

**Yolo County  
Cannabis Land Use Ordinance  
BOARD OF SUPERVISORS  
Final Public Hearing and Action  
September 14, 2021**

# Key Changes

- **Section 8-2.1404 (Applicability)** – clarifies the transition process and relocation timeframes
- **Section 8-2.1406 (Cannabis Use Requirements)** – clarifies the process for allocation of limited licenses and permits should demand exceed supply; and incorporates the Board’s final direction regarding the over-concentration thresholds
- **Section 8-2.1408 (Buffers)** – incorporates the Board’s final direction regarding buffers for residentially zoned land
- **Section 8-2.1410 (Application Submittal and Processing)** – clarifies how permits in the Capay Valley will be processed; and expands on the process for determining application completeness to allow for a streamlined process
- **General** – incorporates the Board’s final direction that the Planning Commission is the final decision-making authority for cannabis use permits
- **Other** minor clarifications and corrections.

# Integration of Agricultural Commissioner in Process

- ▶ **Section 8-2.1406(L) (Findings for Approval or Denial)** – Sub-section 11 has been expanded to require that information and recommendations from the Agricultural Commissioner be integrated into the analysis of each application and disclosed as part of the findings of fact documenting the action taken on each Cannabis Use Permit.
- ▶ **Section 8-2.1408(A) (Agricultural Applications)** – Clarifies that the Agricultural Commissioner may be called upon to ensure that the application of fertilizers, herbicides, pesticides, rodenticides, fumigants, and other inputs/applications for improvements crop yields complies with applicable regulations and manufacturer instructions.
- ▶ **Section 8-2.1408(B) (Agricultural Maintenance)** – Clarifies that the Agricultural Commissioner may be called upon to confirm efficient use of the entire parcel for agricultural purposes and ensure appropriate maintenance of any land remaining fallow.
- ▶ **Section 8-2.1408(KK) (Screening)** – Clarifies that the Agricultural Commissioner will review proposed vegetative screening to ensure proposed species will not harbor agricultural pests.
- ▶ **Active collaboration** is underway with the Agricultural Commissioner regarding implementation of the CLUO and active involvement of the Commissioner and/or his staff in analyzing and processing all Cannabis Use Permit applications.

# Approval Packet

- **Attachment A** – July 27, 2021 Board of Supervisors Minutes for this item
- **Attachment B** – Resolution certifying the FEIR
- **Attachment C** – CEQA Finding of Fact
- **Attachment D** – Resolution amending the General Plan and adopting the CEQA MMRP
- **Attachment E** – CEQA MMRP
- **Attachment F** – Ordinance adopting the CLUO
- **Attachment G** – Final CLUO
- **Attachment H** – Miscellaneous amendments to the Subdivision Ordinance
- **Attachment I** – Miscellaneous amendments to the Zoning Ordinance
- **Attachment J** – Clarifications to County Code regarding enforcement of Use Permits
- **Attachment K** – May 17, 2021 letter from the Sierra Club
- **Attachment L** – Responses to the Sierra Club letter

# Errata

- **Errata #1 (Staff Report)**– Correction to 2022 target date for final action on CUPs for Existing Licensees
- **Errata #2 (CEQA Findings of Fact)** – Correction to SCH# in CEQA Findings of Fact
- **Errata #3 (CLUO)** – Clarifications to Section 8-2.1404 of the CLUO related to the transition process

# Implementation Information

- ▶ Jeff Anderson, Senior Planner  
Department of Community Services  
(530) 666-8043
- ▶ [Jeff.Anderson@yolocounty.org](mailto:Jeff.Anderson@yolocounty.org)
- ▶ Search engine = “Yolo County Cannabis”

# Implementation Schedule

- 10/14/2021 Effective date of ordinance
- 10/15 to 12/31/2021 Implementation
- 12/1/2021 Application information available
- 12/8 + 12/16/2021 Implementation workshops
  
- 1/3/2022 Existing licensees may apply for CUP
- 6/30/2022 CUP applications due
- 12/30/2022 Target date for action on CUPs for Existing Licensees
  
- 1/2 to 3/31/2023 Target date for allocation of other license types to approved CUPs
- 3/31/2023 Existing licensees on residential land must cease operation
- 3/31/2023 Existing licensees that do not apply must cease operation
- 4/1/2023 Target date for new licensees to apply
- 7/31/2023 License applications pending on 6/29/2021 have priority through this date
  
- 10/15/2023 Two year effectiveness assessment due
- 10/15/2023 Retail storefront applications may be accepted
  
- 3/31/2024 2023 licenses expire (existing licensees without a CUP must cease operation)

# Recommended Final Action

1. Certify the FEIR (including the identified errata)
2. Amend the General Plan and adopt the MMRP (including the identified errata)
3. Adopt the CLUO (including the identified errata and any additional changes directed by the Board)
4. Amend the Subdivision Ordinance
5. Amend the Zoning Regulations
6. Direct staff to file a CEQA Notice of Determination
7. Direct staff to bring back other related changes to the County code
8. Direct staff to begin implementation

**Thank you!**

# License Applications Received as of June 29, 2021

- ▶ There is one application that falls in this category. This applicant does not have a current license and is not currently cultivating but has in two previous years.
- ▶ As written the CLUO (Attachment G) precluded them from securing a County licensee to cultivate until they secure a Cannabis Use Permit. They would be able to apply as a New Licensee (in approximately 4/1/2023) after Existing Licensees are processed. They would have priority over other New Licensees for the first three months.
- ▶ They would be precluded from getting a license to cultivate in 2022, precluded from applying for a use permit as an Existing Licensee, and precluded from availing themselves of the buffer regulations specifically applicable to Existing Licensees.
- ▶ Should the Board wish to modify this, staff recommends a change to the definition of Existing Licensee (Section 8-2.1403(N)) to include license applications received as of June 29, 2021. This would give this applicant the all the same rights as an Existing Licenses (allowed to cultivate in 2022 with a valid license, ability to utilize buffer regulations applicable to Existing Licensees, and ability to apply for a CUP in January 2022):

**N. Existing Licensees – Holders of a validly issued license on June 29, 2021, and license applications received as of June 29, 2021 for which all fees have been paid.**