

A large indoor cannabis cultivation facility. The room is filled with rows of green cannabis plants. The ceiling is high and industrial, with several large fans and lighting fixtures. The plants are supported by a network of wires and wooden stakes. The overall atmosphere is one of a professional, large-scale agricultural operation.

# Cannabis Discussion 2

City of Colusa Updates & Action Plans

# Business Operation & Permit Update

**Total DA approvals and active RP: 14**

- **Cultivation -10**
- **Manufacturing -2**
- **Delivery - 2**
- **Store Front - 0**

Total current operating: 7

- Cultivation - 4
- Manufacturing -2
- Delivery - 2
- Store Front - 0

Total approved but not in operation: 6

- Cultivation - 6
- Manufacturing - 0
- Delivery - 0
- Store Front - 0

Total pending applications: 1 (CUP)

*Two (2) RP issued in 2017/2018 are no longer in use:  
Big Moon Sky & Colusa Specialty Farms*

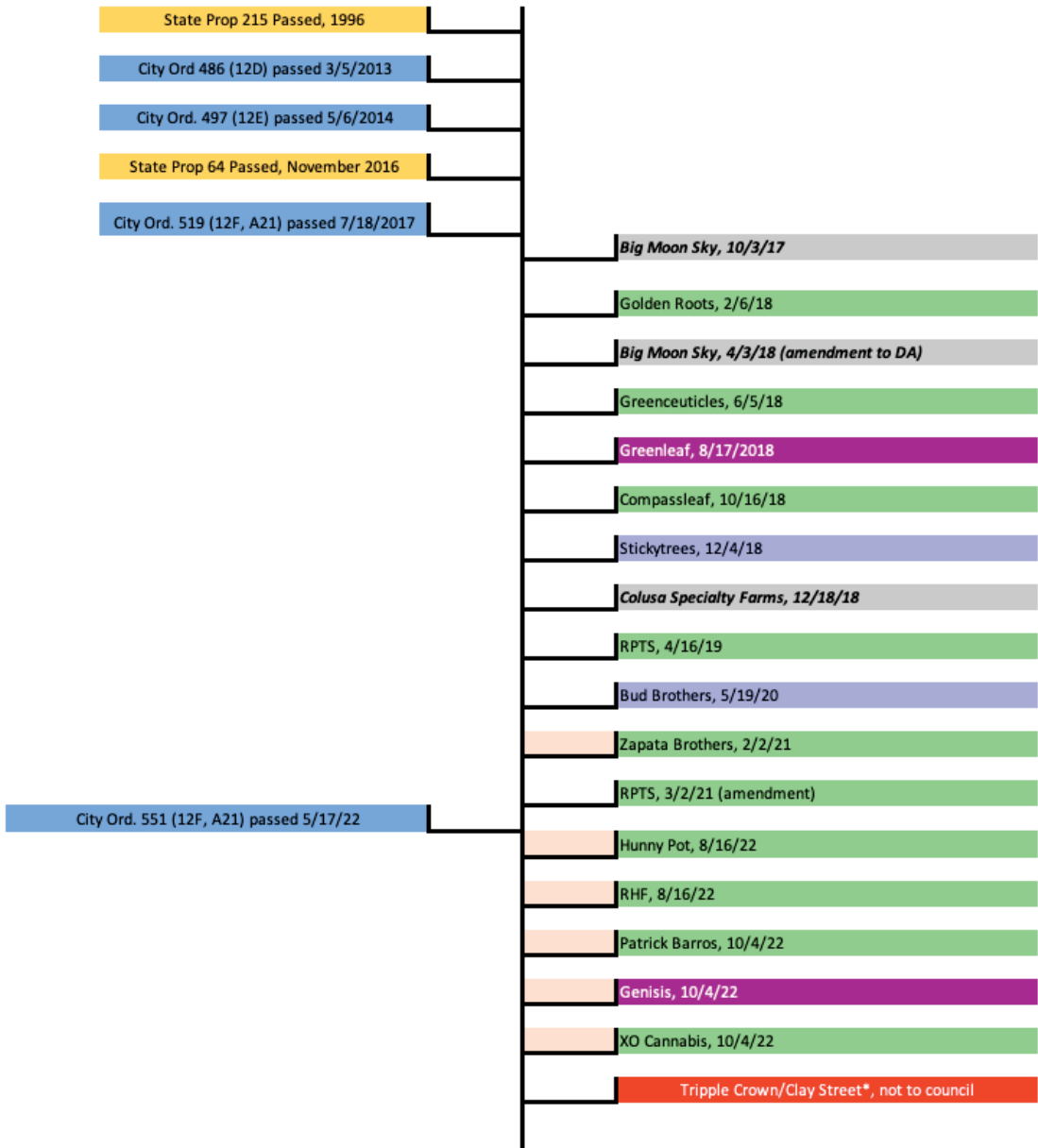
*Regulatory Permit (RP)  
Conditional Use Permit (CUP)*

