

Introduction

At the January 3rd City Council Meeting, direction was given to City Staff to have the Planning Commission(ers) deep dive The City's current Cannabis Ordinance and create recommendations for updates and amendments to said Ordinance for Council approval.

Overview

In August 2022, City Staff began an operational and compliance audit of Cannabis within the City of Colusa. This audit included, but was not limited to fees received, state license verification, process and procedure improvements, and review of City Ordinance encompass in 12D, 12E, 12F (including ordinance numbers 519 & 551), as well as Appendix Zoning Articles 21 & 33.

*8/16/22 Meeting, City Council reviewed the first Cannabis Discussion Dec *see attached*

At the September 6, 2022 City Council meeting, Council consideration item for review of cannabis ordinances and changes was recommended by staff

City Staff presented the first requested amendments via Public Hearing at the October 28, 2022 Planning Commission Meeting. Approval of the repeal of 12D was made, with continuance of all other topics to be continued at December 14th Meeting, with the request of additional context around permit limitations

The second Cannabis Discussion Deck (City FY Q2), was completed at the end of November, to be presented at the December 6th City Council Meeting. This discussion item was pushed to a later meeting.

*The aforementioned Deck, with requested additional information, was presented at the December 14th Planning Commission. Planning Commission approved the repeal of 12E, as well as the added ordinance language to Article 21, chapter 5, Point 10:
Planning Commission requested a Work Shop be set up with Council so clear instruction could be given.*

At the December 20th meeting, Council requested a Special Meeting/Workshop be set up for Council and Commission

At the January 3, 2023 City Council Meeting, Cannabis Discussion Deck 2 was reviewed and discussed as a Discussion item. Council instructed City Staff to have planning commission review and "get in the weeds" of the ordinance updates, as well as instructed staff to set up Special Meeting/Workshop.

Topics

- 1 Odor
- 2 Permit Limitations
- 3 Fees & Fines
- 4 Enforcement
- 5 Misc. Clean Up & Call Outs

Odor

Odor Complaints from Public

- ▶ City Staff created tracking log and pushed out information via mail, social media, and public meetings
- ▶ This was for all odor complaints within City Limits, with ability to recap specifics to capture impact of cannabis complaints
- ▶ City Staff reported total monthly calls in department reports, submitted via consent calendar once a month in City Council Meetings
- ▶ Cannabis Discussion Deck _2 also reflected a recap of odor complaints

Required Filtration and Ventilation

- ▶ To ensure that cannabis buildings, (cultivation, manufacturing, nursery, etc.) had the proper systems installed and running, City Staff created a Certificate of Occupancy procedure to be used for all future buildings and retroactive to businesses and buildings already operating.
- ▶ This specific language was added to 551 (21.05.06.10, (3 and 3B)
- ▶ Planning Commission approved this amendments on 12/14/22
- ▶ Next step will be bringing this specific amendment to 551 before Council for approval
- ▶ Once Council approves, new requirement and timeline will be rolled out to cannabis operations currently up and running, with inspection by City Manager/Code Enforcement/Designee for sign off and approval.

*Why this change - creating a Certificate of Occupancy procedure and document not only creates a paper trail accounting for City required smell mitigation, it also allows City Staff to address any issues or misuse with business owners.

Setting Thresholds

- ▶ Options: City purchases Nose Ranger system to measure and record smell particles outside of buildings. This gives documentation of a nuisance based on set thresholds
- ▶ Option: Trinity Consulting out of Dallas Texas has worked with Yolo County to set thresholds for communities to hold as standards
- ▶ Option: Add language to include X number of calls within a certain time period (5 calls within a 24 hour period) is an automatic inspection, or 24 hour shut down.

Permit Limitations

Improved Application Processes

- ▶ See attachment Application Processes Draft

Dispensary Limitation

- ▶ See Dispensary Limitations Draft
- ▶ Addition of Delivery may and should be added to encompass all retail Permits issued
- ▶ There are many cities that have set up limitations to the retail side of cannabis

Cannabis Facility

- ▶ For all Cultivation, Nurseries, Manufacturing, Processing, Lab & Testing
- ▶ City has found no municipality, County or City, in California that limits these facilities.

Special Use Permit vs. Regulatory Permit

- ▶ Change currently planning language that captures all Cannabis as a SUP and revise to regulatory permit

Fees & Fines

Full Fee Schedule Review

Full Fine Schedule Review

Enforcement

Updating point of contact/enforcement to include City Manager to multiple lines of 551 *See attachment Enforcement Draft
Creating of check list for business inspections to be performed on a monthly basis by City Staff *see attached Walk-through Compliance

Miscellaneous

General Plan

- ▶ Review General Plan and all amendments made between 2007-2022 in regards to Cannabis

Repeal 12D & 12E, as 12F and state law now supersedes, adjust article language.

- ▶ Reviewed by Planning Commission via Public Hearing at 10/28 and 12/14 meetings
- ▶ Approved and will go before Council

Future of Cannabis at a National, State, and local level

- ▶ review new State Laws that are now in affect to endure that City Ordinance is inline
- ▶ be aware of National rulings and instructions to ensure that City is thinking ahead and not painting self into a corner

Personal Grows

- ▶ Add draft language to ordinance regarding personal/private grows in homes based on State Law, with additional requirements and rules based on City needs

Cannabis Fund

- ▶ Review current financials of Cannabis Funds
Currently, only 3% fees, annual permit fee, facility fees flow in
- ▶ Review Application Fee
Break out based on city departments and allocate appropriately
Currently, application fee revenues are actualized in Planning

Cannabis Standing Committee

- ▶ Rework Cannabis Fund Ad-Hoc to a standing Committee comprised of council, staff,

residents, and business owners to work on reviewing information that is captured in Cannabis Discussion Deck. While information is managed and actioned by Staff, this standing committee will function as a second set of eyes/continued accountability of the Cannabis industry within the City of Colusa.

Ordinance Definitions

- ▶ Review all Cannabis Definitions in ordinances and articles for consistency and clarity

Minimum operational requirements & restrictions

- ▶ Review Section 21.5.06, all points
- ▶ break out specifics between dispensaries and mobile delivery (retail) vs. Nurseries, Cultivation, Manufacturing, Production, Lab & Testing

Removal of "manufacturing" in Article 33