

PROPOSED VACAVILLE MUNICIPAL CODE AMENDMENTS RELATED TO REGULATIONS FOR COMMERCIAL CANNABIS BUSINESSES

City Council Meeting
June 8, 2021

PURPOSE

- ▶ At City Council's request, staff returns with draft ordinances proposing commercial cannabis regulations.
- ▶ The proposed Chapter 9.13 would repeal the cannabis prohibition and replace it general guidelines for commercial cannabis practices and regulations.
 - ▶ Does not create application process, screening criteria, fees, or the number of cannabis businesses. This would be done through a subsequent resolution implementing the ordinance.
- ▶ Staff presented draft amendments to the Land Use and Development Code (Title 14) to the Planning Commission for their recommendation on May 18, 2021.
 - ▶ 4-3-0 vote to recommend City Council approve the draft LUDC amendments

BACKGROUND - HISTORY

- ▶ September 2017 City Council adopted a Temporary Moratorium prohibiting all cannabis activities in Vacaville.
- ▶ December 11, 2018 City Council approved regulations on personal cannabis.
- ▶ June 25, 2019 City Council repealed the moratorium and adopted a new Chapter 9.13 prohibiting commercial cannabis businesses.
- ▶ 2020 City Council added a cannabis tax measure to the November election ballot, and the tax measure passed.
- ▶ April 27, 2021 staff presented updates to City Council on cannabis industry in California, and sought direction for potential regulations.
- ▶ May 18, 2021 Planning Commission recommended City Council approve the LUDC amendment for commercial cannabis in 4-3-0 vote

BACKGROUND - PROCESS

- ▶ **2-step, 3-part process for commercial cannabis businesses:**
 - ▶ **Step 1** – Regulatory Permit Process (Draft Chapter 9.13) [*Part 1*]
[This is parallel to state licensing process – *Part 2*]
 - ▶ Regulatory Permit tied to the owner/operator of the business, conditional on the approval of the land use permit (“runs with the business”)
 - ▶ **Step 2** – Land Use Permit Process [*Part 3*]
 - ▶ Administered by Community Development
 - ▶ Planning Commission authority to review and approve
 - ▶ Focuses on the physical site location and site design
 - ▶ Results in a Land Use Permit tied to the land where the business is proposed (“runs with the land”)

CHAPTER 9.13

- ▶ Current Chapter 9.13 prohibits all cannabis businesses from locating and operating in Vacaville
- ▶ Proposed Chapter 9.13 repeals and replaces the chapter with new commercial cannabis regulations
 - ▶ Sets guidelines for creating a business permit process that will govern the owner/operator of the business
 - ▶ The business permit process would be through City Manager's office, with final approval by City Council

