

**DIABLO MUNICIPAL ADVISORY COUNCIL
BOARD OF DIRECTORS MEETING
MINUTES
DIABLO ROOM, DIABLO COUNTRY CLUB
March 13, 2018, 2017 7:30 p.m.**

CALL TO ORDER: President Ray Brant called the meeting to order at 7:36 p.m.

ROLL CALL: Secretary Kathy Torru called the roll as follows:

Directors present: Brant, Torru, Urbelis, Langon

Directors absent: Watson

PUBLIC COMMENTS: There were no comments from the audience.

ACTION ITEM:

On motion by Director Urbelis, second by Director Torru, the minutes of the February 13, 2018 Regular Meeting were unanimously approved.

ACTION ITEM:

Jamar Stamps with Contra Costa County Department of Conservation and Development presented the County's proposed cannabis ordinance (Exhibit A). The proposed ordinance would ban commercial cannabis within Diablo except for a small area in the North, which would require a land use permit from the County prior to engaging in any commercial cannabis activity

On Motion by Director Torru, second by Director Urbelis, The Board unanimously approved the following feedback to the County regarding the "Overall reaction to the Framework."

"No objection to framework, with 4 recommended changes:

1. Add a requirement that the local MAC be consulted before a Cannabis LU permit is issued in that District.
2. Agriculture zones in densely populated areas, like Diablo, should not be allowed to cultivate/manufacture/distribute cannabis commercially because of the narrow roads and pedestrian traffic situation.
3. Manufacturing permits should be granted only where property already has a commercial manufacturing permit or there is ample space and low traffic to absorb the additional buildings/traffic.
4. Consider eliminating delivery distribution for non-medical marijuana. "

On Motion by Director Torru, second by Director Brant, the Board unanimously approved the following feedback to the County regarding the "Sensitive Site/Residential Buffers."

"We agree with County recommendations of 1,000 feet within a sensitive site and 500 feet within a residential area. "

On Motion by Director Torru, second by Director Urbelis, The Board unanimously approved the following feedback to the County regarding the "Permit Caps."

"Cap the number of cannabis permits issued. Caps should apply to each commercial use. Start with a small number of permits and after 1-3 years of data adjust the number as warranted.

Look at other counties for the permit ratios of retail (small) to cultivation (largest) and manufacturing (medium). E.g., Alameda County should have good information on what is working and what is not. Permits should have a reasonable expiration date. “

On Motion by Director Torru, second by Director Urbelis, The Board unanimously approved the following feedback to the County regarding the “Outdoor Personal Grow.”

Agree with County examples (for no other reason that we have no data to compare it with).

Outdoor Personal Grow examples:

1. Not more than three marijuana plants are cultivated outdoors at one time.
2. The plants are not visible from a public right-of-way or adjacent parcel.
3. No part of the plants being cultivated are within five feet of any property line.

DISCUSSION ITEM: There was no update on the sale of the Red Horse Apartments

COMMENTS BY DIRECTORS: None

CALL OF NEXT MEETING / ADJOURNMENT.

The President called the next meeting for April 10, 2018. There being no further business, the President adjourned the meeting at 8:05 pm.

Diablo Community Services District by

Kathy Torru, Secretary



DIABLO MAC

TUESDAY, MARCH 13, 2018

PRELIMINARY FRAMEWORK FOR CANNABIS REGULATION IN UNINCORPORATED CONTRA COSTA COUNTY

HOW DID WE GET HERE?

- November, 2016 – Voters passed Prop 64 (Adult Use of Marijuana Act)
- The Board of Supervisors initiated a process to review potential local regulatory approaches shortly thereafter

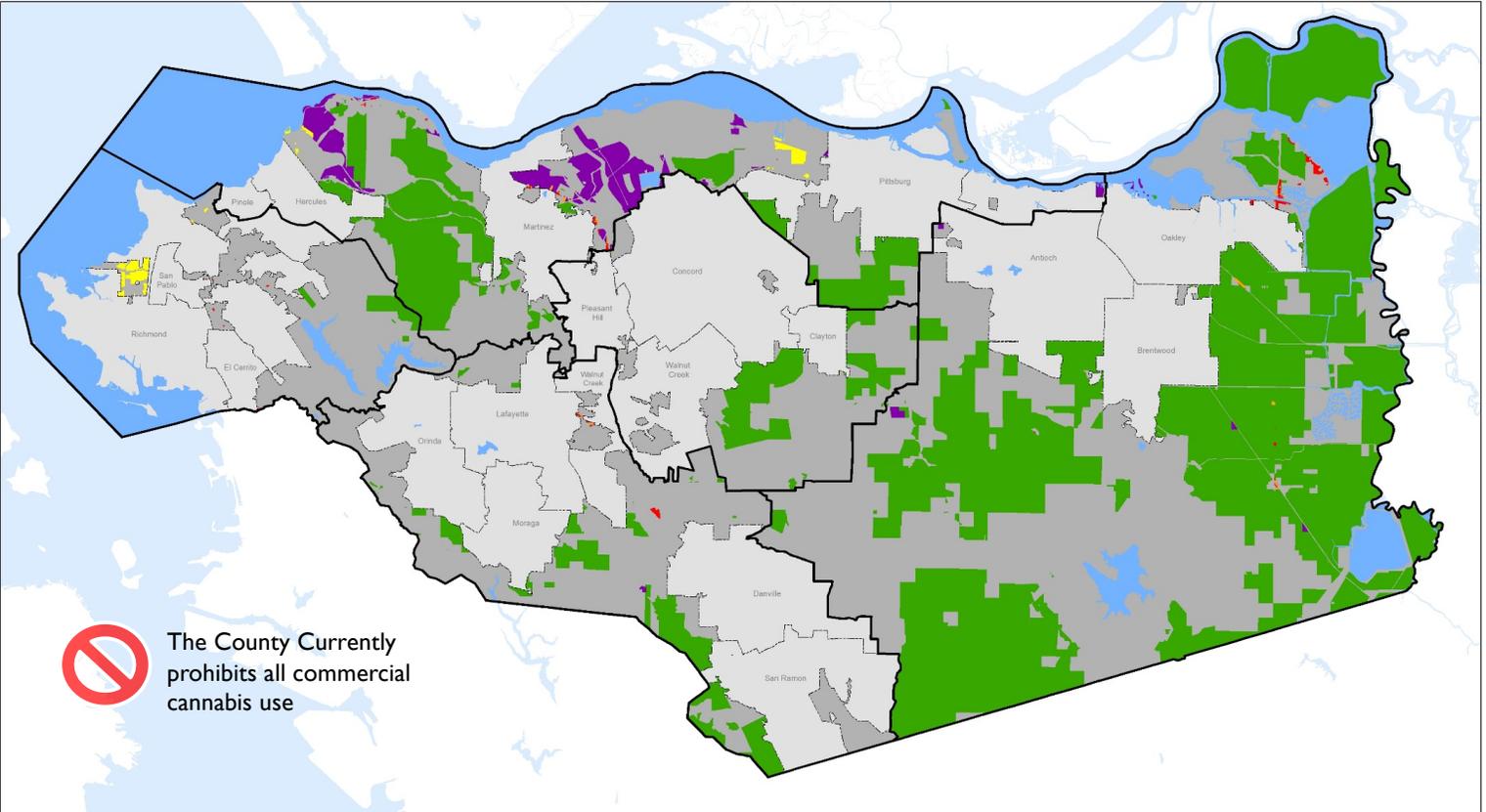
HOW DID WE GET HERE?

