

Draft Cannabis Ordinance Summary-prepared by Rebecca Herrin, Plumas County Planning

This is a short summary of the Draft Cannabis Ordinance. This ordinance is currently only in draft form; it will be able to be changed right up to the point it is adopted by the Plumas County Board of Supervisors.

If the Board of Supervisors decides to adopt some version of the ordinance, there will be numerous public hearings before the Planning Commission as well as the Board of Supervisors where public comments will be considered before adoption.

Personal Cultivation:

When voters approved Proposition 64, adult recreation use was legalized. This allows each adult to grow up to six plants with no more than one person cannabis cultivation per residence.

Medical patients can grow up to 100 square feet of cannabis for their own medical use and caregivers can grow up to 200 square feet for other patients. There may be no more than two personal medical cultivations at a residence.

This ordinance allows six plants to be grown outdoors if the parcel is greater than one-third acre in size providing all other requirements (setbacks, security for structures and greenhouses used for growing, control of access, and fencing and screening) are met.

On parcels less than one-third acre in size, only three plants can be grown outdoors or six plants indoors, providing all other requirements listed above can be met.

Commercial Cannabis Permits

There are thirteen proposed types of licenses to allow growing of cannabis. Variations of these operations are based on such things as canopy size and indoor, outdoor and mixed light (indoor and outdoor). The size of these operations range from 500 square feet to a maximum of 22,000 square feet.

The largest types of grows, License Types 5 "Outdoor Large", Type 5A "Indoor Large" and Type 5B "Mixed Light Large", are not permitted by this draft ordinance.

The draft ordinance also lists six types of postharvest operations: Manufacturer 1 (using non-volatile chemicals, as defined under State law), Manufacturer 2 (using volatile chemicals, as defined under State law), Testing, Retailer/Dispensary, Distributer, and Microbusiness.

County licenses issued for these operations would allow the applicants to apply for State licenses with other, perhaps more stringent requirements.

Zoning Considerations

Most people in Plumas County live in the **single-family and multiple-family residential zones** (known by the zoning classifications of 2-R, 3-R, 7-R, and M-R). Most of the towns and communities and subdivisions are zoned some type of residential zoning as listed above.

This draft ordinance proposes to allow the two smallest commercial types of operations (the cottage operations) **subject to the issuance of a Special Use Permit** in these zones. That means that the permit can be denied if compatibility with the surrounding neighborhood can't be shown.

A Type 6 (Manufacturer 1) license is proposed to be allowed with a **Zoning Clearance Certificate**. This type of operation uses non-volatile chemicals and is subject to additional requirements of the State.

The **Suburban, Secondary Suburban and Rural Residential zones** (S-1, S-3, and R-10) are proposed to allow the widest range of growing and manufacturing operations with a **Zoning Clearance Certificate**. This proposed part of the draft ordinance has proven to be quite controversial.

The **Commercial** designations of C-1, C-2, C-3, and R-C are proposed to allow the Type 1C "Cottage" grows **subject to the issuance of a Special Use Permit**. Also proposed are the manufacturing, testing, retailing/dispensary, distributor and microbusiness, all subject to a **Zoning Clearance Certificate**.

The **Recreational** designations of Rec-P, Rec-1, Rec-3, Rec-10 and Rec-20 are proposed to allow the Type 1C grows **subject to the issuance of a Special Use Permit**, but no other types of licenses.

The **Industrial** designations of I-1 and I-2 are proposed to allow the widest range of license types, all **subject to the issuance of a Special Use Permit**.

The **Agricultural, Forest Resource, and Mining** designations of AP, GA, GF, and M allow a variety of licenses all with **Zoning Clearance Certificates**. **No operations are proposed to be allowed in the TPZ or L zones.**

Specific requirements for setbacks, fencing, inspection, structure construction, lighting, and site planning are included in the proposed draft ordinance in Sections 9, 10, and 12. Inspection and permit requirements are listed in Section 13. Performance standards are in Section 14 and enforcement in Section 15. Dispensary standards are in Sections 18 and 19.