



Medical Marijuana Regulations Options Update

Presented to the Solano County Board of Supervisors on
November 1, 2016
Department of Resource Management



History of Board Actions on Marijuana

- **December 3, 2013 - Board adopts prohibition on Medical Marijuana Dispensaries in all zoning districts**
- **January 5, 2016- Board adopts 45 day Interim Urgency Ordinance in response to the Medical Cannabis Regulations and Safety Act (MCRSA), prohibiting cultivation, delivery, distribution, transportation, manufacturing and testing facilities**
- **February 9, 2016 – Board adopts 10 month/15 day extension of prohibition, directs staff to perform outreach and research regarding medical marijuana regulation**
- **August 2, 2016 – Board approves 15% tax on gross receipts for medical and commercial marijuana businesses – Measure C on November 8 ballot**



Focused Outreach

- **Met with:**
 - **Sheriff's Office**
 - **Health and Social Services**
 - **Agriculture Department**
 - **Agricultural Advisory Committee**
 - **Solano County Farm Bureau**



Information Review – State Comparisons

- **Summary of State Medical Regulations/Impacts**
 - Compared California, Oregon, Washington, Colorado and Hawaii
 - All require some type of patient registration ID, all have limits on the number of plants allowed for personal and caregiver cultivation.
 - Oregon does not tax medical marijuana, Washington exempts tax until 6/30/17, Colorado taxes 2.9% state tax and 3-10% for local taxes



Information Review – State Comparisons

- **Summary of State Recreational Regulations**
 - Compared California, Oregon, Washington, Colorado and Alaska
 - All states require a state license to operate a marijuana business as well payment of license fees. All allow local control.
 - Washington does not allow personal cultivation. Oregon requires a 2 year residency.
 - Oregon, Washington and Colorado have experienced an increase in marijuana tax revenue.
 - Oregon, Washington and Colorado have all reported increases in driving under the influence of marijuana and increases in ER visits due to overconsumption.



