



# **Cannabis Cultivation Choices Committee**

Context for conversation

# Medical Marijuana Regulation and Safety Act

Three pieces of legislation: AB 266 (cannabis),  
AB 243 (environment/regulation), & SB 643 (medical)

Creates **Bureau of Medical Marijuana Regulation (BuMMR)** in  
**Dept. of Consumer Affairs**

- licenses & regulates distributors, dispensaries, transporters
- advisory committee

**California Dept. of Food & Agriculture**

- licenses & regulates cultivators
- cannabis as agriculture product

**Dept. of Public Health:** Licenses and regulates edibles, manufacturers  
& testing businesses

2018 effective date; authority to issue emergency regulations;



# Licensing Structure

4 License categories/18 license types: Cultivation, Manufacturing, Testing, Transportation

Local and state licensing; must have local license first; local regulation can exceed State floor but must be at least as stringent

Limits on number & type of licenses that any one license holder can possess

Yearly licensing, 7 year record keeping, civil penalties

600 foot buffer



# March 1, 2016 deadline for cultivation policy

“If a city, county, or city and county does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under principles of permissive zoning, or chooses not to administer a conditional permit program pursuant to this section, then commencing March 1, 2016, the division shall be the sole licensing authority for medical marijuana cultivation applicants in that city, county, or city and county.”

Section 11362.777, (c)(4), Health & Safety Code



# Limited immunity $\neq$ cultivation policy

“[I]t is unclear whether our limited immunity approach would qualify as adequate local regulation.

If we want to preserve our ability to craft local legislation, we must be prepared for adoption of new rules before the [March 1, 2016] deadline.”

Letter from Supervisors Leopold and McPherson to Board of Supervisors, Oct. 23, 2015



# Initial C4 recommendations due in early December

BOS requests initial C4 recommendations for consideration at December 8 hearing

C4 may not be completely finished

Expectation is “interim ordinance” that preserves jurisdiction and that is amended over time, including based on C4 input

Hearing will consider licensing of commercial cultivation of medical cannabis & “evaluate the future direction of the C4 Committee”

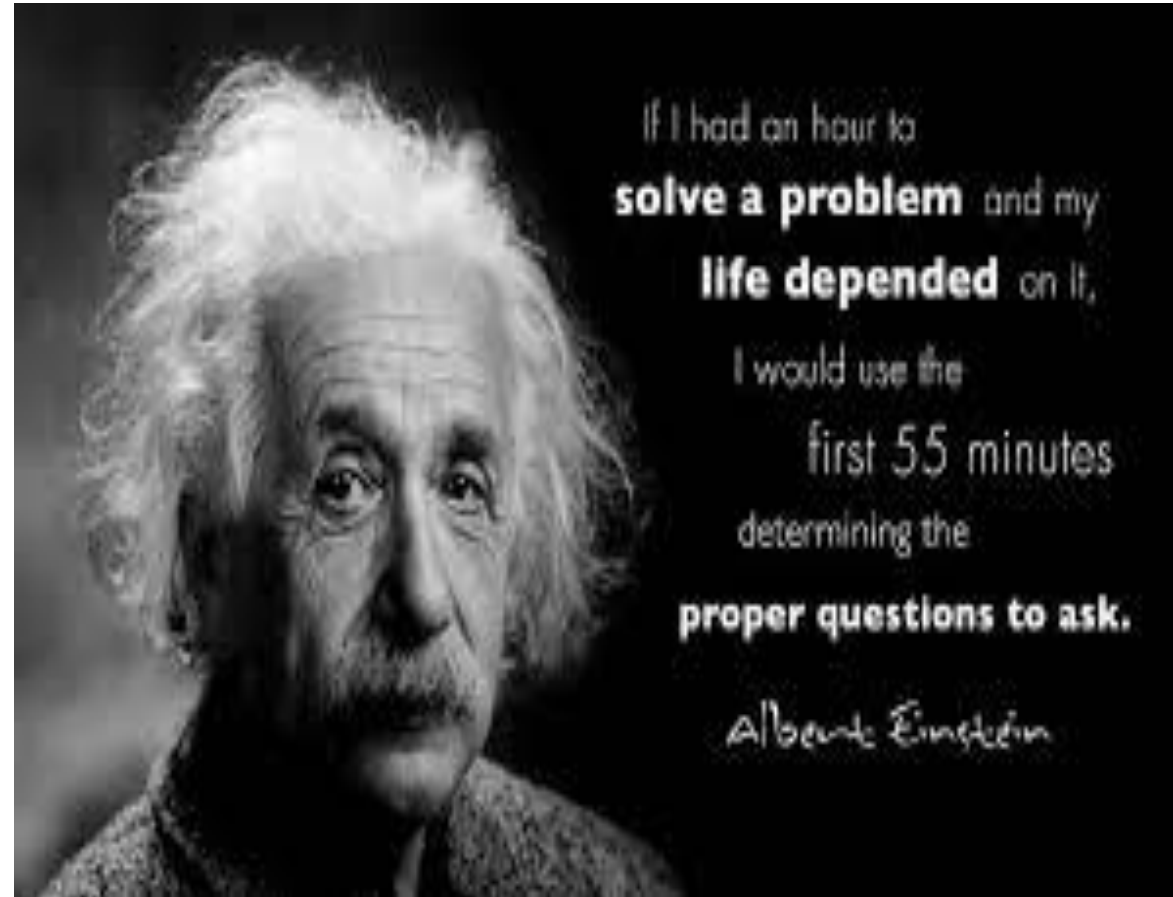


# Questions

What questions do we need to answer together to develop recommendations on cultivation policy?