- Commercial Cannabis is currently PROHIBITED in unincorporated county. Commercial Cannabis includes the commercial cultivation, distribution, storage, manufacturing, processing, and sale of MEDICAL and ADULT USE cannabis. Outdoor cultivation for personal use is also PROHIBITED.

LEGEND ZONING DISTRICT	CULTIVATION		
	Artificial Light	Mixed Light	Natural Light
Agricultural Zoning Districts (A-)	Land Use Permit	Land Use Permit	Land Use Permit
Planned Unit (P-1) with Non Residential GP	Land Use Permit	Land Use Permit	Land Use Permit
Retail-Business (R-B)			
General Commercial (C)			
Controlled Manufacturing (C-M), Light Industrial (L-I), Heavy Industrial (H-I)	Land Use Permit	Land Use Permit	Land Use Permit
Potential Sustainability Requirements	Renewable Energy Sustainable Water Supply		Sustainable Water Supply
Key Consideration and Limitations by Use	Maximum 22,000 sf Ag Districts: Max. 10,000 sf structures or in existing structure		Max 2 acre Greenhouse Only in non-ag zoning districts

LEGEND ZONING DISTRICT	CULTIVATION			PROCESSING AND MOVEMENT		
	Artificial Light	Mixed Light	Natural Light	Distribution Center	Manufacturing	Testing
Agricultural Zoning Districts (A-)	Land Use Permit	Land Use Permit	Land Use Permit		Land Use Permit	
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Retail-Business (R-B)						
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Controlled Manufacturing (C-M), Light Industrial (L-I), Heavy Industrial (H-I)	Land Use Permit	Land Use Permit	Land Use Permit	Land Use Permit	Land Use Permit	Land Use Permit
Potential Sustainability Requirements	Renewable Energy Sustainable Water Supply		Sustainable Water Supply			
Key Consideration and Limitations by Use	Maximum 22,000 sf Ag Districts: Max. 10,000 sf structures or in existing structure		Max 2 acre Greenhouse Only in non-ag zoning districts	Only within ULL Cultivators may distribute own product	Potential limits on number of employees/trips outside ULL	Only within ULL

LEGEND ZONING DISTRICT	CULTIVATION			PROCESSING AND MOVEMENT			SALES	
	Artificial Light	Mixed Light	Natural Light	Distribution Center	Manufacturing	Testing	Retail Delivery Only	Retail Storefront
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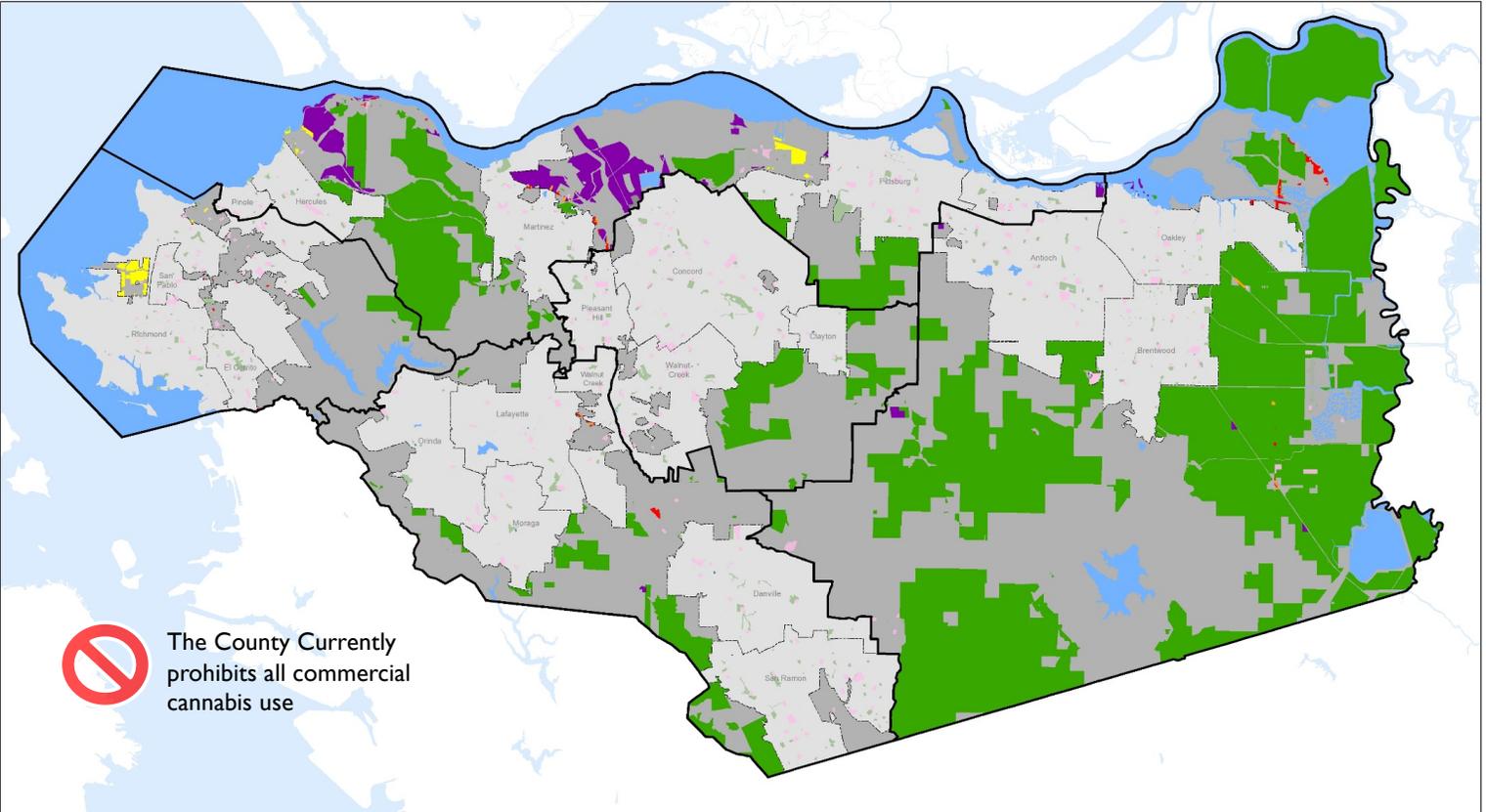