Information Review – Types of MCRSA Licenses

■ Commercial Cultivation –



Outdoor



Indoor



Mixed Light



Information Review – Types of MCRSA Licenses



Plant Nurseries

Testing Laboratories





Information Review – Types of MCRSA Licenses



Manufacturers

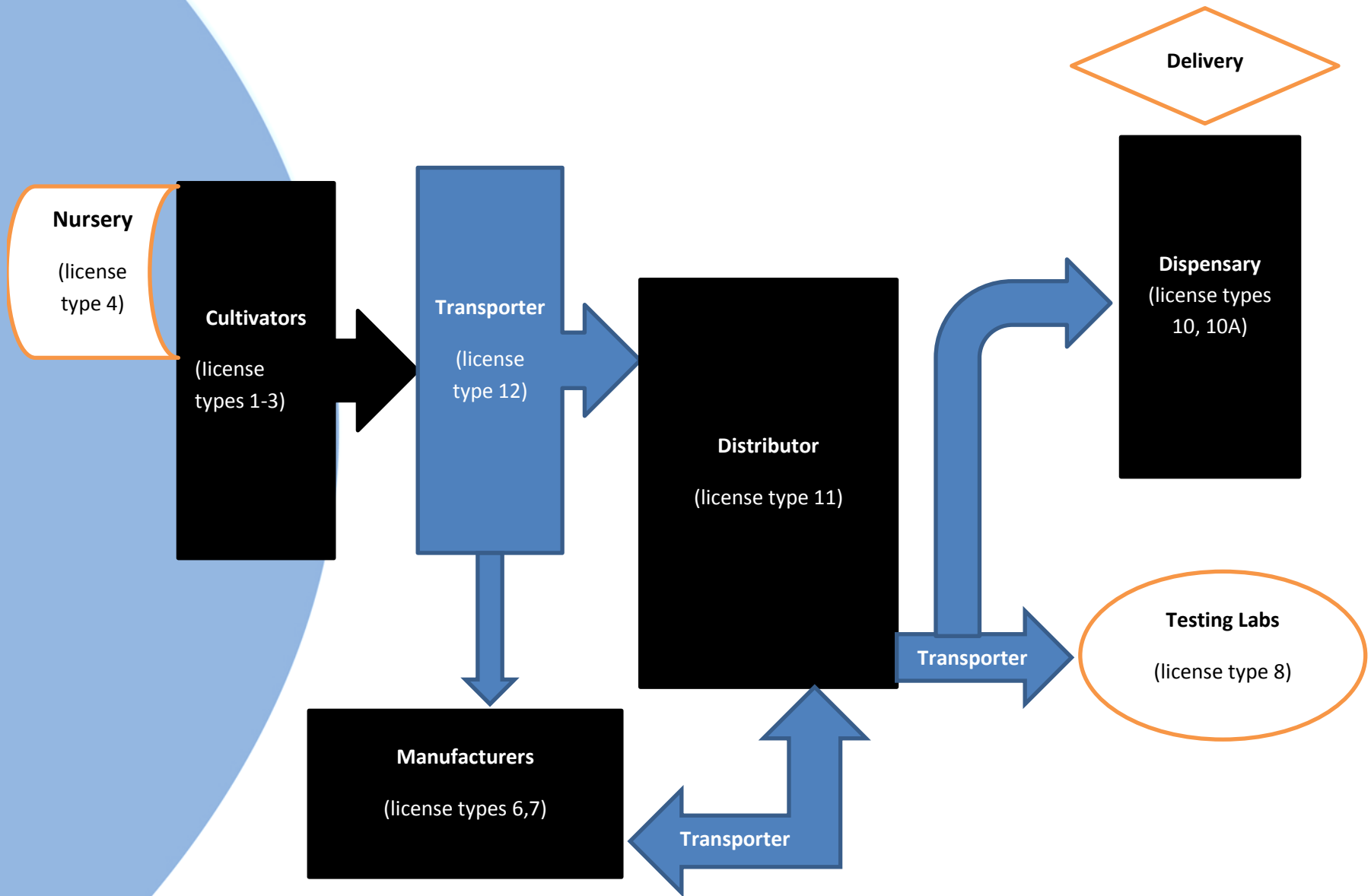


Transporters



Distributors

State Licensing under MCRSA





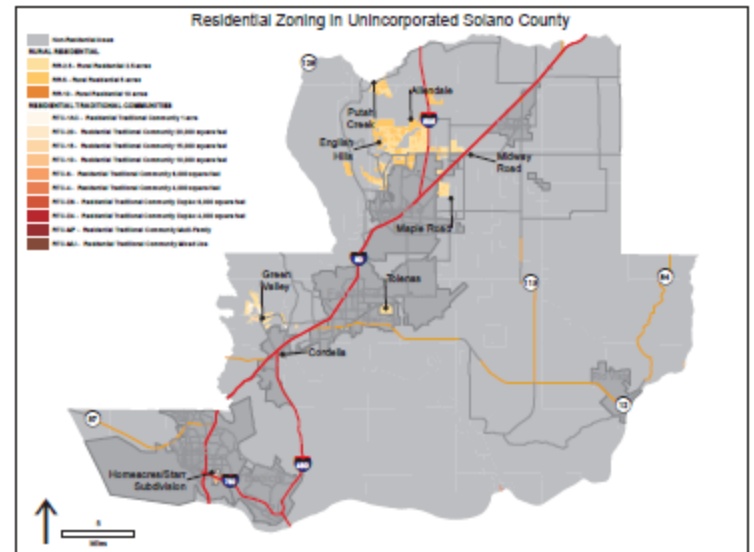
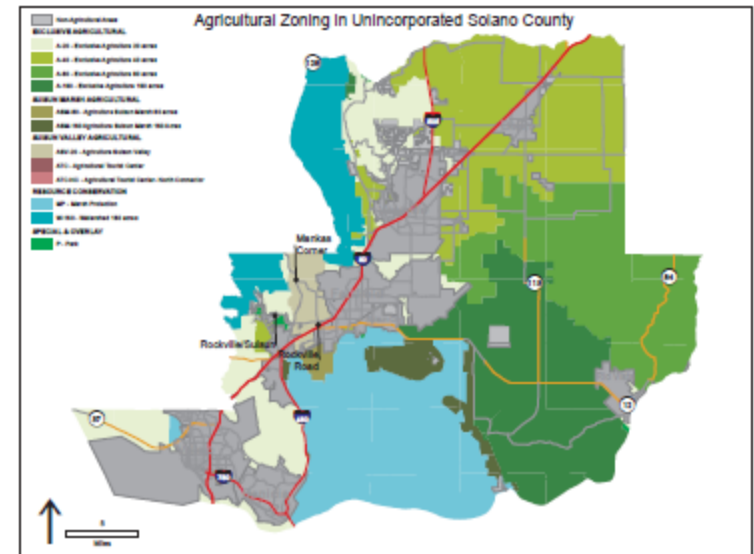
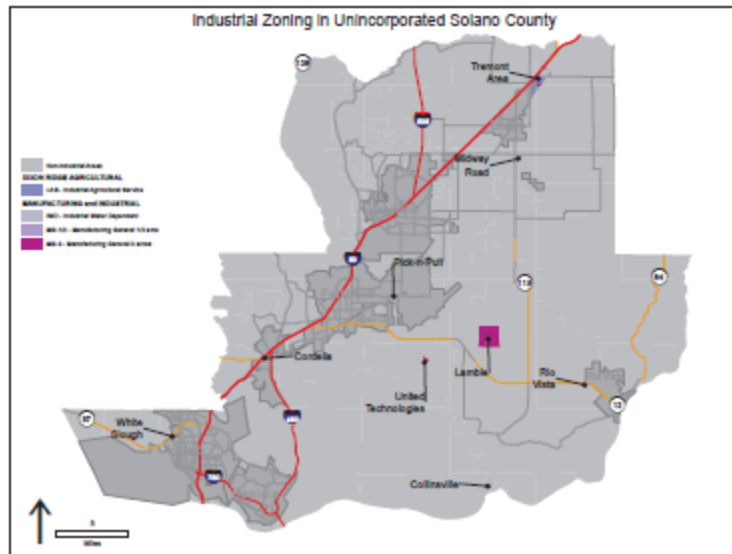
Information Review – Tables listing MCRSA License Types and County Zoning Districts

