

Calaveras Supes to Address Medical Cannabis

MyMotherLode

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San Andreas, CA — Facing a packed agenda heavy with consent items, reports and paperwork, the Calaveras supervisors will, during their final meeting for 2015, also make time to give staff direction on drafting a medical marijuana ordinance.

The Calaveras County Board of Supervisors, earlier in the year, decided to wait until the state adopted its own regulatory and licensing scheme for medical cannabis before passing their own local rules. It was back in mid-September that AB 243, AB 266 and SB 643, the three bills that make up the Medical Marijuana Regulation and Safety Act (MMRSA), made it through the state legislature. Scheduled to take effect on January 1, 2016, MMRSA comprehensively covers all commercial medical cannabis operations. All persons or entities involved in any stage of commercial activities will need one or more state licenses to legally operate and individuals must also pass a state background check. As part of the state licensing process, commercial operators are also required to obtain a local permit or some kind of other document giving local authorization, which jurisdictions can issue on a conditional basis.

Two exceptions to the state license requirement allow for small personal grows of up to 100 square feet by a patient or up to 500 square feet for a primary caregiver to provide up to five qualified patients, although counties can regulate or ban these activities at the local level.

To ensure local regulatory authority over commercial medical marijuana operations, county staff is advising the supervisors that, at the very least, some kind of urgency ordinance provisions need to be in place by the state's deadline date of March 1, 2016.

The Calaveras supervisors and other local lawmakers have the power to limit or ban commercial cannabis cultivation and all other related activities, including mobile deliveries within their jurisdictions, as well as to create stricter regulations than the state has through land use regulations. Through the local ordinance, the board can establish additional standards, requirements and regulations for local licenses and permits for commercial activities such as cannabis product manufacturing, testing labs, distribution, transportation and related storage.

Staff is recommending that, should the supervisors decide to proceed in regulating rather than banning medical pot activities, a local ordinance should require zoning exceptions through conditional use permits and expressly require compliance with the state licensure program as a pre-condition. Currently, cannabis dispensaries require an administrative use permit to assure that the property uses are consistent with zoning regulations and county policies.

Along with hearing reports pertaining to the local states of emergency regarding the Butte Fire and worsening tree mortality issues, the board anticipates approving the acceptance of a \$150,000 grant from the Golden State Finance Authority (GSFA), which, according to its terms, must be directly applied towards helping provide temporary housing and shelter to individuals and families displaced as a result of the Butte Fire.

The supervisors will also adopt a proclamation honoring longtime county librarian Maurie Hoekstra, who is retiring at the end of the year, for her 18 years of service.

Following a closed session in the board chambers at the government center (891 Mountain Ranch Road, San Andreas), the meeting will open to the public at 9 a.m.

<http://www.mymotherlode.com/news/local/255475/calaveras-supes-to-address-medical-cannabis-ordinance.html>