# Regulatory Permit Historical Approval View

## State & Local Approval

## City DA/SUP Approval

- Manufacturing
- Retail Delivery
- Cultivation/Nursery
- Approved but not up and running
- Closed, no longer in business
- State Law
- City Ordinance






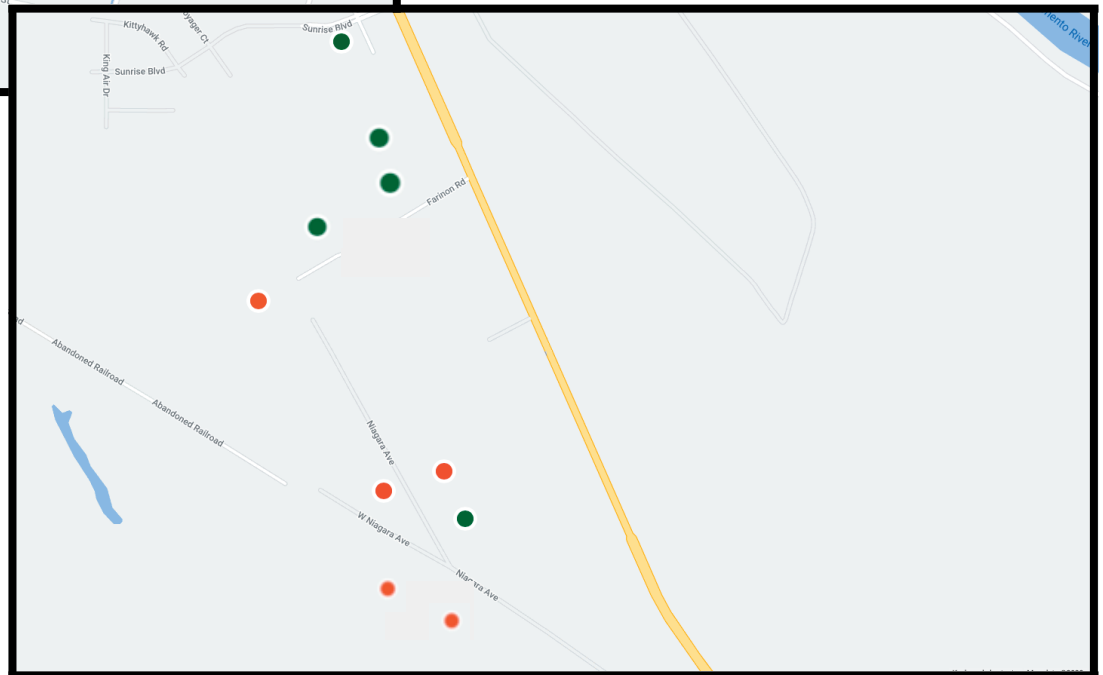
# Cannabis Business Map



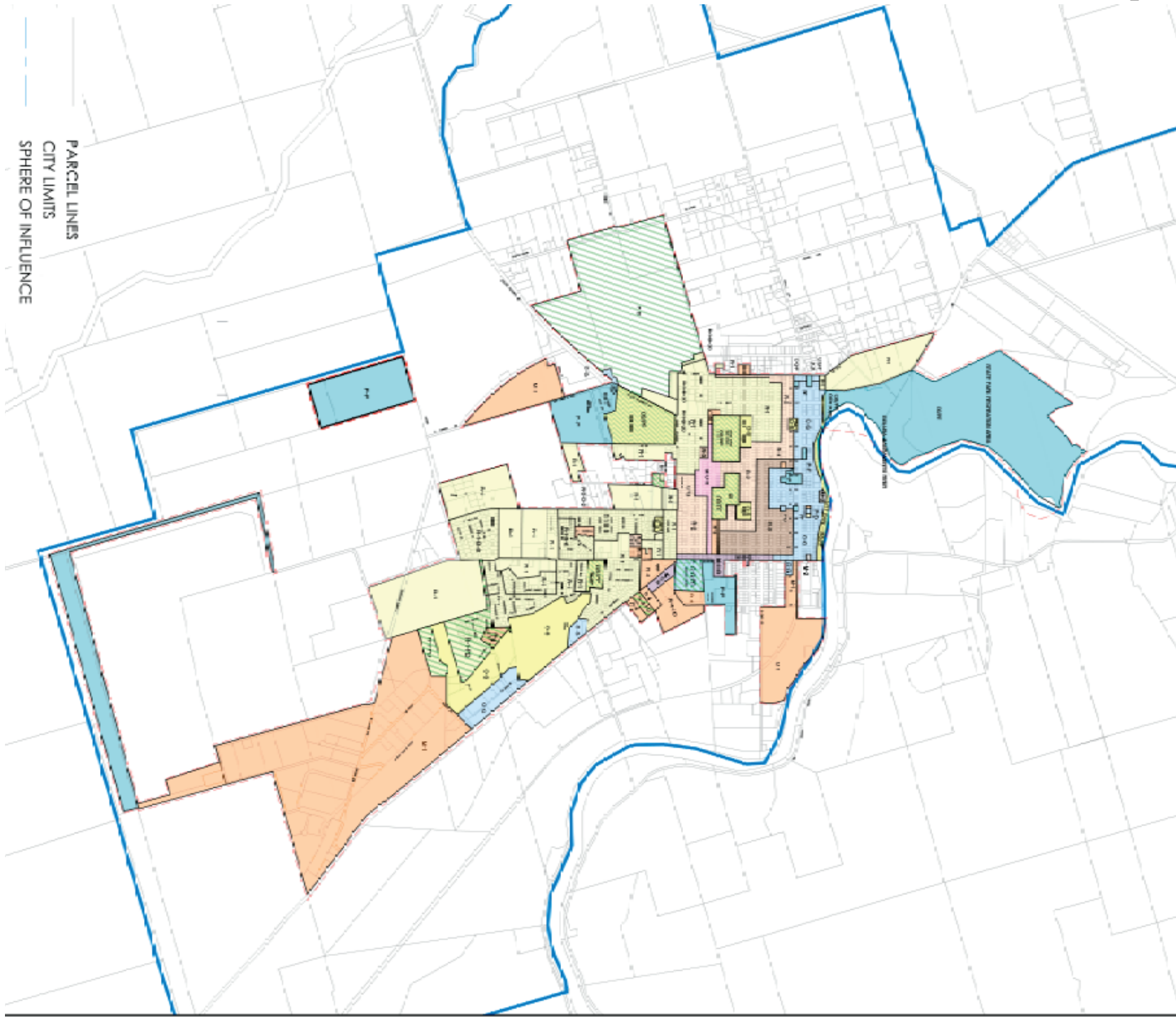
## South End of City

## North End of City

-  RP Approved and in operation
-  RP Approved and under construction/  
non-operating
-  RP Approved and non-operating



# Cannabis Zone Map



**ZONING DISTRICTS**

R-1	SINGLE-FAMILY RESIDENCE DISTRICT
R-2	TWO-FAMILY RESIDENCE DISTRICT
R-3	NEIGHBORHOOD APARTMENT DISTRICT
R-4	GENERAL APARTMENT DISTRICT
C-N	NEIGHBORHOOD BUSINESS DISTRICT
C-G	GENERAL COMMERCIAL DISTRICT
C-11	HIGHWAY SERVICE COMMERCIAL DISTRICT

