

# SAN MATEO COUNTY CANNABIS REGULATION: DRAFT ORDINANCE

## TIMELINE OF LEGALIZATION:

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### STATE:

Prop 215 (1996):  
Compassionate Care Act

Medical Marijuana Program  
Act (2004)

Medical Cannabis Safety & Regulation Act (2015)

Prop 64 (Nov 2016): Adult Use of Marijuana Act

MAUCRSA (June, 2017)

### SAN MATEO COUNTY:

County Ordinance for the  
Regulation of Collective  
Cultivation and Distribution of  
Medical Marijuana (2009)

BOS Study Session (December 6, 2016)

Temporary Moratorium (December 13, 2016)

Moratorium Extension (January 24, 2017)

BOS Study Session (July 11, 2016)

NEW DRAFT COUNTY ORDINANCE

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## Non-Commercial Activities

- Personal Cultivation
- Personal Use

## Commercial Activities

- Cultivation
- Manufacturing
- Retail
- Distribution
- Testing

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## Non-Commercial Activities:

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State Law (in effect with passage of Prop. 64), individuals 21 and over can lawfully:

- Use
  - Not in a public place unless authorized by a local jurisdiction
  - No location where smoking tobacco is prohibited
  - Not within 1,000 feet of a school, day care center, or youth center
  - Not while in a vehicle
- Possess, process, transport or give away (to individuals 21 and over) up to 1 ounce of cannabis and up to 8 grams of concentrated cannabis
- Cultivate up to 6 plants for personal use, provided the plants are kept in a locked area with a private residence not visible from a public place

San Mateo County (Moratorium and Proposed Ordinance):

- Six plants for personal consumption must be grown indoors

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## Commercial Activities:

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### This Ordinance would (in unincorporated areas):

- Permit:
  - Mixed-Light Commercial Cultivation
  - Nursery Cultivation (in greenhouses)
- Prohibit (through December 31, 2018):
  - Indoor or Outdoor Commercial Cultivation
  - Manufacturing
  - Testing
  - Microbusinesses
  - Dispensaries
- Allow:
  - Transportation (by State Licensees, *based outside* of unincorporated areas of the County)
  - Delivery (by State Licensees, *based outside* of unincorporated areas of the County)

### Permitted Cultivation Licenses:

- Type 1B – Cultivation; Specialty mixed light; Small (Natural & supplemental artificial light,  $\leq 5k$  sq ft)
- Type 2B – Cultivation; Mixed-light; Small (Natural & supplemental artificial light, 5,001-10sq ft)
- