



Extension of Urgency Ordinance and Preliminary Discussions of Potential Commercial Cannabis Cultivation Regulations for Unincorporated Solano County

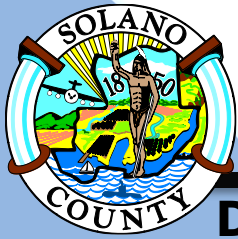
Solano County Board of Supervisors
November 14, 2017
Department of Resource Management

Item #16
File #17-815



Topics to be discussed in Cannabis Project Board Presentation:

- Review of Interim Urgency Ordinance timeline/extension justification
- Consider one-year extension to December 6, 2018
- Review State Commercial Cannabis License Types
- Receive a report from the Cannabis Ad-hoc Committee regarding possible commercial cannabis activities
- Provide initial direction to staff on possible parameters for a future ordinance addressing commercial cannabis activities
- Discuss Next Steps in Cannabis Regulatory Process – Planning Commission/Board of Supervisor Review



Interim Urgency Ordinance Timeline

December 6, 2016, Board of Supervisor's:

- Approved a 45-day Interim Urgency Ordinance:
 - prohibiting commercial cultivation of medicinal and non-medicinal cannabis;
 - the commercial delivery, distribution, transportation, manufacturing, retail operations, and testing facilities for medicinal and non-medicinal cannabis; and
 - the outdoor cultivation of personal medicinal and non-medicinal cannabis within unincorporated Solano County.
- Established a Board committee of 2 to guide cannabis related subjects and data gathering, appointed Supervisors Hannigan and Vasquez.

January 10, 2017, Board of Supervisor's:

- Approved extension for 10 months 15-days of Interim Ordinance to December 6, 2017.



Interim Urgency Ordinance Final Extension

Staff Recommendation:

Approve request of a final one-year extension of the Urgency Ordinance to December 6, 2018.

Justification for extension:

- State regulatory process not determined and still evolving.
- The Bureau of Cannabis Control, Department of Public Health and Department of Food and Agriculture have not released regulations addressing medicinal and adult-use commercial cannabis regulations.
- Cannabis Ad-hoc Committee prioritized establishing regulations for personal and caregiver cannabis cultivation. Board took final action on an ordinance addressing personal and caregiver cultivation on October 24, 2017.
- Provisions pertaining to personal and caregiver cultivation are not included in this Interim Ordinance extension request.



Staff briefing on Commercial Cannabis Licenses and Update on Commercial Cannabis Regulations for Cities within Solano County

November 14, 2017

Extension of Moratorium/Commercial Cannabis Regulations



State Licensing Agencies

Department of Food & Agriculture (CalCannabis Cultivation Licensing)	Bureau of Cannabis Control (BCC)	Department of Public Health (Manufactured Cannabis Safety Branch)
Cultivators	Distributors	Manufacturers
Nurseries	Testing Labs	
	Retailers (Sales & Delivery)	
	Microbusiness	



State License Types: Cultivation

Type 1: Specialty Outdoor	0- 5,000 sq. ft. or up to 50 mature plants
Type 1A: Specialty Indoor	501-5,000 sq. ft.
Type 1B: Specialty Mixed-Light	2,501 – 5,000 sq. ft.
Type 1C: Specialty Cottage	0-2,500 sq. ft. mixed light; 0-25 mature plants outdoor; 0-500 sq. ft. indoor
Type 2: Small Outdoor	5,001-10,000 sq. ft.
Type 2A: Small Indoor	5,001-10,000 sq. ft.
Type 2B: Small Mixed Light	5,0001-10,000 sq. ft.
Type 3: Outdoor (limited)	10,001 sq. ft. – 1 acre
Type 3A: Indoor (limited)	10,001 – 22,000 sq. ft.
Type 3B: Mixed Light (limited)	10,001 – 22,000 sq. ft.
Type 4: Nursery	Unlimited immature plants, clones, seeds
Type 5: Outdoor (2023)	Greater than 1 acre
Type 5A: Indoor (2023)	22,001 +
Type 5B: Mixed Light (2023)	22,001+



State License Types: Distributor

Type 11: Distributor

Distribution and transport of cannabis and cannabis products

- Licensed and bonded
- Transporter and electronic manifest
- Security requirements



State License types: Manufacturing

Type 6: Manufacturer 1	Creation of products using non-volatile solvents* or no solvents
Type 7: Manufacturer Level 2	Creation of products using volatile solvents*

*Volatile solvent: "solvent that is or produces a flammable gas vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures." H&S 11362.3(b)(3)



State License Types: Testing Labs

Type 8: Testing Laboratories

Accredited lab testing for potency, various compounds and contaminants.