**ZONING DISTRICTS**

M-1	LIGHT INDUSTRIAL DISTRICT
M-2	GENERAL INDUSTRIAL DISTRICT
M-1L	LIMITED INDUSTRIAL DISTRICT
P-1	PLANNED DEVELOPMENT DISTRICT
P-F	PUBLIC FACILITIES DISTRICT
O-5	OPEN SPACE DISTRICT
F-W	FLOODWAY DISTRICT

**SPECIAL COMBINING DISTRICTS**

A	AGRICULTURAL COMBINING DISTRICT
B	SPECIAL BUILDING SITE COMBINING DISTRICT
CD	SPECIAL CIVIC DISTRICT COMBINING DISTRICT
F	SPECIAL HIGHWAY FRONTAGE COMBINING DISTRICT
FP	FLOOD PLAN COMBINING DISTRICT
H	SPECIAL HEIGHT COMBINING DISTRICT
P	SPECIAL PARKING COMBINING DISTRICT
O	SPECIAL DIVIDED OWNERSHIP DISTRICT
AO	SPECIAL ADULT-ORIENTED COMBINING DISTRICT

# Open Discussion **Permit Limitations**

## Action:

- Add language and specifics to ordinance/article for updated application requirements and approval process
- Add calendar to reflect four (4) dates for city to accept applications and put updated process into play
- Add language to ordinance/article detailing limitations on RP's issued by City
- Present resolution to hold all application windows until Sr. Planner is hired

# Cannabis Fund Revenues

*By Fiscal Year*

- **2017/18** \$4,388.74
- **2018/19** \$237,954.80
- **2019/20** \$206,281.53
- **2020/21** \$439,376.58
- **2021/22** \$321,639.59

# Cannabis Fund Expenditures

*By Fiscal Year*

- **2020/21** \$18,015.17
- **2021/22** \$27,434.65

**Cannabis Fund Balance \$1,174,728.60**

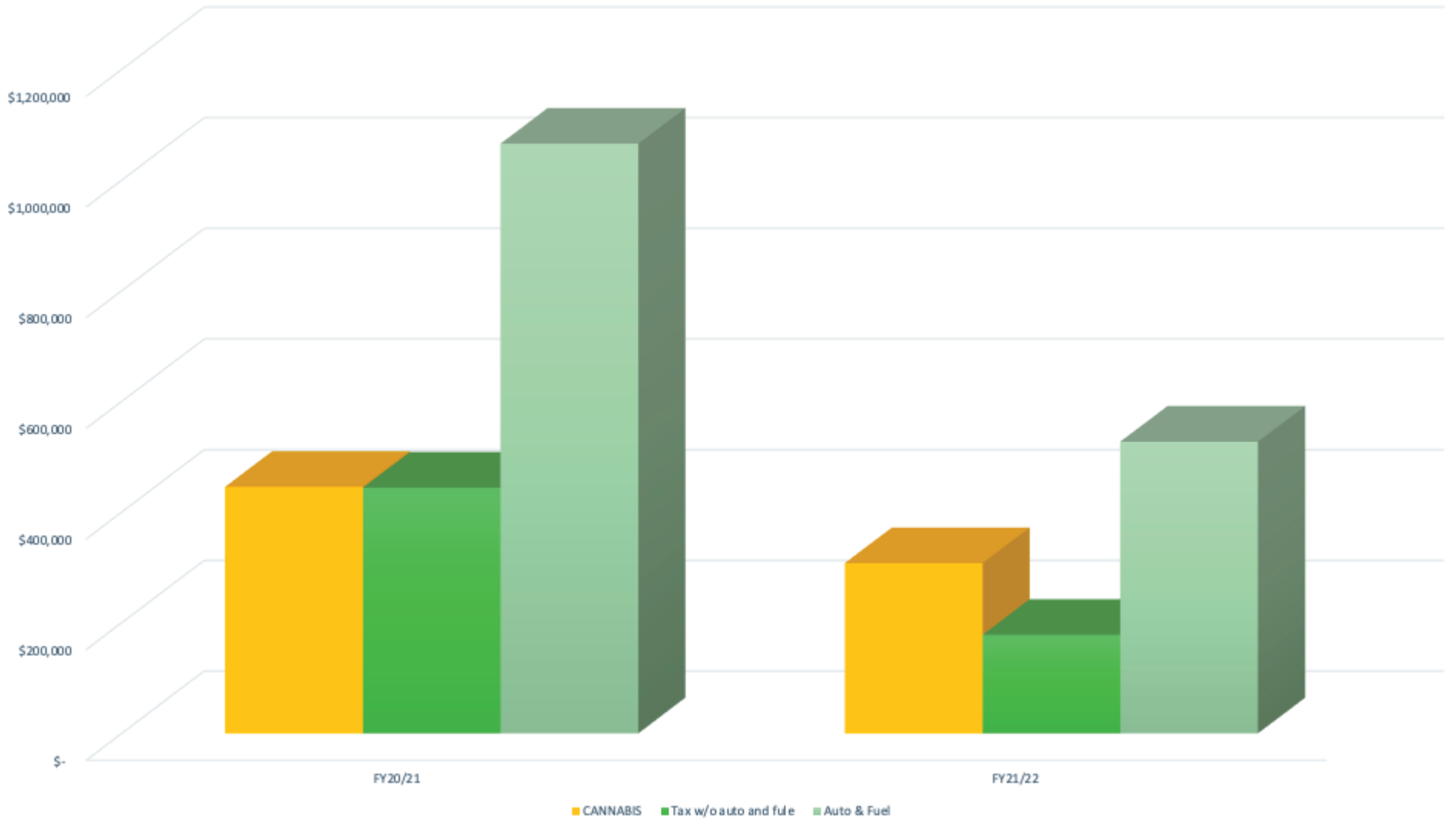
# Cannabis Fund Reserved for Grant Match

