



Monterey County Board of Supervisors

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Board Order

A motion was made by Mary L. Adams, seconded by Supervisor Wendy Root Askew, as amended, to:

- a. Find the project is the adoption of commercial cannabis regulations that require subsequent discretionary permits that are themselves subject to CEQA review, and therefore is statutorily exempt from CEQA pursuant to Business and Professions Code section 26055(h);
- b. **Adopt Ordinance No. 5350** (Attachment A) amending Chapter 21.67 of Title 21 (non-coastal zoning) of the Monterey County Code to modify energy requirements for indoor cannabis cultivation and amending Chapter 21.69 of Title 21 (the Outdoor Cannabis Cultivation Pilot Program) to:
 - 1) Add the permanent grazing zoning district within the Cachagua Area Plan as locations where outdoor cannabis cultivation may be permitted;
 - 2) Reduce the setback required from the nearest off-site structure from 500 feet to 250 feet;
 - 3) Modify the criteria for granting an exception to the setback from the nearest off-site structure;
 - 4) Increase the maximum allowable canopy from 10,000 square feet to 20,000 square feet; and
 - 5) Extend the pilot program from 5 years to 8 years;
- c. **Adopt Ordinance No. 5351** (Attachment B) amending Chapter 20.67 of the Monterey County Coastal Implementation Plan, Part 1 (Title 20, coastal zoning) to modify energy requirements for indoor cannabis cultivation and amending Chapter 20.69 of Title 20 (Outdoor Cannabis Cultivation Pilot Program) to:
 - 1) Reduce the setback required from the nearest off-site structure from 500 feet to 250 feet;
 - 2) Modify the criteria for granting an exception to the setback from the nearest off-site structure;
 - 3) Increase the maximum allowable canopy from 10,000 square feet to 20,000 square feet; and
 - 4) Extend the pilot program from 5 years to 8 years;(subject to certification by the California Coastal Commission)
- d. Certify that the ordinance amending the energy requirements for indoor cannabis cultivation and amending the outdoor commercial cannabis cultivation pilot program (item “c” above) is intended to be carried out in a manner fully in conformity with the Coastal Act;
- e. Direct staff to transmit the ordinance (item “c” above) to the California Coastal Commission for certification; and
- f. Direct staff and the Board Cannabis Committee to annually review the outdoor cannabis cultivation pilot program to include consideration of revisions to the program until 100 permits are approved with an amendment to add the interim good standing pathway to compliance in order to allow the outdoor pilot projects to proceed this growing season.

It is recommended that the Board take action on final ordinances before July 1, 2021 in order to apply the statutory exemption from CEQA that expires on July 1, 2021.

PASSED AND ADOPTED on this 18th day of May 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting May 18, 2021.

Dated: May 26, 2021

Corrected Date: August 12, 2021

File ID: 21-443

Agenda Item No.: 13

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California



Julian Lorenzana, Deputy