



County of Santa Cruz

COUNTY ADMINISTRATIVE OFFICE

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BOARD TO WEIGH INTERIM COMMERCIAL CULTIVATION ORDINANCE

On Tuesday, December 8, the Santa Cruz County Board of Supervisors will discuss licensing commercial medical cannabis production in Santa Cruz County.

In August, the Board directed a 13-member ad hoc committee to develop recommendations for local commercial cannabis regulations. The move came after prior efforts to find a balance that protected neighborhoods, protected the environment and assured an adequate supply of medical marijuana for patients failed to reach community consensus.

Moderated by a former U.S. Department of Agriculture official and comprised of experts in land use, cultivation, law, environmental protection and more, the Cannabis Cultivation Choices Committee has been holding weekly public meetings since early September to discuss a local regulatory scheme for commercial cannabis cultivation. It has considered thousands of pages of documents and heard testimony from a variety of stakeholders, and has conducted its business in the spirit of mutuality, collaboration and shared values.

In the meantime, Gov. Jerry Brown signed into law a trio of bills that, for the first time, sanction and regulate medical cannabis production in California. The California Medical Marijuana Regulation and Safety Act also preserves local control over cannabis operations by establishing a tiered licensing system allowing local governments to establish rules for cannabis production that reflect the best interests of the community. However, local governments must have regulations in effect by March 1, 2016.

On Thursday, December 3, the Cannabis Cultivation Choices Committee voted unanimously to recommend an *interim* ordinance that would establish, for the first time, a local licensing system for commercial medical marijuana cultivation. Under the



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proposal – subject to Board of Supervisors’ approval -- cultivators may apply for one of two types of licenses, be subject to annual renewal, be required to identify the location of their operations and undergo backgrounds checks, among other requirements.

The proposed regulations do not impact existing limits allowing cultivation by qualified patients for their personal use.

Under the new licensing scheme, cultivation operations would be subject to certain limitations, including but not limited to:

- No commercial cultivation in urban areas.
- No commercial cultivation on parcels of less than one acre.
- If zoned RA (residential agriculture), the parcel must be five acres or greater.
- No commercial cultivation within 600 feet of:
 - A habitable structure on a neighboring parcel.
 - A public right-of-way.
 - A school.
 - A park.
 - A perennial stream.
 - A city or county boundary.
- No commercial cultivation visible from an adjacent public right-of-way.
- License holder must have a permanent residence on the cultivation site.
- Firearms prohibited on cultivation parcels.

The two types of licenses available are based on the size of cultivation operations. The larger license, which limits cultivation canopies to 500 square feet in total, is subject to additional zoning restrictions. The smaller license restricts cultivation canopies to 200 square feet in total.

These issues and more have been the subject of lengthy discussions among the Cannabis Cultivation Choices Committee, which has adopted several policy statements and has proceeded based on the core principles initially outlined by the Board of Supervisors: protect neighborhoods, protect the environment, and assure an adequate supply of medical cannabis.

In recommending the interim ordinance, the Cannabis Cultivation Choices Committee also voted to reserve the right to further comment on the proposal before final adoption, work toward developing additional licensing levels (including allowing indoor cultivation on commercial cultivation sites) and request an extension of the Committee’s term to continue working toward final recommendations, which would be returned at a later date to the Board of Supervisors for consideration.



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