MCRSA License Type/ County Zone	Manufacturing-Limited; M-L (No acreage zoned M-L)	Manufacturing-General; M-G ½ M-G 3 (70 acres located ty – most adjacent to City limits)	Industrial-Water Dependent; I-WD (1,350 acres located west of Collinsville)	Industrial-Agricultural Service; I-AS (721 acres located east of Dixon)	Comments/Possible Standards
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Tables for Agricultural, Commercial, Industrial/Manufacturing and Residential Zoning Districts:

- Illustrate where primary dwellings are allowed and therefore where personal cultivation could take place per MCRSA and by-right per AUMA
- Illustrate what zoning districts may be appropriate for the possibility of allowing nurseries, indoor cultivation, and laboratory testing

County Zoning Maps included in Tables





Adult Use of Marijuana Act (AUMA)

- **Proposition 64, AUMA, allows recreational use of marijuana**
 - **Adults 21 years old and older can possess up to one ounce of marijuana**
 - **Adults can cultivate up to six plants per household**
 - **Allows local control of personal outdoor cultivation only as local jurisdictions cannot completely prohibit indoor personal cultivation**
 - **Supply chain similar to MMRSA**
 - **Can tax commercial operations**

Personal Cultivation Comparisons

MCRSA

- 100 sf, indoor or outdoor – no setbacks or restrictions
- 500 sf, Caregiver, indoor or outdoor with no restrictions
- Local jurisdictions can:
 - ban indoor/outdoor personal cultivation
 - can set standards for indoor/outdoor cultivation
 - allows more local control

AUMA – Proposition 64

- 6 plants per residence – indoor cultivation allowed by right in a residence or in an outbuilding on the grounds of a residence
- Local jurisdictions can:
 - ban outdoor personal cultivation
 - “reasonably regulate” indoor personal cultivation



Personal Cultivation – Possible Options

- Least restrictive – allow both indoor/outdoor personal cultivation as allowed by MCRSA and AUMA with no County standards
 - MCRSA – 100 sf indoor or outdoor
 - AUMA – 6 plants indoor or outdoor
- Moderately restrictive – ban outdoor personal cultivation and allow what is defined by MCRSA and AUMA with no County standards
 - MCRSA – 100 sf indoors
 - AUMA – 6 plants indoor
- Most restrictive – ban outdoor personal cultivation and allow what is defined by MCRSA and AUMA with additional County standards
 - Building Permits
 - Letter from Landlord
 - Allow only in primary residence (with building permit?)
 - Allow only in accessory structure (locked, secured, fully enclosed)
 - Odor control
 - Registration



Recommendations

- 1. Recommend staff return to the Board on December 6 with an Personal Cultivation Ordinance banning outdoor personal cultivation for personal/caregiver cultivation and regulating indoor personal cultivation.**
- 2. Recommend staff return to the Board on December 6 with a 12 month extension of the Interim Urgency Ordinance which would extend ordinance to January 4, 2018.**
- 3. Direct staff to continue to explore possible commercial marijuana operations such as testing laboratories in the industrial zoned areas of the unincorporated county.**



Questions?