



CANNABIS PROGRAM
MONTEREY COUNTY

Board of Supervisors
May 17, 2022

Standalone ordinance to establish a Provisional Cannabis Business Permit (PCBP)

- Relates to the previously presented Proposed Alternative Enhancement No. 1.
 - Issue a PCBP to current operators effective for one year from the issuance date.
 - PCBP renewals are potentially renewable.
 - Must have completed all critical county requirements:
 - Land Use entitlement and complete certain conditions.
 - Public water and septic systems.
 - Hazardous material requirements.
 - Local land use permits that have not had any progress within 6 months will be recommended for denial without prejudice.
 - PCBPs will not be offered to any business operator that is not currently operating.
 - These operators will be afforded all other enhancements, if approved.

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Purpose of the standalone ordinance

- Allow operators to continue operations while pursuing state and local authorizations.
- Incentivize operators to timely complete outstanding requirements by a date certain.

How the standalone ordinance would function

- On or around August 1, 2022, Program would issue a PCBP to operational businesses.
- Operator would continue to work towards “High Priority” Items, which include:
 - Approval of the applicable land use entitlement.
 - Complete and final all required building permits.
 - Complete a permitted public water system, if required.
 - Installation of permanent restroom facilities.
 - Receipt of all health permits required.
 - Satisfaction of all fire suppression and fire alarm requirements.

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Ordinance timeline

- Based on state provisional licensing expirations, which are based on operator activities:
 - January 1, 2024 for large operators
 - January 1, 2026 for all other operators
- Initial term is one year, with renewals issued to those that satisfy High Priority Items:
 - Class A renewals valid through January 1, 2024
 - Class B renewals valid through January 1, 2026
- Standalone ordinance would not be codified and would expire on December 31, 2025.

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Environmental Review

Staff requests that the Board find the draft ordinance is not a project subject to CEQA because:

1. The standalone ordinance will be administered solely on a ministerial basis
 - Issuance/renewal is based solely on objective criteria, not staff discretion
2. It will not result in a direct or reasonably foreseeable indirect change to the physical environment
 - Applies only to existing, operational cannabis businesses

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Recommendation

Introduce, waive reading of, and set May 31, 2022 at 10:30 a.m. as the date and time to consider adoption of a standalone ordinance to establish the Provisional Cannabis Business Permit.



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Questions