 The County Currently prohibits all commercial cannabis use

 Area with Incompatible Zoning District or General Plan Land Use Designation

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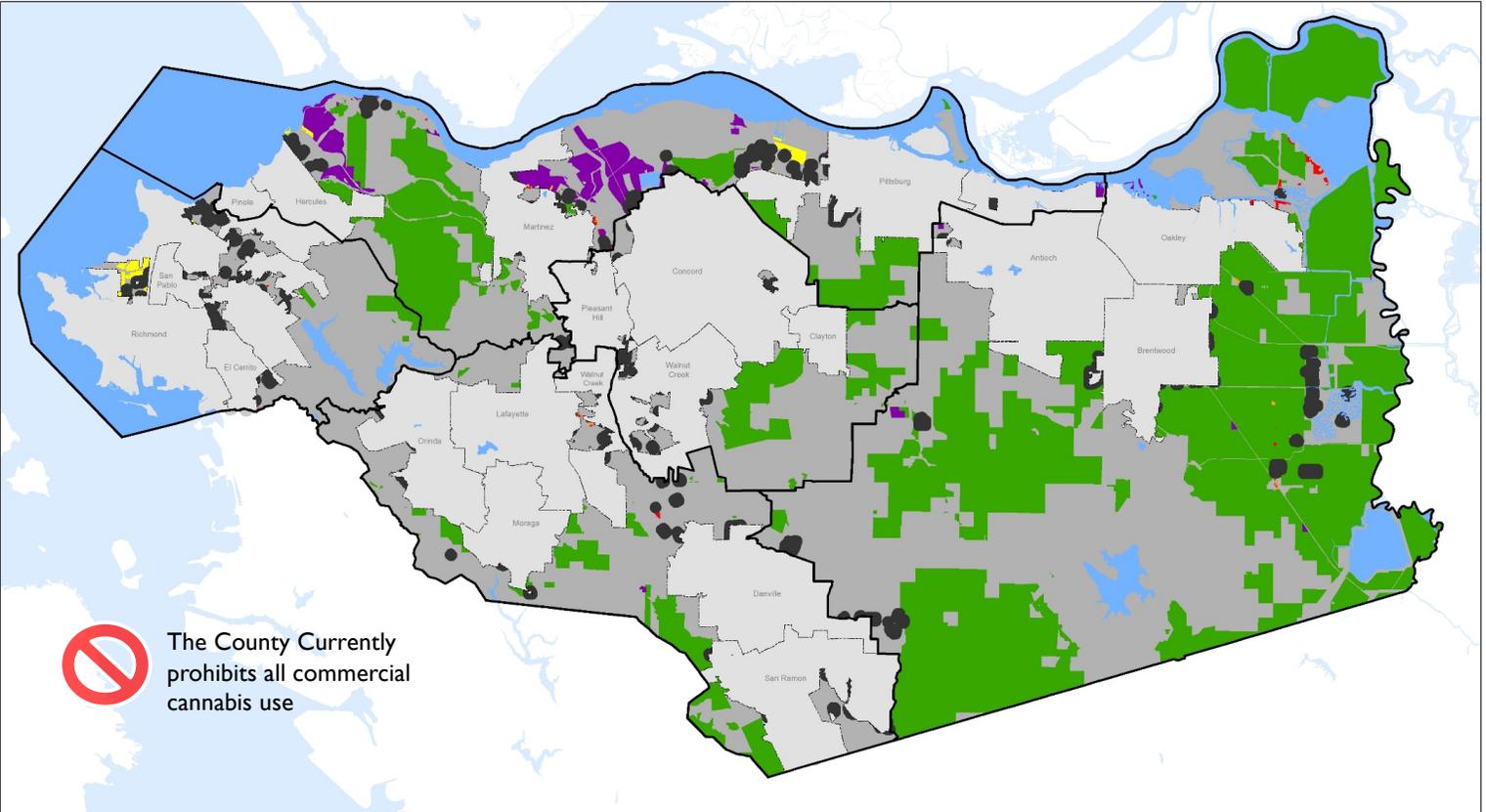
- Sensitive Site
- School
 - Library
 - Park
 - Homeless Shelter or Drug Rehab Center

