6 feet but not more than 8 feet in height with a locked gate. Any structure shall be set back a minimum of 10 feet from the fence.

(2) Outdoor, mixed light, and indoor cultivation areas shall have security cameras that at a minimum provide 100 percent coverage of the fence perimeter and shall have a minimum two week data storage of the recordings of the cameras.

v) Dark Sky

(1) All mixed-light facilities shall have blackout systems to prevent the leakage of light from the facility from sunrise to sunset.

(2) No supplemental lighting is allowed outdoors

Use Standards

vi) Access Standards

(1) All cultivation sites shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions.

The background of the slide is a close-up photograph of green leaves, likely from a tomato plant, showing detailed vein patterns and serrated edges. The leaves are set against a dark green, slightly blurred background.

Use Standards

vii) Water Supply

- (1) Have a legal water source on the premises, and have all local, state, and federal permits to utilize the water source.
- (2) Not engage in unlawful or unpermitted surface drawing of water for such cultivation.
- (3) The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water-vending machine, or a retail water facility is prohibited.

Use Standards

viii) Water Management

(1) Not allow illicit discharges of irrigation or storm water from the premises, as defined in Title 40 of the Code of Federal Regulations, Section 122.26, which could result in degradation of water quality of any water body.

ix) Pesticides

(1) Not allow the off-site drift or discharge of fertilizer or pesticides.

Use Standards

x) Hazardous Materials

(1) Pursuant to the California Health and Safety Code, the use of hazardous materials shall be prohibited in the cultivation of marijuana except for limited quantities of hazardous materials that are below State threshold levels of 55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of compressed gas. Any hazardous materials stored shall maintain a minimum setback distance of 100 feet from any private drinking water well, spring, top of bank of any creek or seasonal stream, edge of lake, delineated wetland or vernal pool, and 200 feet from any public water supply well. The production of any Hazardous Waste as part of the Cultivation process shall be prohibited.

Site Standards

- c) Outdoor Cultivation (Type 1 MC, 1 NM, 1C MC, 2 MC, 2 NM, 3 MC, and 3 NM Licenses)
 - i) Individual and cumulative effects of water diversion and discharge associated with cultivation shall not affect the instream flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability. If a watershed cannot support additional cultivation, no new permits shall be issued for that watershed.
 - ii) Cultivation shall not negatively impact springs, riparian wetlands and aquatic habitats.

Site Standards

- iii) Performance Standards: To promote innovative, sustainable management practices, applicants are required to achieve an overall score of 100 from 13 different issue topics. For each topic a minimum requirement is identified. However, the total score by just doing the minimum is less than the minimum overall performance standard required. Therefore, more than the minimum is required in some of the issues topics. What combination of activities are completed to achieve the score is up to the applicant.

Site Standards

Performance Topic

Points

- (1) Solid Waste Disposal: solid waste shall not be disposed of on the property.
 - (a) Current recyclables/non-recyclables solid waste collection **2**
 - (b) Achieve a goal of 50% recycling and 15% organic composting of parcel's waste stream **5**
 - (c) Solid waste volume reduction plan including sourcing products that minimize packaging, minimizing the use of hydrocarbon related products, and composting of organic matter **15**

Site Standards

Performance Topic

Points

(2) Vegetative Waste Disposal

- (a) Vegetative Waste will be disposed of at an approved landfill **2**
- (b) Vegetative Waste will be recycled at an approved compost facility **5**
- (c) Vegetative Waste will be composted on-site **10**

(3) Storm Water Management

- (a) Meet county standards **2**
- (b) Post development runoff does not exceed pre-development runoff volumes **5**
- (c) Retains the first inch of runoff on-site off-line from the remained of the runoff and treats that prior to discharge. **10**

Site Standards

Performance Topic

Points

(4) Growing Medium Management

- | | |
|--|----|
| (a) Growing medium will be disposed of at an approved landfill | 2 |
| (b) Growing medium will be recycled | 5 |
| (c) Growing Medium will be organic and 100% recycled | 10 |

(5) Fish and Wildlife

- | | |
|---|----|
| (a) 30 foot setback from waterways | 2 |
| (b) 300 foot setback from waterways and designated conservation easement for the buffer | 5 |
| (c) Designated wildlife corridors in conservation easements | 10 |

Site Standards

Performance Topic

Points

(6) Water Resources

- | | |
|--|----|
| (a) Identify springs, riparian wetlands and aquatic habitats and avoid development in those areas | 2 |
| (b) Develop and implement a monitoring plan for identified springs, riparian wetlands and aquatic habitats | 5 |
| (c) Develop and implement a management plan for identified springs, riparian wetlands and aquatic habitats | 15 |

(7) Energy Use

- | | |
|--|----|
| (a) On the electrical grid | 2 |
| (b) Purchase zero carbon produced electricity form grid | 5 |
| (c) Self-contained, zero carbon produced electricity on site | 10 |

Site Standards

Performance Topic

Points

(8) Water Use

- | | |
|---|----|
| (a) Install water conservation fixtures | 2 |
| (b) 100% recycled | 5 |
| (c) Closed-loop system | 15 |

(9) Pesticides

- | | |
|---|----|
| (a) Meet state standards | 2 |
| (b) Only organic pesticides | 5 |
| (c) An integrated pest management program | 10 |

Site Standards

Performance Topic

Points

(10) Property Management (for the entire parcel where the permit is located, not just the cultivation area):

- | | |
|-------------------------------|----|
| (a) Master Plan | 2 |
| (b) Fire Resiliency Plan | 5 |
| (c) Wildlife Management Plan | 5 |
| (d) Ecosystem Management Plan | 15 |

(11) Grading

- | | |
|---|----|
| (a) Standard Grading or Complex grading | 2 |
| (b) Activities exempt from a permit or Simple Grading | 5 |
| (c) No Grading | 10 |

Site Standards

Performance Topic

Points

(12) Organic:

(a) Not organic

2

(b) Organic

5

(c) Certified Organic

10

Site Standards

Performance Topic

Points

(13) Cultural Resources: Known historical, archaeological, and paleontological sites and disturbance of known Native American sites or California Native American Graves Protection and Repatriation Act cultural items shall be avoided.