DRAFT LUDC

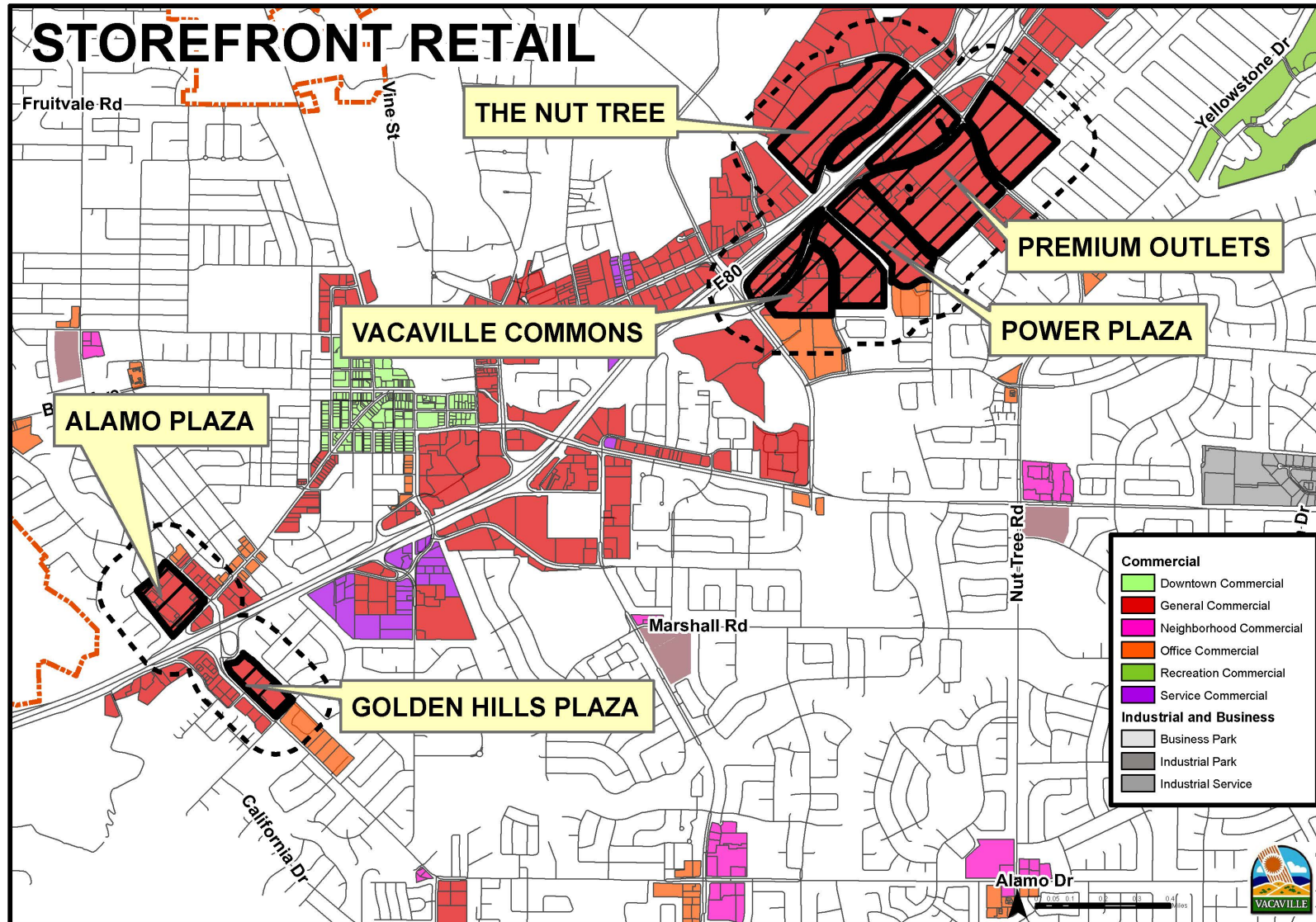
- ▶ Based on City Council direction and comments
- ▶ Allow storefront cannabis businesses in General Commercial zoning.
- ▶ Allow non-storefront, micro-business, manufacturing, distribution, and laboratory testing facilities cannabis businesses in Industrial Park and Business Park zoning.
- ▶ Buffers and sensitive land uses defer to state law defaults
 - ▶ Same as majority of other California jurisdictions
- ▶ Security measures required

OTHER LAND USE REGULATIONS

- ▶ Parking requirements
- ▶ Aesthetics
 - ▶ Landscaping
 - ▶ Fencing
- ▶ Compatible site design