Area with Incompatible Zoning District or General Plan Land Use Designation

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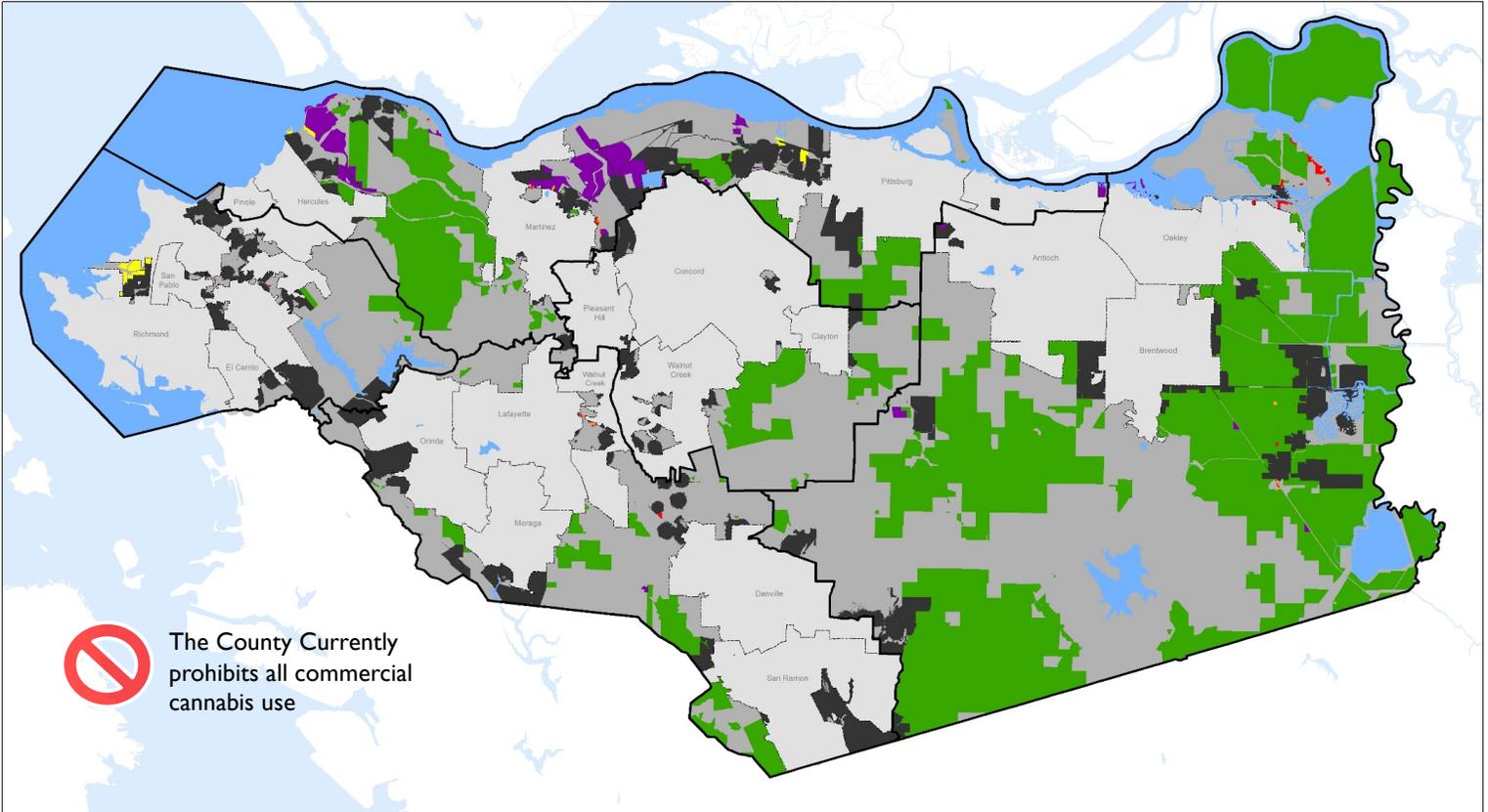


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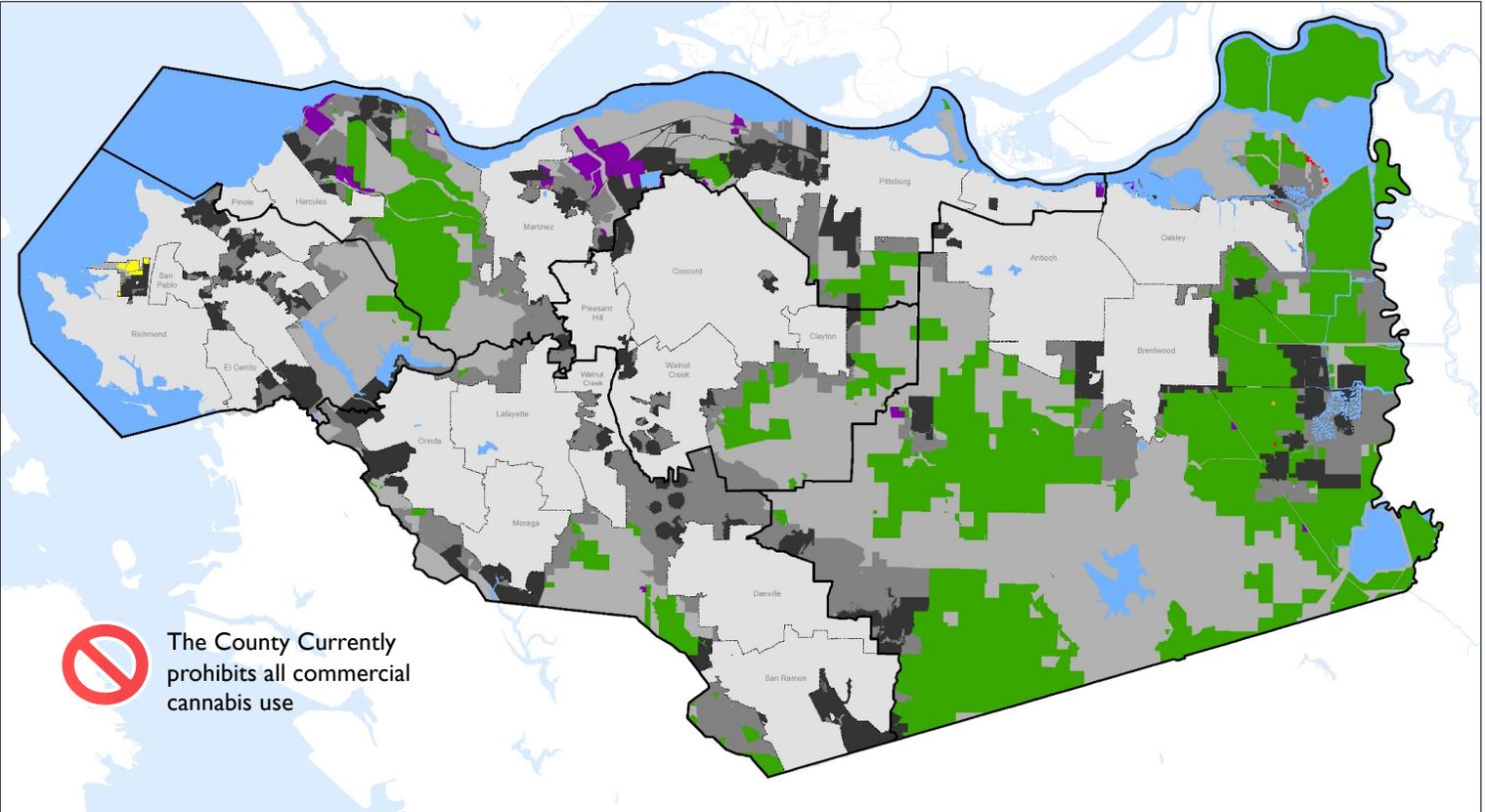
Parcels within 1,000 feet of a Sensitive Site