**Rural Surface Transportation Grant \$681,797.00**

**Safe Streets & Roads for All Grant \$50,000.00**

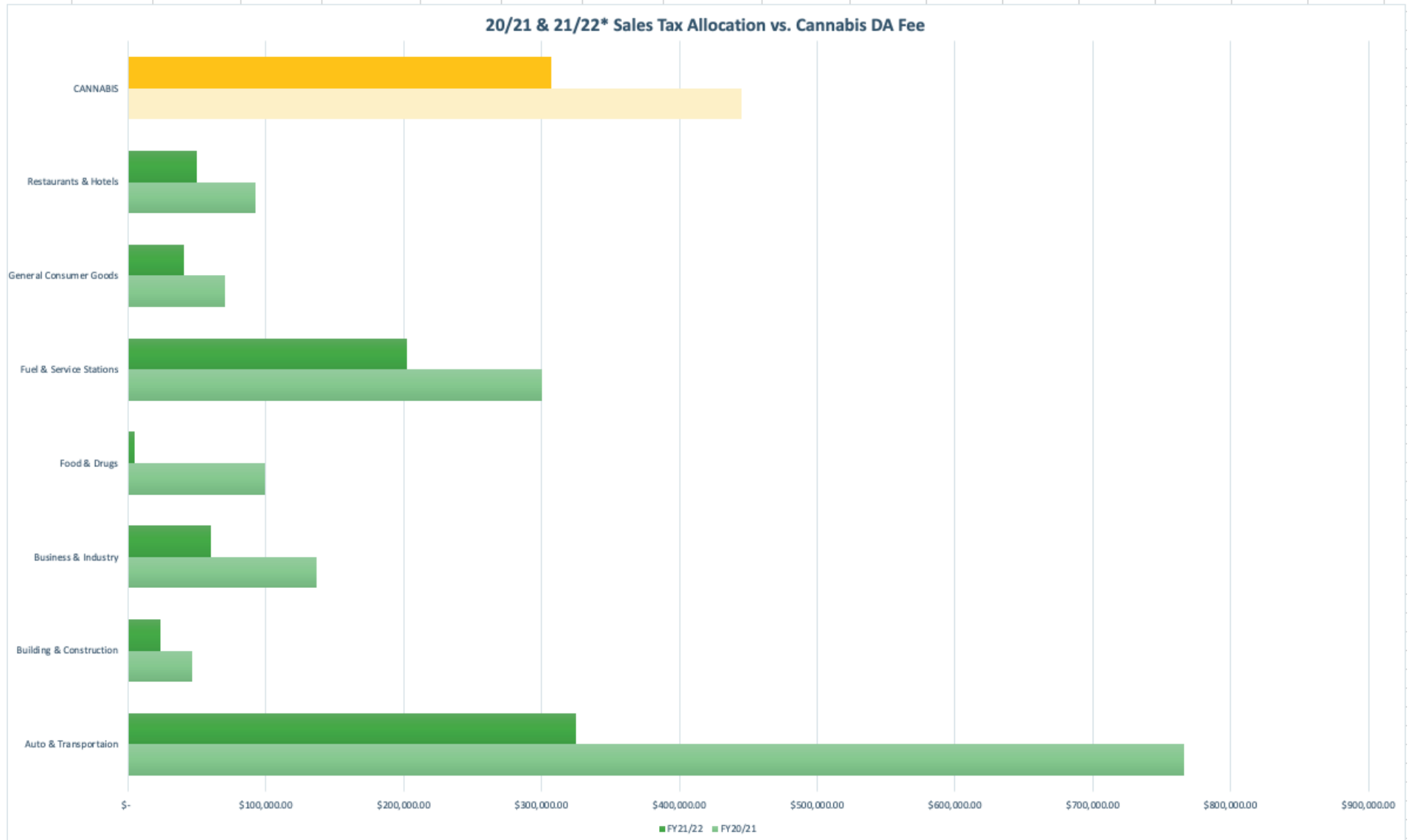
# Cannabis DA Fee Comp to General Sales Tax Revenues