POTENTIAL COMMERCIAL LOCATIONS

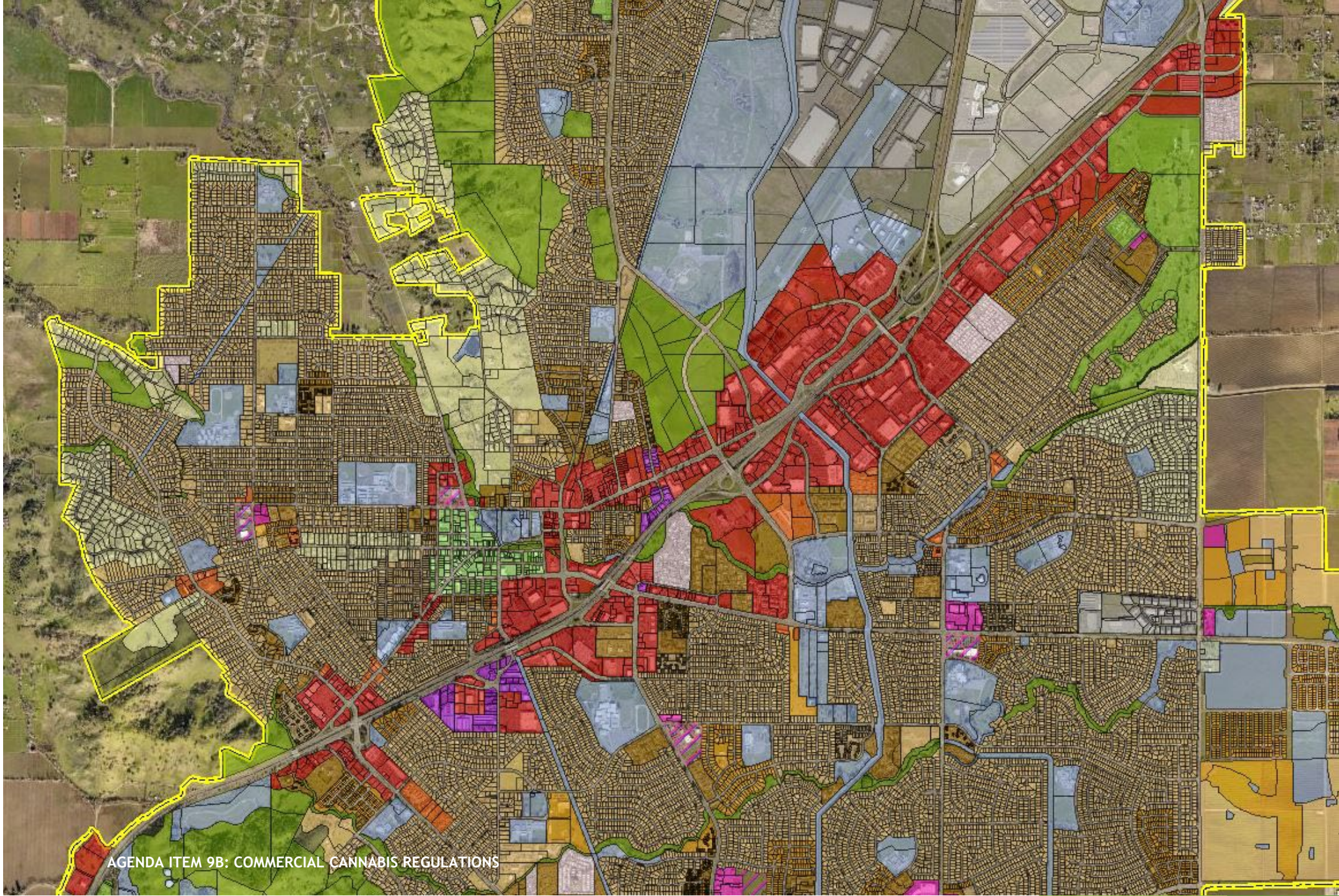
- showing 600 ft. buffer examples

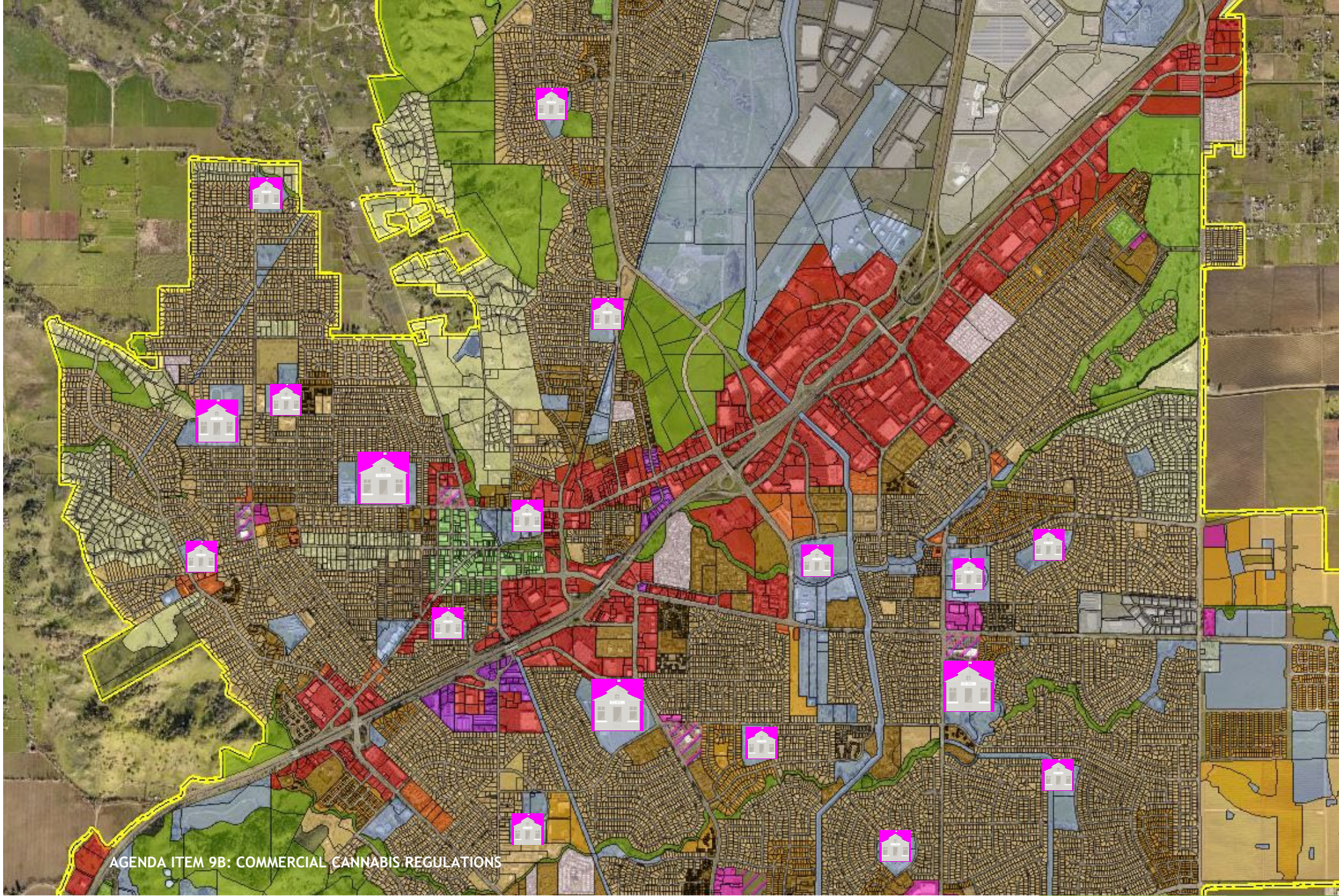


AGENDA ITEM 9B:
COMMERCIAL
CANNABIS
REGULATIONS

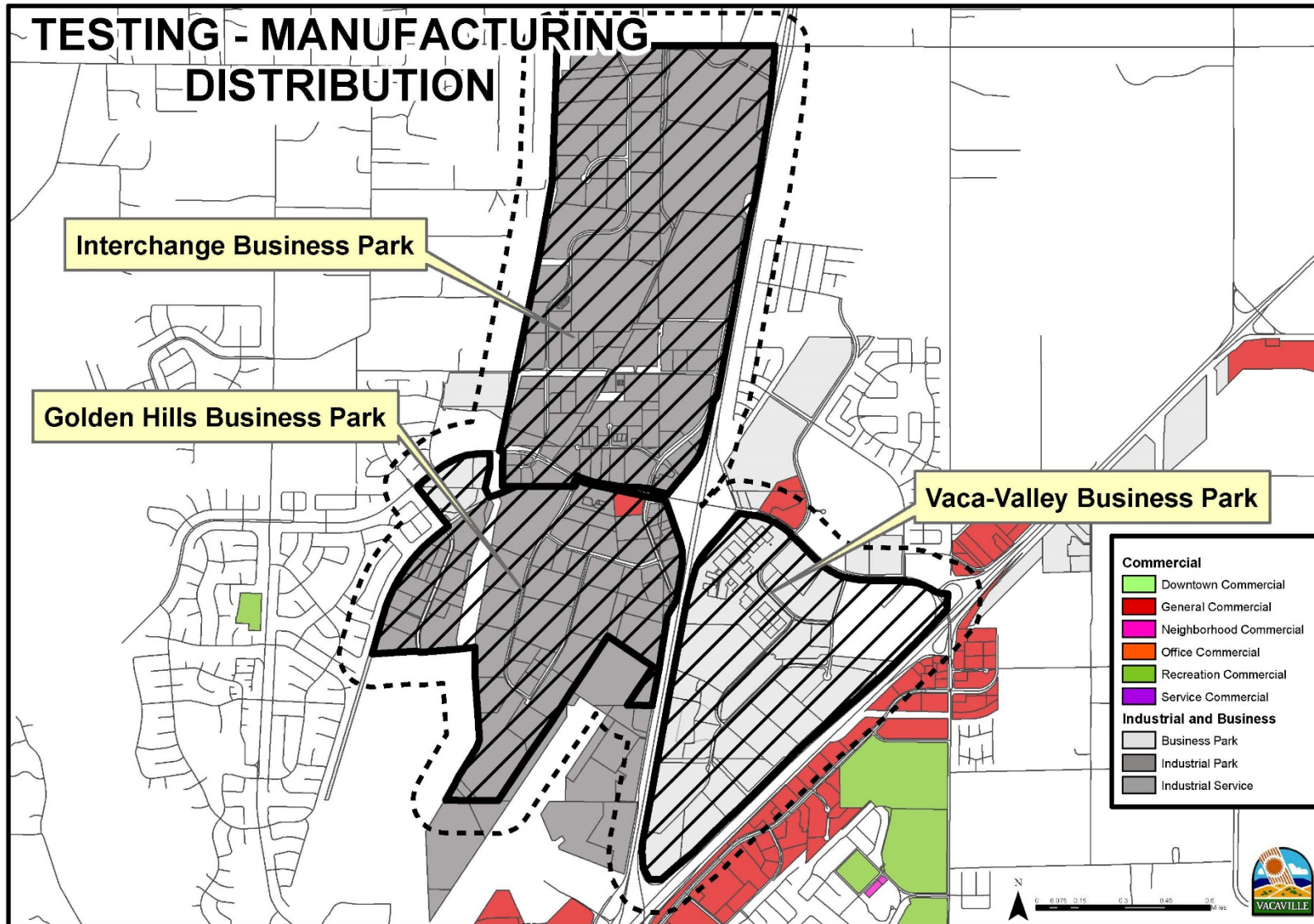
PLANNING COMMISSION DISCUSSION

- ▶ 4-3-0 vote to recommend that City Council approve the draft LUDC amendments as proposed
- ▶ Opposing comments
 - ▶ Increase distance from schools to ½ mile – 1 mile minimum
 - ▶ Allow cannabis businesses only in Industrial or Business Park zoning
- ▶ Public comment
 - ▶ Did staff speak with the school district for input on distance?





POTENTIAL INDUSTRIAL/BUSINESS PARK LOCATIONS - showing 600 ft. buffer



AGENDA ITEM 9B:
COMMERCIAL
CANNABIS
REGULATIONS

CEQA ACTION

- ▶ Statutory Exemption, defined on MAUCRSA through BPC 26055(h), that exempts adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity.
 - ▶ This exemption expires July 1, 2021
 - ▶ The action relates to an ordinance that creates regulations for a land use permit process commercial cannabis activity

RECOMMENDATION

- ▶ By title only, introduce the subject ordinances.

Questions/Comments