Area with Incompatible Zoning District or General Plan Land Use Designation

 The County Currently prohibits all commercial cannabis use

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Parcels within 1,000 feet of a Sensitive Site

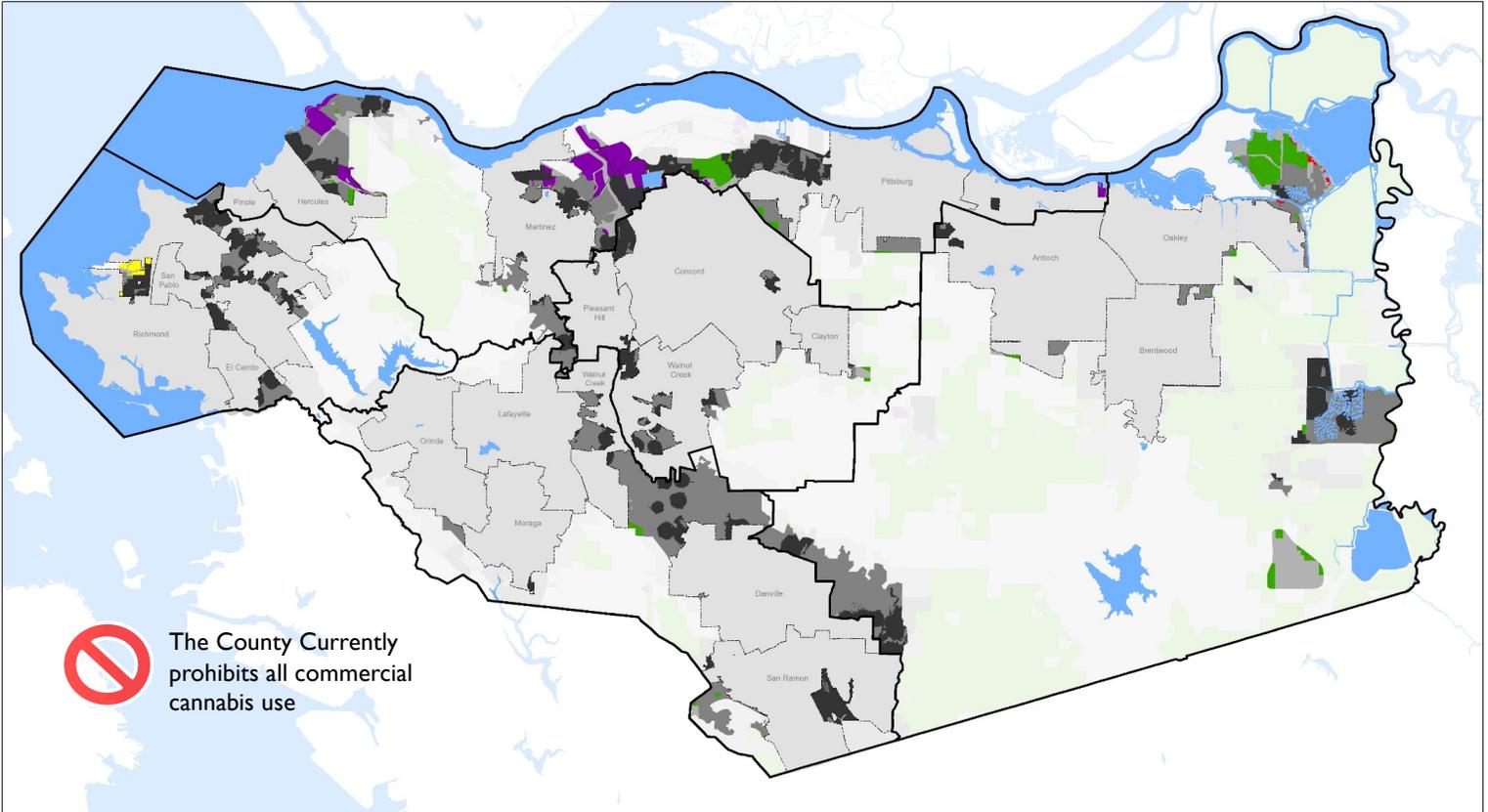
Parcels within 500 feet of a Residential

Area with Incompatible Zoning District or General Plan Land Use Designation

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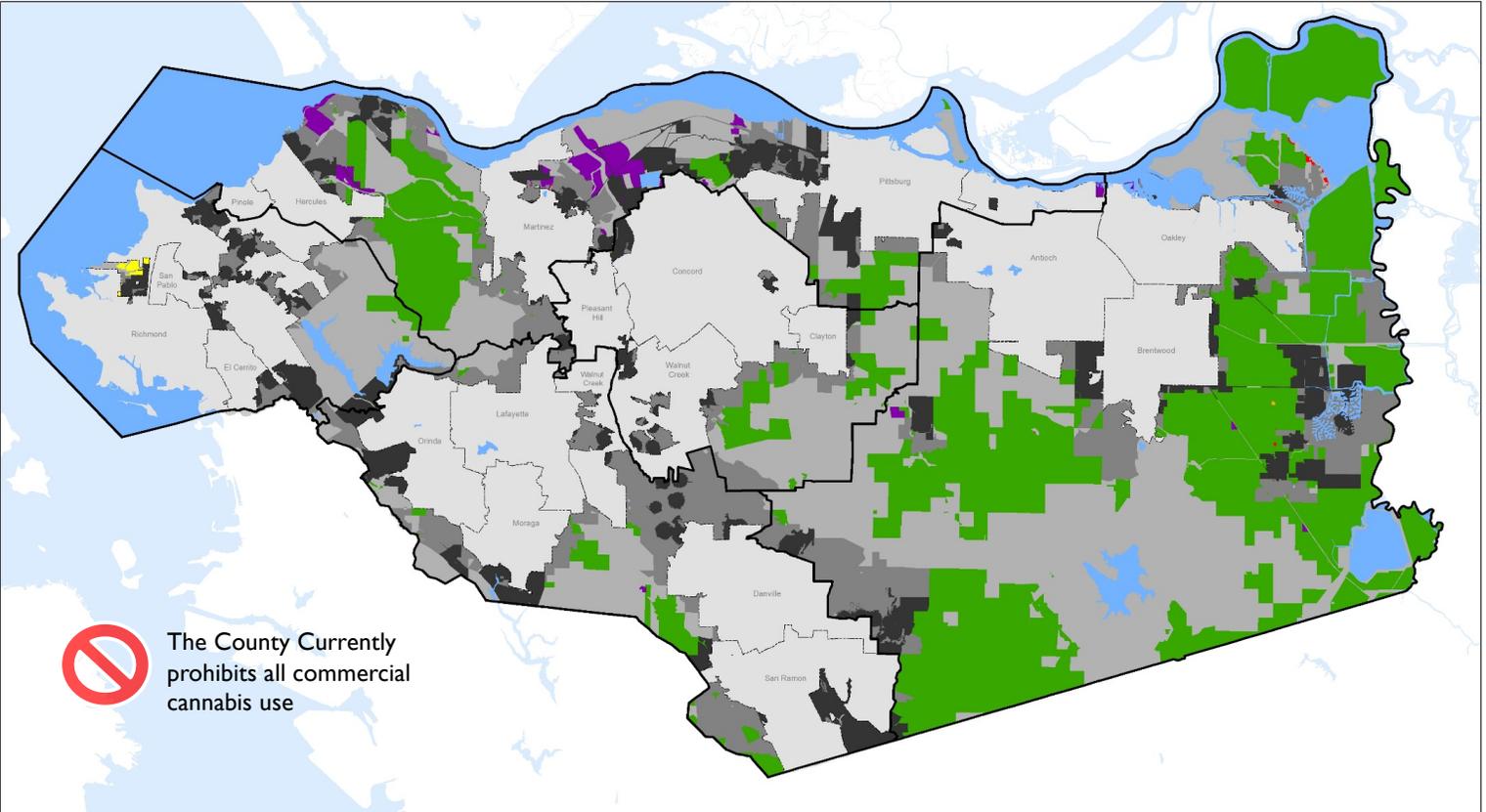