Sales Tax Grouping vs. Cannabis 20/21 & 21/22\*





# Cannabis DA Fee Comp to General Sales Tax Revenues



# Odor Complaint Recap

When reviewing the first discussion deck, City Staff began an initiative to capture odor complaints and report totals monthly in Department Recaps at Council meetings.

Between August 8th and November 22nd, the City received 89 Odor Complaints from citizens; 31% (27 calls) of the complaints were for Cannabis odor: 22 were from the Bridge Street area; five were from the South/CIP area of town.

Row Labels	Cannabis	Cannabis*
8/8/22		
8/10/22		
8/11/22		1
8/17/22		
8/18/22	1	
8/22/22		2
8/23/22		
8/29/22		1
8/30/22		
9/6/22	1	
9/7/22		
9/8/22	1	
9/12/22	2	
9/13/22	3	
9/14/22	1	
9/15/22		
9/19/22		
9/22/22	2	
9/26/22	1	
10/4/22		
10/6/22	1	
10/10/22	2	
10/11/22	1	
10/14/22		1
10/17/22	4	
10/18/22		
10/20/22		
10/24/22		
10/31/22		
11/1/22	1	
11/3/22		
11/8/22	1	
11/22/22		
<b>Grand Total</b>	<b>22</b>	<b>5</b>

## Monthly Call Totals

August - 5 (Full month not captured)

September - 11

October - 9

November - 2 (Full month not captured)

Cannabis\* is an assumption of Cannabis based on information left in the message, no specific wording given, but the address and location was Bridge Street.

# Ordinance 519 & 551 (12F) Odor Complaints

Resident reports odor complaint to City Hall or  
City of Colusa Police Department  
*Ord. 519 (21.5.06 (j))*  
*zero tolerance for odor*



Inspection of the facility by the City Manager or Police Chief  
Findings of violations of Ord. 519 may be subject to a fine.  
*Ord. 519 (21.5.15 (e))*  
*Violations; enforcement*



Fines shall be paid within thirty (30) days  
*Ord. 452 (12C-13)*

Designee of business may dispute violation  
with in (10) days in writing  
*Ord. 452 (12C-10)*



Unpaid fines after thirty (30) days are subject to  
penalty of ten (10) percent plus interest at the  
rate of one (1) percent per month  
*Ord. 452 (12C-13)*



Appeals Process Begins with Hearing contesting  
admin citation, hearing, appeal of hearing officer  
decision.  
*Ord. 452 (12C-14 to 15; 17 to 22)*

# Open Discussion Odor Compliance

## Action:

- Add language and process to ordinance/article for Certificate of Operation, specifically the detail of air filtration systems being installed and working.
- Option: Nassal Ranger, purchase unit and train specified person to read and report levels. The estimated cost is \$3-5K.
- Option: Hire Trinity Consulting (Dallas, Tx) to create thresholds
- Look at changing fines for Odor Nuisance complaints.

