

ORDINANCE NO. C.S. 1205

**AN ORDINANCE AMENDING TITLE 21 OF THE STANISLAUS COUNTY CODE
RELATING TO COMMERCIAL CANNABIS ACTIVITIES**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA ORDAINS AS FOLLOWS:

Section 1. Section 21.08.020, Subdivision D, of the Stanislaus County Code is added to read as follows:

"D. Commercial Cannabis Activities as authorized by this Title and Chapter 6.78 of the Stanislaus County Code shall be located and operated in compliance with all the requirements of Chapter 6.78 of the Stanislaus County Code and any other local requirements, and state laws and regulations, applicable to commercial cannabis activities.

1. "Public notification required for the consideration of any discretionary action authorized by this Title for the permitting of commercial cannabis activities shall be provided at a distance of 600 feet from the boundaries of the project site, unless a greater distance is required by adopted County policy or state requirement.
2. "Any discretionary action taken for the permitting of a commercial cannabis activity shall be subject to a finding by the decision making authority that the establishment, maintenance, and operation of the proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County."

Section 2. Section 21.12.151, of the Stanislaus County Code is added to read as follows:

"21.12.151 COMMERCIAL CANNABIS ACTIVITY

"Commercial Cannabis Activity" means the commercial cultivation, possession, manufacturing, processing, storing, laboratory testing, labeling, transporting, distribution, or sale of medicinal or non-medicinal cannabis or a medicinal or non-medicinal cannabis product. For the purposes of this Title, "commercial cannabis activity" does not include the activities defined in Section 11362.1 and Section 11362.2 of the California Health & Safety Code. All commercial cannabis activities shall be operated in compliance with all the requirements of Chapter 6.78 of the Stanislaus County Code."

Section 3. Section 21.20.030, Subdivision H, of the Stanislaus County Code is added to read as follows:

“H. Commercial cannabis cultivation or nursery activities (natural light or mixed-light) and distribution activities (limited to permitted commercial cannabis product grown on-site) subject to Section 21.08.020(D) of this Title, may be allowed when conducted within a greenhouse or accessory agricultural storage building as permitted by Title 6 of the County Code.”

Section 4. Section 21.42.025, of the Stanislaus County Code is added to read as follows:

“21.42.025 USES REQUIRING A USE PERMIT

“A. Commercial cannabis retail (non-storefront only), manufacturing (non-volatile), testing labs, distribution, and cultivation or nursery activities (mixed-light or indoor), subject to Section 21.08.020(D) of this Title.

“1. Where a Planned Industrial zoning district is adopted after January 4, 2018, the adoption of the zoning district may authorize the uses permitted by Section A, in-lieu of a use permit, provided the uses are specifically identified in the development plan required by Section 21.42.040 of this Chapter.”

Section 5. Section 21.56.030, Subdivision I, of the Stanislaus County Code is added to read as follows:

“I. Commercial cannabis retail (storefront only), or testing activities, subject to Section 21.08.020(D) of this Title.”

Section 6. Section 21.60.030, Subdivision J, of the Stanislaus County Code is added to read as follows:

“J. Commercial cannabis retail (storefront or non-storefront), manufacturing (volatile or non-volatile), testing labs, distribution, and cultivation or nursery activities (mixed-light or indoor), subject to Section 21.08.020(D) of this Title.”

Section 7. Section 21.64.030, Subdivision E, of the Stanislaus County Code is added to read as follows:

“E. Commercial cannabis manufacturing (non-volatile), testing labs, distribution, and cultivation or nursery activities (mixed-light or indoor), subject to Section 21.08.020(D) of this Title.”

Upon motion of Supervisor Olsen, seconded by Supervisor Withrow, the foregoing Ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 5th day of December, 2017, by the following-called vote:

AYES: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

NOES: Supervisors: None


ABSENT: Supervisors: None

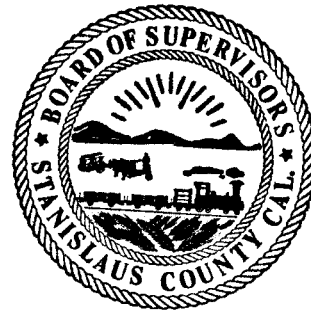


Vito Chiesa, Chairman
of the Board of Supervisors of the
County of Stanislaus, State of California

ATTEST:


ELIZABETH A. KING, Clerk of the
Board of Supervisors of the County of Stanislaus,
State of California

By 
Pam Villarreal, Deputy Clerk



APPROVED AS TO FORM:

John P. Doering
County Counsel

By 
Thomas E. Boze
Assistant County Counsel