 The County Currently prohibits all commercial cannabis use

-  Parcels within 1,000 feet of a Sensitive Site
-  Parcels within 500 feet of a Residential
- Potential not allowed outside Urban Limit Line: Distribution Centers, Testing, Retail Stores/Delivery.
-  Area with Incompatible Zoning District or General Plan Land Use Designation

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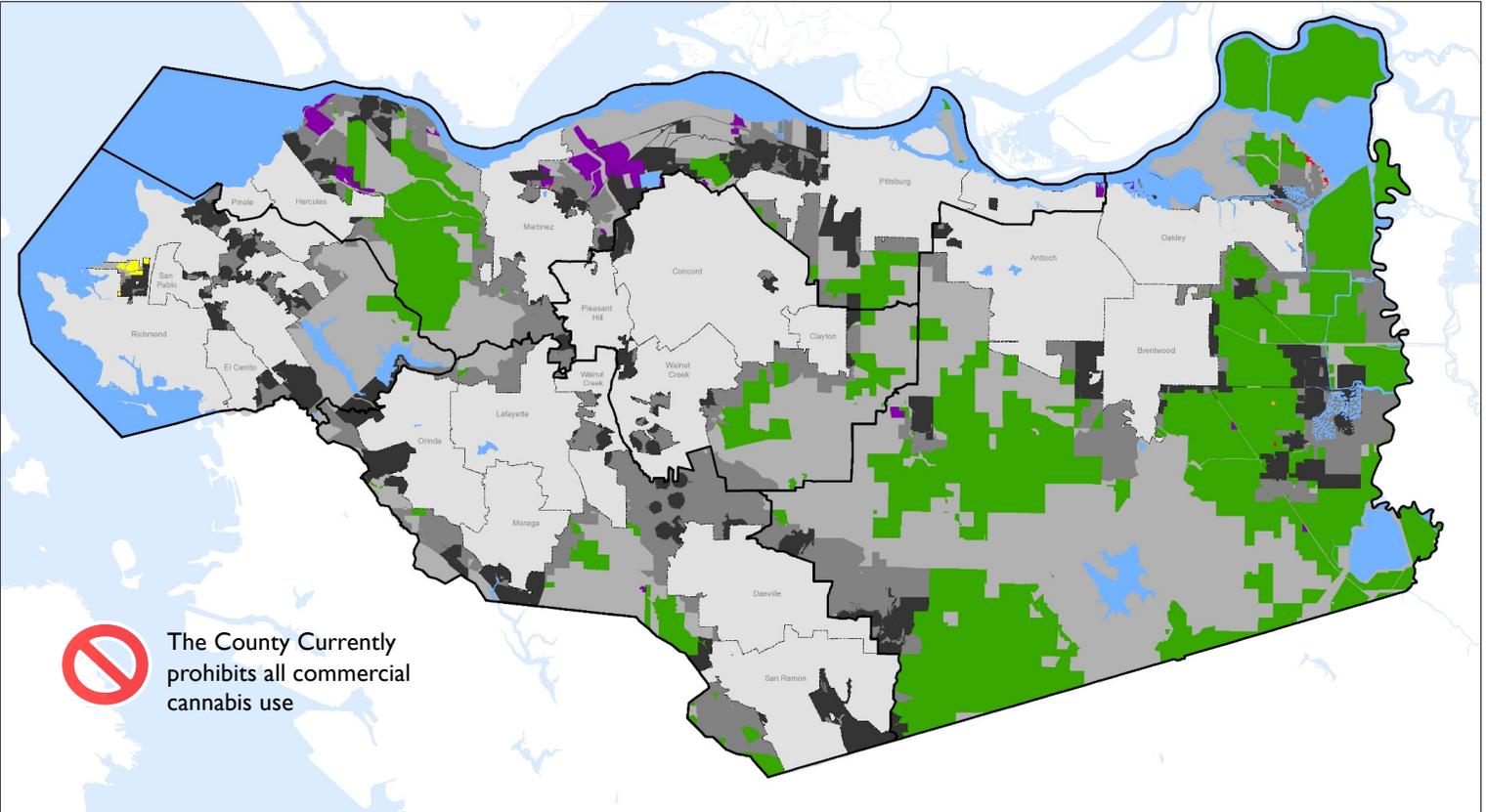