What's the minimum action necessary to protect county jurisdiction?

What other questions do we want/need to explore together?



# Licensing questions

How do you feel about issuing licenses for medical cannabis cultivation?

Licensing is a big carrot for the cannabis sector. If the C4 does recommend licensing, what other conditions or requirements should the C4 consider?

Could current ordinance provide framework for interim licensing ordinance? What would C4 recommend keeping? Changing?





# Appendix

- Cultivation questions
- Design framework
- Licensing matrix

# Initial focus of design efforts: cultivation

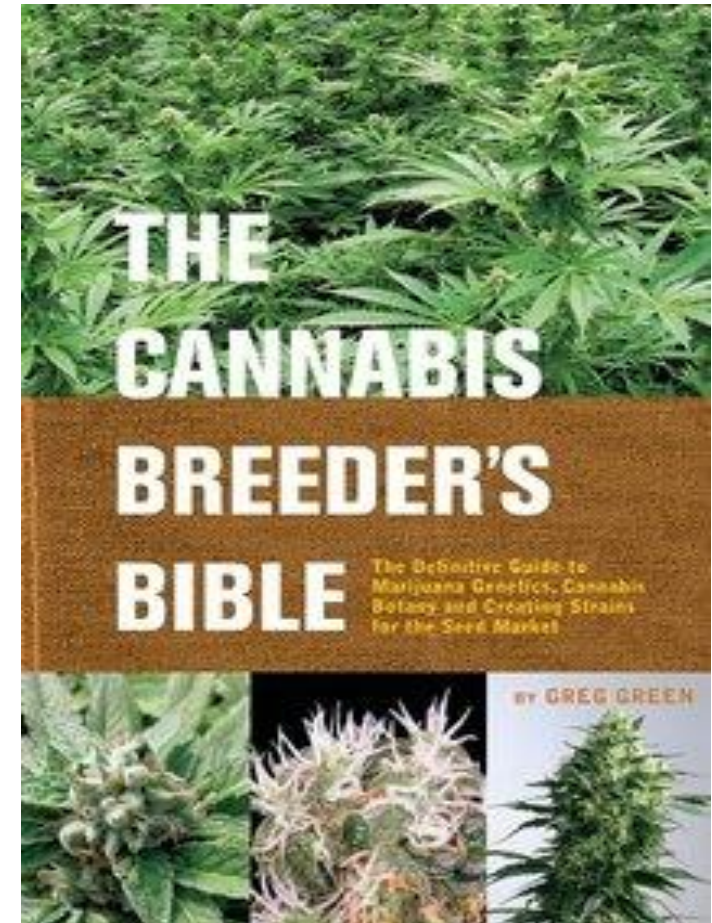
What types of cultivation should be licensed? E.g. indoor, outdoor, greenhouses

How much should licensees be allowed to grow?

Who should be eligible for licenses?

In what parts of the county?

Under what conditions?



# Framework for design

	Type of cultivation?	Who?	Where?	Under what conditions?	How much?
Current ordinance					
State law					
Recommendations				Policy discussion du jour	

# Specialty Licenses (under 5k sq ft)

<u>Type</u>	<u>Designation</u>	<u>Size</u>	<u>Other Criteria</u>
<b>Type 1</b>	Specialty Outdoor	Up to 5,000 square feet on one premises or up to 50 mature plants on non-contiguous lots.	No artificial lighting.
<b>Type 1A</b>	Specialty Indoor	Up to 5,000 square feet on one premises.	Only artificial lighting.
<b>Type 1B</b>	Specialty Mixed-Light	Up to 5,000 square feet on one premises.	Combination of natural and supplemental artificial lighting.

# Small licenses (5k – 10k sq ft)

	<u>Designation</u>	<u>Size</u>	<u>Other Criteria</u>
<b>Type 2</b>	Small Outdoor	Between 5,001 and 10,000 square feet on one premises.	No artificial lighting.
<b>Type 2A</b>	Small Indoor	Between 5,001 and 10,000 square feet on one premises.	Only artificial lighting.
<b>Type 2B</b>	Small Mixed-Light	Between 5,001 and 10,000 square feet on one premises.	Combination of natural and supplemental artificial lighting.

# 10k- 20k sq ft & Nursery Licenses

	<u>Designation</u>	<u>Size</u>	<u>Other Criteria</u>
<b>Type 3</b>	Outdoor	Between 10,0001 and 22,000 square feet on one premises.	No artificial lighting.
<b>Type 3A</b>	Indoor	Between 10,0001 and 22,000 square feet on one premises.	Only artificial lighting.
<b>Type 3B</b>	Mixed-Light	Between 10,0001 and 22,000 square feet on one premises.	Combination of natural and supplemental artificial lighting.
<b>Type 4</b>	Nursery	No size limits stated.	Type 4 licensees may transport live plants.