(a) If a Native American sites or California Native American Graves Protection and Repatriation Act cultural items is found, construction activities immediately cease and the local tribal office will be notified.

2

(b) Will have a Cultural Resources Monitor on-site

5

(c) Complete an Cultural Resources Study

10

Procedures

j) Outdoor Cultivation

i) Permits

(1)1C MC.

(a)Cap: In calendar year 2017, a cap of 25 permits may be issued. Each year, the Board of Supervisor may increase the number of permits issued by resolution.

(b)1C MC licenses require a development/design review permit.

Procedures

- A person or entity shall not cultivate marijuana without first obtaining a state license
- Protection of Minors
- Notification of the Bureau upon revocation of any local license or permit
- Records
- Many permits will have an annual cap
- Lottery
- Background Checks
- Qualifications for a Permit

Procedures

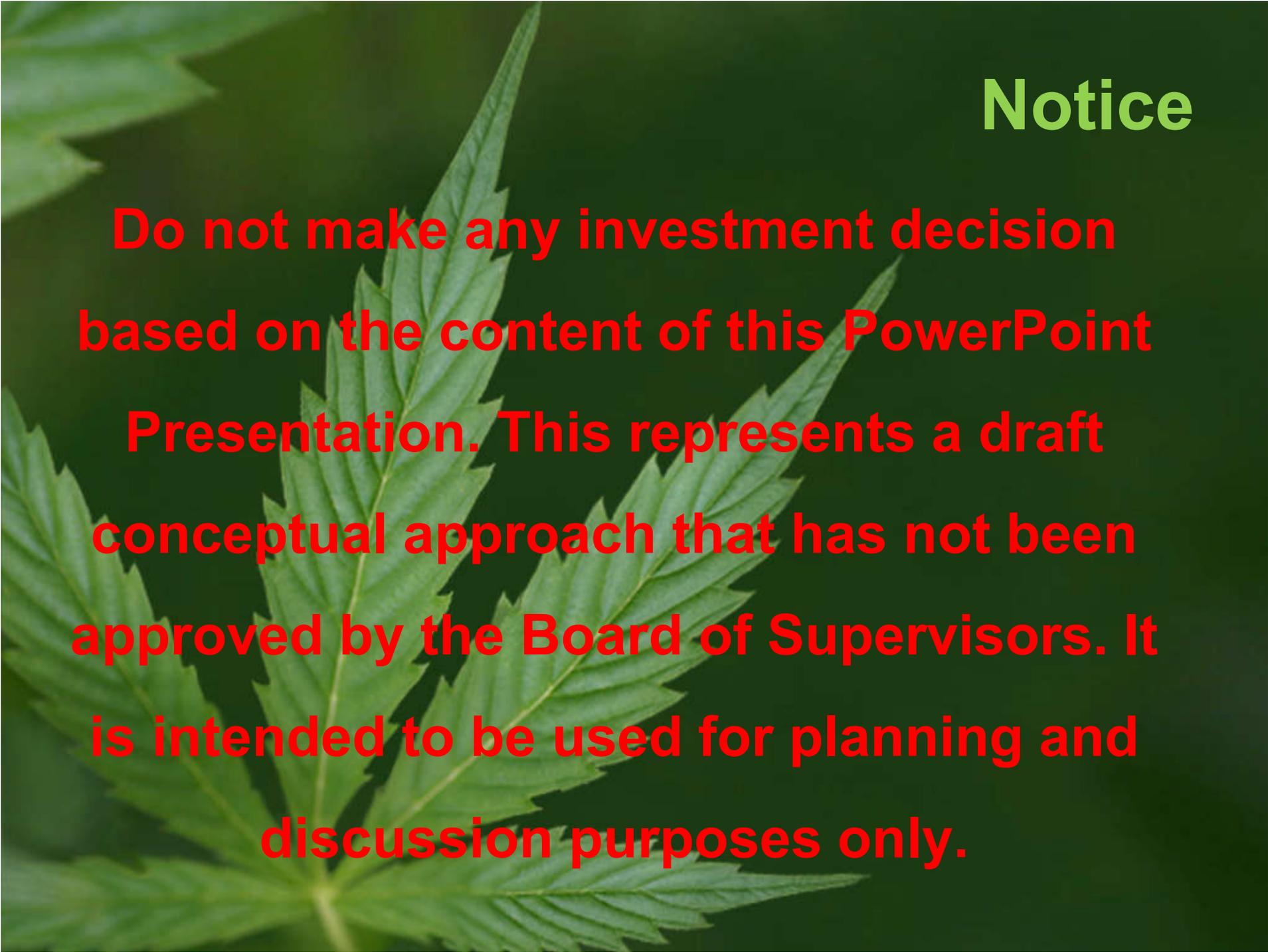
Annual Renewal:

1. The design/development permit or use permit is subject to renewal annually.
2. The application for renewal shall be submitted to the Department at least 90 days prior to the annual anniversary. Failure to submit an application for renewal by that date will result in the expiration of the permit.

Enforcement and Abatement

- Same as Article 72





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A close-up photograph of a vibrant green cannabis leaf, showing its characteristic serrated edges and detailed vein structure. The leaf is set against a dark, blurred green background. The word "Discussion" is overlaid in white text on the right side of the image.

Discussion