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-  Parcels within 1,000 feet of a Sensitive Site
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- Potential caps on the number of commercial cannabis permits
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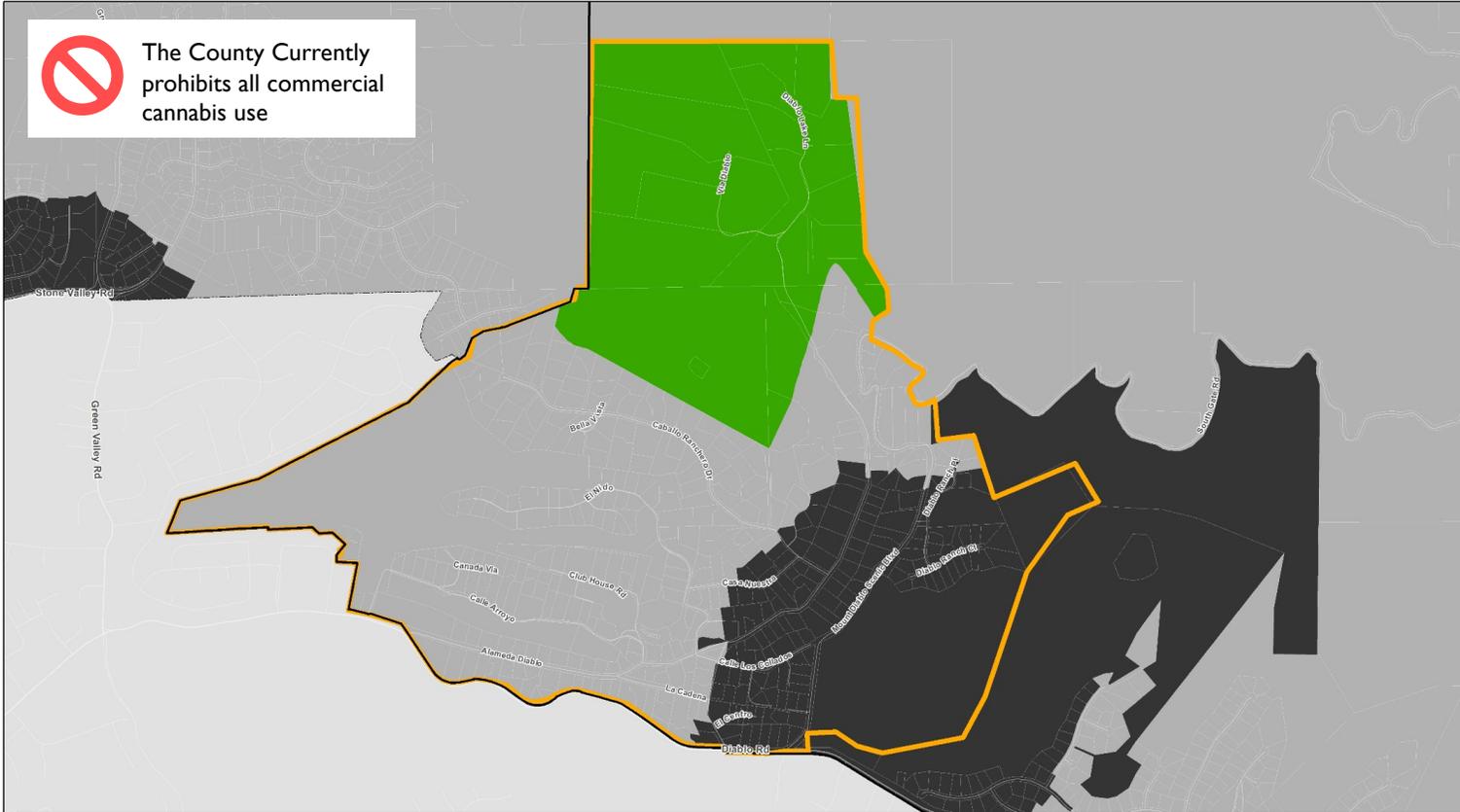
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-  Parcels within 1,000 feet of a Sensitive Site
-  Parcels within 500 feet of a Residential
- Potential not allowed outside Urban Limit Line: Distribution Centers, Testing, Retail Stores/Delivery.
- Potential caps on the number of commercial cannabis permits
- Maximum cultivation area is 22,000 sq. feet indoor / 2 acres outdoor
-  20 acres
-  Area with Incompatible Zoning District or General Plan Land Use Designation

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The County Currently prohibits all commercial cannabis use



DIABLO AREA

 Parcels within 1,000 feet of a Sensitive Site

Potential not allowed outside Urban Limit Line: Distribution Centers, Testing, Retail Stores/Delivery.

Potential caps on the number of commercial cannabis permits

Maximum cultivation area is 22,000 sq. feet indoor / 2 acres outdoor

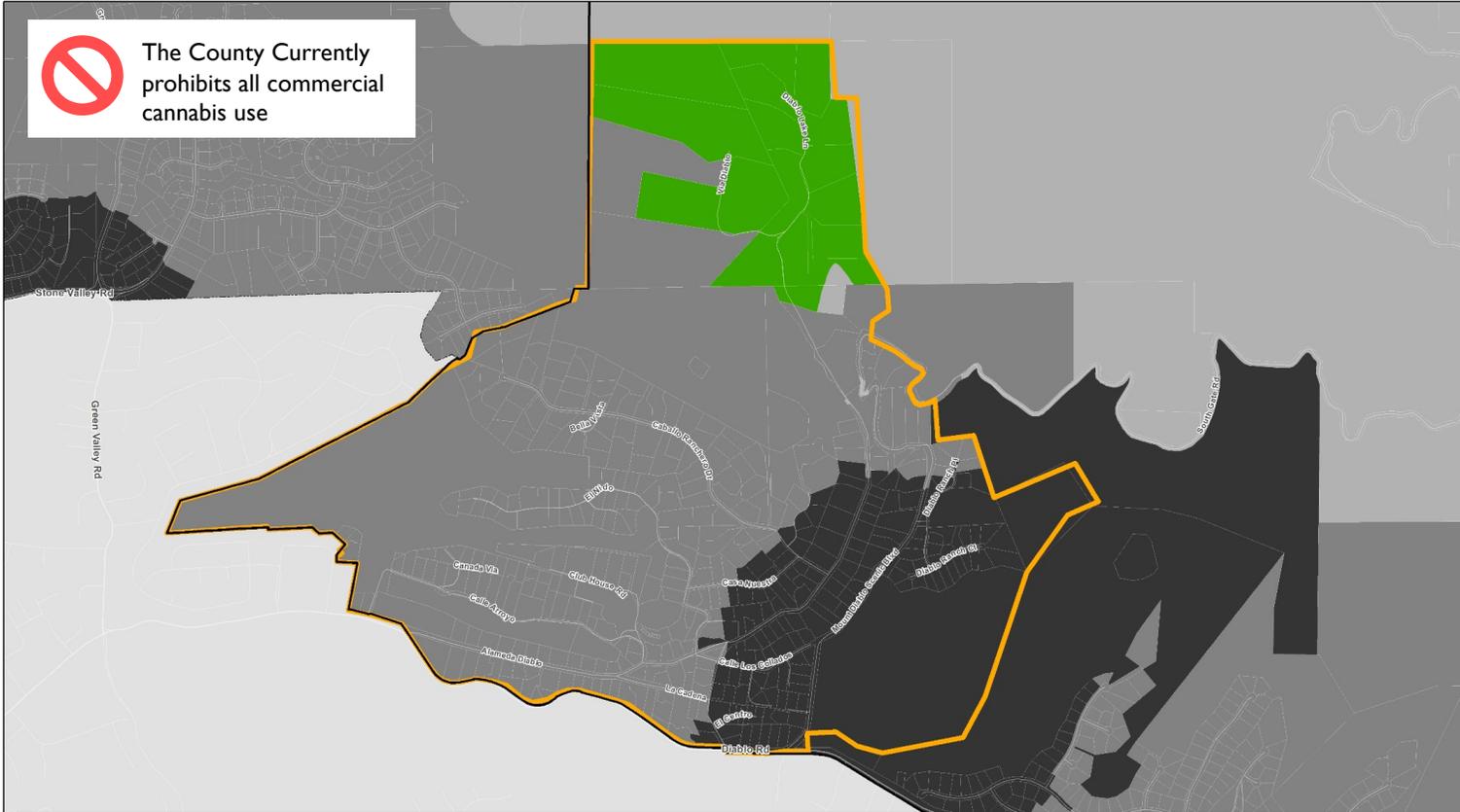
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 Area with Incompatible Zoning District or General Plan Land Use Designation

