



MEDICAL MARIJUANA REGULATIONS CULTIVATION AND DELIVERY

BOARD OF SUPERVISORS

JANUARY 19, 2016

MEDICAL MARIJUANA REGULATION AND SAFETY ACT

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- ❑ Signed on October 9, 2015
- ❑ Comprehensive regulatory framework
- ❑ Dual licensing system – state and local governments

KEY MILESTONES

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- July 2017
 - ▣ State regulations (anticipated)

- January 2018
 - ▣ State licensing (anticipated)

KEY MILESTONES – AB 243

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“If a city, county...does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana...then commencing March 1, 2016, the division shall be the sole licensing authority for medical marijuana cultivation applicants in that city, county...”

[Health and Safety Code, 1362.777(c)(4)]

NEARBY CITY AND COUNTY ACTIONS

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Jurisdiction	Commercial Cultivation	Dispensary	Delivery
City of Buellton	●	●	●
City of Carpinteria	●	●	●
City of Goleta	●	●	●
City of Guadalupe	●	●	●
City of Lompoc	●	●	●
City of San Luis Obispo	●	●	●
City of Santa Barbara	●	●	†
City of Santa Maria	●	●	●
City of Solvang	●*	●	†
City of Ventura	●	●	●
County of Ventura	●*	●*	●*
County of San Luis Obispo	●*	●	●

- Allowed
- Banned
- * In Progress
- † Unregulated

EXISTING COUNTY REGULATIONS

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- Prohibit dispensaries
- Do not regulate deliveries
- Allow cultivated agriculture, greenhouses, agricultural accessory structures

STAFF RECOMMENDATION

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- Prohibit cultivation and delivery
- Exempt cultivation by patient or caregiver
 - ▣ Occurs on lot with patient's residence
 - ▣ Does not exceed 100 square feet
 - ▣ Conforms to zoning and building code
 - ▣ Limited to patient use

MONTECITO AND COUNTY PLANNING COMMISSIONS

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- Hearings – December 16, January 6
- Do not adopt ordinance
- Adopt state regulations (MPC)
- Add to P&D work program (CPC)

CEQA

- Guidelines Section 15061(b)(3)
 - ▣ No possibility of significant effect
 - ▣ Not subject to CEQA

STAFF RECOMMENDATION

- Make the findings for approval, including CEQA findings...
- Determine that the adoption of the proposed ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA...
- Adopt an ordinance, Case Number 15ORD-00000-00018, adding a new Article X, titled “Medical Marijuana Regulations” to Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding medical marijuana cultivation and delivery within the unincorporated areas of Santa Barbara County...

ORDINANCE OPTIONS

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- Remove ban on delivery
- Include operative date that is later than effective date
- Delay enforcement