

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO EXTENDING APPLICATION TIMEFRAMES IN THE CANNABIS LAND USE ORDINANCE FOR RELOCATING LICENSEES

The Board of Supervisors of the County of Yolo hereby ordains as follows:

SECTION 1. Background and Findings. The Board of Supervisors adopted the Cannabis Land Use Ordinance (“CLUO”) on September 14, 2021, after a series of public hearings. The CLUO includes deadlines to apply for a conditional use permit that the Board of Supervisors has determined to modify for certain prospective applicants, as set forth in this Ordinance, that seek to relocate their existing licensed operations to a new site. The Board of Supervisors finds that the change in application timeframes will balance processing workload for County staff, allow applicants experiencing financial or other resource challenges to defer application preparation and submission for a limited period, and otherwise promote a stable regulatory and economic climate for the local cannabis industry.

SECTION 2. Amendments to Yolo County Code Section 8-2.1404.

Subsections B and C of Section 8-2.1404 of the Yolo County Code are hereby amended to read as follows:

B. Regulatory Transition Period. Existing Licensees in good standing are eligible for license renewal in accordance with this Subsection and all other licensing requirements. Existing Licensees outside of the Capay Valley seeking non-cultivation license types shall apply for a Pre-Application Review between January 3, 2022 and January 31, 2022. In addition, Existing Licensees shall adhere to the following deadlines for submission of a complete use permit application:

By December 16, 2022

Existing Licensees located within the Capay Valley (Category 1) that do not seek relocation outside the Capay Valley

Existing Licensees located outside Capay Valley that intend to seek non-cultivation license types (Category 2)

By December 15, 2023

Existing Licensees located outside Capay Valley that are required by the CLUO to relocate (i.e., those located on residentially-zoned land) (Category 3)

Existing Licensees outside Capay Valley that do not seek additional non-cultivation license types (Category 4)

Existing Licensees located within the Capay Valley (Category 5) that seek relocation outside the Capay Valley (note: cannot renew a cultivation license in 2023)

Existing Licensees that do not timely apply for a use permit shall be precluded from license renewal in 2023 (Categories 1) or 2024 (Categories 2, 4) and the cultivation license allocation for these licensees shall be returned to the pool of available licenses for use permit recipients. Category 3 licensees may not renew their license for 2023 or

thereafter for cultivation at their current sites irrespective of whether they apply for a use permit in an alternative location. Category 5 licensees may not renew their license for 2023.

With the exception of Category 3 and 5 licensees, Existing Licensees with a timely, complete application that is pending in the use permit process may seek license renewal for the 2023 license year and continue to operate with a validly issued license through March 31, 2024 (Categories 1 and 2) or through March 31, 2025 (Category 4). If a use permit for an existing site is granted, the site shall be brought into compliance with the requirements and conditions of the permit within one year of approval, or the renewal of required license(s) shall be prohibited and the license allocation shall be returned to the pool of available licenses. If a use permit is denied the existing license(s) shall expire on March 31, 2024 (Categories 1 and 2) or March 31, 2025 (Category 4), renewal of the license(s) shall be prohibited, and the license allocation shall be returned to the pool of available licenses. New licensees may apply for available use permit/licenses (if any), after processing of Existing Licensees is substantially underway, on a date to be determined by the Director.

C. *Relocation.* Cannabis activities on sites that do not meet the requirements of this article must relocate and secure a Cannabis Use Permit, or cease all operations including the storage of harvested cannabis, on or prior to the deadlines set forth in Subsection B, above.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have adopted this Ordinance and each section, sentence, clause or phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. Conflicting Enactments. To the extent that there is any conflict between the provisions of this Ordinance and the provisions of any other County Code, ordinance, resolution or policy, all such conflicting provisions shall be suspended.

SECTION 5. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after its passage, and prior to expiration of fifteen (15) days after its passage thereof, shall be published by title and summary only in the Davis Enterprise together with the names of members of the Board of Supervisors voting for and against the same.

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Introduced at a Board of Supervisors regular meeting held on November 8, 2022, and subsequently approved following a second reading on November 22, 2022, by the following vote:

AYES:

NOES:

ABSENT:


ABSTENTION:

Angel Barajas, Chair
Yolo County Board of Supervisors

Attest: Julie Dachtler, Senior Deputy Clerk
Yolo County Board of Supervisors

Approved as to Form:

By: _____
Deputy (Seal)

By:  _____
Philip J. Pogledich, County Counsel