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The County Currently prohibits all commercial cannabis use



DIABLO AREA

 Parcels within 1,000 feet of a Sensitive Site

 Parcels within 500 feet of a Residential

Potential not allowed outside Urban Limit Line: Distribution Centers, Testing, Retail Stores/Delivery.

Potential caps on the number of commercial cannabis permits

Maximum cultivation area is 22,000 sq. feet indoor / 2 acres outdoor

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 Area with Incompatible Zoning District or General Plan Land Use Designation

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HEALTH AND SAFETY

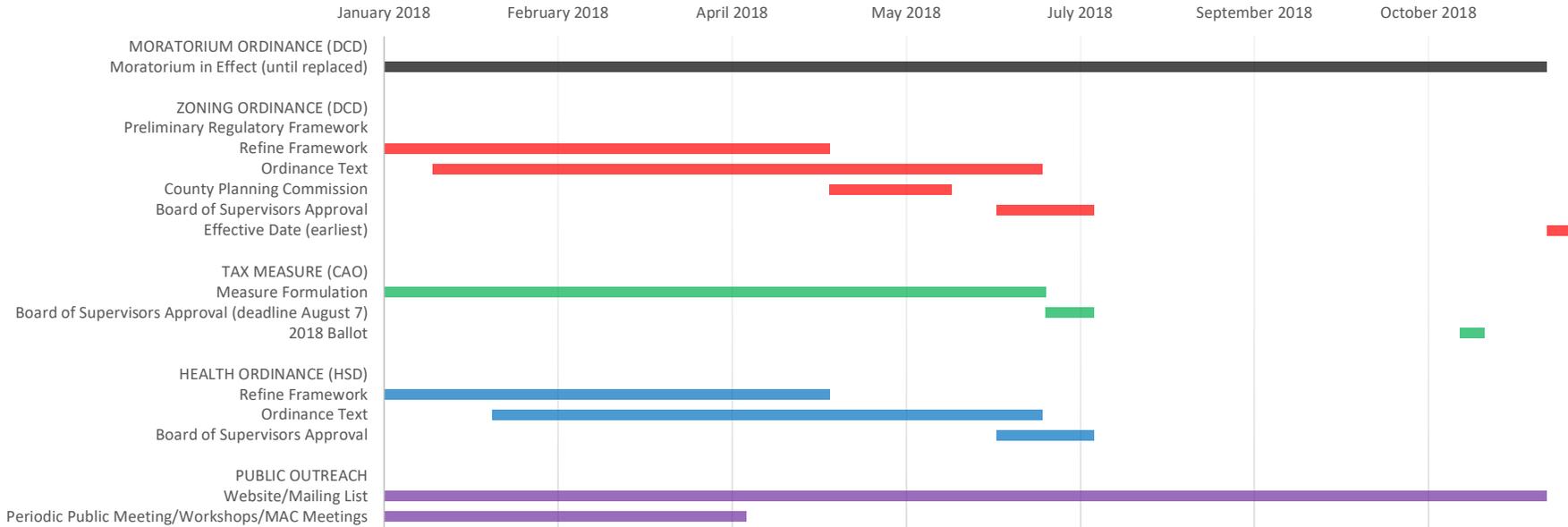
Health and Safety Ordinance

- Being developed concurrent to the land use regulations by Health Services Department
- Provide local authority to establish, inspect, and enforce additional rules and restrictions on the manufacturing and sale of consumer products which contain cannabis
- In particular, identify measures that can be implemented to reduce youth consumption

COSTS AND REVENUE

- County is in the process of considering costs associated with various aspects of Prop 64, including enforcement (both with a Commercial Cannabis Ordinance and without), health and safety impacts, and implementation of a commercial cannabis ordinance
- Potential revenue sources include a County Tax Initiative and State funds available to eligible jurisdictions
- An initial tax analysis indicates there could be between \$1 - \$10 million in tax revenue per year for the county, depending on the number of establishments and tax rate.
- The tax measure could provide funding for a variety of public purposes, including but not limited to enhanced public safety, improved public health, drug treatment and education, and enhanced code enforcement capability.
- An unincorporated County cannabis tax initiative could be considered by voters at the next General Election in November 2018. The tax ballot would be voted on by unincorporated voters only.
- The intent is the commercial cannabis ordinance would only take effect if and when a tax initiative is passed by the voters.

NEXT STEPS



COMMUNITY INPUT NEEDED

- **What is your overall reaction to the framework?**
- **Sensitive Site/Residential Buffers:** What distance should cannabis uses be buffered from sensitive and/or residential sites?
- **Caps:** Should we include caps on the number of permits? If so, how many? What uses should caps be applied to?
- **Outdoor Personal Grow:** Should it be allowed by right? Number of plants? Other requirements?

HOW TO COMMENT

To Provide input on the Framework

- www.cccounty.us/cannabis
- Fill out a survey
- Advisory Committee recommendation to the Board of Supervisors

Other questions

- www.cccounty.us/cannabis
- Email: Ruben.Hernandez@dcd.cccounty.us