

Draft Commercial Cannabis Policies
Board of Supervisors, Oct. 3, 2017

LAND USE ELEMENT

Objective. Provide for commercial cannabis activities in Mono County in a way that protects public health, safety, and welfare while also taking advantage of new business and economic development activities.

Policy. Provide for commercial cannabis activities in Land Use Designations where the activity is “similar and not more obnoxious or detrimental to the public health, safety, and welfare” than the uses listed for the same designation (consistent with Chapter 4 definitions, Uses not listed as permitted).

Action. Where deemed necessary, provide specific adjustments via area plans, when consistent with this general plan, in order to provide for a balanced and functional mix of land uses (see LUE Objective 1.C.).

Action. Given the uncertainties inherent to a new regulatory program and its application to a recently legalized industry, retain flexibility to address site-specific issues, unique needs, and public noticing and input by requiring all cannabis activities be subject to a Use Permit.

Action. *Placeholder: will reflect any unique use permit requirements (if so determined), such as an annual renewal, inspections, etc.*

Policy. Personal cannabis cultivation, as legalized and regulated by State law, should be conducted in a manner that respects neighbors and community character, and protects against potentially detrimental issues such as the criminal element, access by minors, and general nuisance issues.

Action. Personal cannabis cultivation is required to comply with all state regulations, including the California Building Code for any new construction or alterations/modifications to existing structures.

Action. Personal cannabis cultivation is subject to the Nuisances and Hazards provisions in Chapter 4 of this General Plan, and any other applicable General Plan policies and County codes.

Policy. Avoid, reduce, and prevent potential issues specific to commercial cannabis activities that may adversely affect communities.

Action. *Placeholder: will reflect decision about school buffer distance, and facilities to include. If state minimum is followed, this action may be eliminated.*

Action. Apply increased setbacks to commercial cannabis cultivation activities to prevent odor nuisance and visual/aesthetic issues, and enhance security. *Eliminate if setbacks are not modified from the standards set forth in the LUDs.*

Action. Visual screening and other treatments prevent attractive nuisance issues related to aesthetics and security, such as theft, exposure of minors, and attraction of the criminal element.

Action. Outdoor lighting shall meet Chapter 23 – Dark Sky Regulations (including in Antelope Valley), and indoor lighting shall similarly be required to prevent nuisances caused by unnecessary light intensity, direct glare, and light trespass, and protect the ability to view the night sky by restricting unnecessary upward projection of light, and prevent impacts to wildlife species attracted to light sources.

Action. Regulations shall provide for the limitation of odor nuisances for adjacent uses, which may include, but are not limited to, increased setbacks, minimum distances from existing structures under separate ownership, odor control filtration devices, and ventilation requirements.

Action. To ensure security, safety, and prevent access by minors and the criminal element, a Security Plan shall be required and subject to approval by appropriate law enforcement and code enforcement entities.

Action. To ensure commercial cannabis activities are compatible with the scenic and natural landscape of Mono County, implement applicable requirements related to the California Environmental Quality Act (CEQA), and policies in the Conservation/Open Space Element, including sage-grouse mitigation measures (see C-OS, Action 2.A.3.e.).

Policy. In recognition of the potential economic benefits of this new industry, encourage the responsible establishment and operation of commercial cannabis activities.

Action. Provide a balanced and functional mix of land uses where commercial activities are permitted such that there is an opportunity for the private sector to establish the complete economic business supply chain, e.g. from nursery and cultivation to final point of sale.

Action. Economic benefits to the County include cost recovery from permit fees and increased revenue from taxes; therefore, the County should seek full cost recovery for services rendered and place a tax measure on the next available ballot.

Policy. Work toward consistent and compatible regulations and efficient oversight of cannabis activities with other responsible entities, from the state level, to local level, to other Mono County Departments.

Action. Stay informed of State activities and requirements related to commercial cannabis, including not only the licensing authorities of the Bureau of Medical Cannabis Regulation, CalCannabis Cultivation Licensing, and Office of Manufactured Cannabis Safety, but also associated agencies such as the Lahontan Regional Water Quality Control Board, California Department of Fish and Game, California Building Standards Commission, and others.

Action. Coordinate with local agencies and districts, such as fire districts, water providers, and other service providers, and other local jurisdictions, such as Inyo County and the Town of Mammoth Lakes, as needed.

Action. Coordinate oversight activities with other applicable County departments, such as the Inyo-Mono Agricultural Commissioner's office, Environmental Health, Mono County Sheriff, and others as needed.

Action. Ensure consistency with local area plans, and adjust area plans where appropriate to reflect community circumstances, preferences and priorities.