# State Updates

(not all SB and AB updates will apply to City of Colusa, this is just for reference and understanding of state level updates)

- Please review Budget Act 2022 for Updates approved in July 2022 <https://bit.ly/Budgetact2022>
- SB 1326: sets the stage to allow for interstate marijuana commerce from California to and from other legal states, contingent on an official assurance that the activity would not put the state at risk of federal enforcement action.
- AB 2188: Quirk's bill would "make it unlawful for an employer to discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person" solely because of off-duty marijuana use. It would eliminate employment-based THC testing, with exceptions for certain positions, such as federal employees or those working in construction.
- SB 1186: The bill from Wiener would "prohibit a local jurisdiction from adopting or enforcing any regulation that prohibits the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers by medicinal cannabis businesses."
- AB 1706: Bonta's legislation is meant to enhance justice reform provisions of the state's marijuana law by mandating the courts to process record sealing and other forms of relief for people with eligible cannabis convictions on their records in a specific timeframe. Courts would have until March 1, 2023 to seal records for qualifying cases that weren't challenged by July 1, 2020.
- AB 1885: The bill from Kalra would prohibit regulators from penalizing licensed veterinarians who recommend medical cannabis for animals and revise state law to include definitions for marijuana products intended for animal consumption. The Veterinary Medical Board would also be required to create guidelines for veterinarian cannabis recommendations.
- AB 2568: Sponsored by Assemblymember Ken Cooley (D), the bill would "provide it is not a crime solely for individuals and firms to provide insurance and related services to persons licensed to engage in commercial cannabis activity," according to a summary.
- AB 1894: Assemblymember Luz Rivas's (D) bill would add advertising and labeling requirements for cannabis vaporizer products, stipulating that they should be properly disposed and would constitute hazard waste if thrown away improperly.
- AB 2210: Another bill from Quirk would prohibit state marijuana regulators from "denying an application for a state temporary event license solely on the basis that there is a license issued pursuant to the Alcoholic Beverage Control Act for the proposed premises of the event."
- AB 2925: This measure from Jim Cooper (D) would mandate that the State Department of Health Care Services submit reports to the legislature, starting no later than July 10, 2023, that accounts for cannabis tax revenue that has been distributed to the Youth Education, Prevention, Early Intervention and Treatment Account, as required under the state's marijuana law.
- AB 1646: This bill, sponsored by Assemblyman Phillip Chen (R), would "authorize cannabis beverages to be packaged in containers of any material that are clear or any color."

# BOP Process & Procedure Updates

- New reporting procedure for smell complaints
  - rolled out and active
  - City Staff will include reporting of call overview in Staff Reports at one (1) monthly City Council Meeting
- Open RFP for Audit & Compliance
  - RFP was issued. City received zero bids.
  - Work on Compliance Audits internally (City Staff)
- Creation of Certificate of Occupancy Permit (WIP)
  - Consist of Odor Compliance and Security Form
  - Inspection and Sign Off by City Manager and Police Chief before occupancy of any kind
  - Presented to PC in October, pending approval and move to Council for approval.
- Creation of Cessation of Business Notification Form
  - form completed and ready to roll out to businesses
- Development of new Quartley Payment, including set hours and days and updated format, including implementation of required monthly reports from operating businesses (WIP)
  - form completed and ready to roll out to businesses

*(WIP) = Work in Progress*

## Police Department Updates

- No criminal complaints.
- Continued patrol of areas
- Continued decrease in calls regarding odor complaints

# BOP Process & Procedure **Discussion**

- Repeal 12D (Ordinance 486) & 12E (Ordinance 497)
  - both are superseded by 12F (Ordinance 519 & 551)
  - Clean up wording and language in Zone Articles 21 & 33 to reflect changes in the repeal
- Adjust and add specific language to all ordinances and articles to reflect the addition of "City Manager or designee" in addition to Code Enforcement
- Update terminology regarding "Special-Use" vs. "Regulatory Permit" for clarity and consistency
- Addition of changes as mentioned earlier listed in Odor and Limitation discussion slides.