



AGENCY: City Council
MEETING DATE: October 25, 2021
DEPARTMENT: Community Development
PRESENTED BY: H. Gurewitz
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AGENDA ITEM SUMMARY

TITLE:

Receive Staff Update on the Development of an Ordinance to Amend the Inland Land Use and Development Code to Address Zoning for the Commercial Cultivation of Cannabis in the City of Fort Bragg

ISSUE:

On May 3, 2021 and May 20, 2021, the City Council held two workshops and provided direction to staff on the development of zoning and land use regulations for commercial cannabis cultivation in the City of Fort Bragg. This report is meant to provide a status update to City Council on that process.

ANALYSIS:

In July of this year, City staff were made aware of and took advantage of a program through the Cannabis Law Clinic at Golden Gate University (GGU) that is providing support to the Community Development Department in developing the land use regulations for commercial cannabis cultivation.

The Cannabis Law Clinic at GGU is a semester long program with approximately eight (8) students. They agreed to provide up to 60 hours of pro-bono work for the City in developing the ordinance beginning with the fall term on August 20, 2021. There are two students who are assigned specifically to the project, Michelle Garcilazo and Joseph Roberts. They are working under the direction of Professor Luis Alejandro Rodriguez and Professor John Heredia. We expect to have a draft of the ordinance prior to November 30, 2021.

As part of that process, GGU students/staff have requested feedback on some of the following:

1. Many jurisdictions are creating equity programs that are designed to ensure that legalization economically benefits low income/minority communities or communities that have been adversely impacted by the War on Drugs. This is typically done by setting aside an allotment of the total available licenses for these individuals. Is this something that the City would like to consider?
2. Does the City Council want to consider some certain number of licenses that are only available for local residents?
3. Does the City Council want to consider allowing cultivation sites to have a "tasting room?"

Simultaneously, the Community Development Department is working on the initial study to determine if adding this new use to the list of allowable uses could result in significant environmental impacts. The Initial Study will result in either a Negative Declaration, a Mitigated Negative Declaration, or a determination that a full Environmental Impact Report is needed. If possible, we hope to complete the Initial Study and circulate it for public comments in the winter of 2022 (January/February).

Once the draft ordinance is complete and the Initial Study has been completed, there will be a public hearing with the Planning Commission who will make a recommendation to City Council to adopt or not adopt the ordinance. The Planning Commission may also recommend changes to the proposed ordinance.

The current plan is that the new ordinance will be ready for adoption in the Spring of 2022.

RECOMMENDED ACTION:

Accept report and provide feedback to staff.

ALTERNATIVE ACTION(S):

Provide alternative direction.

FISCAL IMPACT:

N/A

GREENHOUSE GAS EMISSIONS IMPACT:

N/A

CONSISTENCY:

N/A

IMPLEMENTATION/TIMEFRAMES:

The project is currently projected to be completed in Spring of 2022.

ATTACHMENTS:

N/A

NOTIFICATION:

1. Cannabis Notify Me subscriber list