- No financial interest in other license types
- Sampling & destruction protocol
- Testing prior to distribution to sales outlets



State License Types: Retailer

Type 10: Retailer

Sales and delivery of cannabis, with or without a retail storefront

- Use of cannabis on-site
- Delivery-only dispensary
- Requirement for security measures, reconciliation, and mandated reporting of suspected theft or diversion



State License Types: Microbusiness

Type 12: Microbusiness*	Cultivator of less than 10,000 sq. ft., distributor, level 1 manufacturer, and retailer**
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*Have to comply with all individual requirements for components of this license type

** Retailer can be limited to wholesale only/no storefront

Commercial Cannabis License Types Permitted or Not Permitted in Solano Cities

Status	Cultivation/ Nursery	Distributor	Manufacturing	Testing	Retail Stores (Dispensary)	Microbusiness
Allowed with Use Permit and/or Development Agreement	Dixon Rio Vista	Dixon Rio Vista	Dixon Rio Vista	Dixon Rio Vista	Dixon (2) Rio Vista Vallejo	Dixon Rio Vista
Under Consideration	Benicia	Benicia Vallejo	Benicia Vallejo	Benicia	Benicia	Benicia
Moratorium in place. May Consider In Future	Suisun Vacaville	Suisun Vacaville	Suisun Vacaville	Suisun Vacaville	Suisun Vacaville	Suisun Vacaville
Not Allowed	Fairfield Vallejo	Fairfield	Fairfield	Fairfield	Fairfield Suisun	Fairfield Suisun Vacaville Vallejo



Cannabis Ad-Hoc Committee Update

Focus has been gaining a greater understanding about the commercial cannabis industry:

- Commercial Cannabis Tours
 - Indoor/Outdoor Cultivation
 - Manufacturing Facilities
 - Lab/Testing Facilities
 - Nursery
- Board has hosted a variety of speakers including cannabis industry consultants and officials from the State of Colorado

Solano County Zoning Districts	Possible Commercial Cannabis Licenses (Based on types of uses permitted in district)
Agriculture (A-20, A-40, A-80, A-160)	Cultivation, Microbusiness, Nursery, Testing
Agriculture Suisun Marsh (A-SM-80, A-SM-160)	Cultivation, Microbusiness, Nursery, Testing
Agriculture Suisun Valley (A-SV-20, ATC, ATC-NC)	Cultivation, Microbusiness, Nursery, Testing
Watershed and Conservation (W)	Cultivation
Marsh Protection – Primary (MP)	Cultivation
Park (P)	Cultivation
Commercial Highway - CH	Nursery
Commercial Neighborhood - CN	None
Commercial Service - CS	Nursery, Testing
Commercial (Recreation – CR, Recreation Limited- CRL)	Cultivation
Manufacturing General (MG ½ & MG 3)	Cultivation, Distribution, Manufacturing, Microbusiness, Nursery, Testing
Industrial Agricultural Service (I-AS)	Cultivation, Distribution, Manufacturing, Microbusiness, Nursery, Testing
Industrial Water Dependent (I-WD)	None
Rural Residential (2.5 & 5.0)	None
Residential Traditional Community (RTC4 thru 1 acre)	None
Residential Traditional Community (D-4, D-6 (Duplex))	None
Residential Traditional Community (RTC-MF multi-family) (RTC – MU mixed use)	None



Cannabis Ad-Hoc Committee Update

Initial Committee Conclusions:

- Due to lack of urban type infrastructure and services in the Industrial and Commercial areas of unincorporated Solano County, there are limits on the feasibility of allowing large scale cannabis operations.
- Cities within Solano County are either allowing or considering the possibility of allowing commercial types of cannabis operations. Cities are able to meet the utility and infrastructure demands for certain types of cannabis operations.
- Large scale outdoor cultivation has not been supported by the Solano County Farm Bureau.
- Smaller scale operations, such as nurseries and microbusinesses may be better suited in the unincorporated areas.



Cannabis Ad-Hoc Committee Update and Direction

Cannabis Ad-hoc Committee Comments

Board Direction

- Provide initial direction to staff on possible parameters for a draft ordinance regarding commercial cannabis activities in unincorporated Solano County.



Next Steps Cannabis Regulatory Process

If Board direction is per staff recommendation:

- Planning Commission development of potential Commercial Cannabis regulations (tentatively - January 2018)
- Board of Supervisors Review of Planning Commission recommendation (February - March 2018)



Questions?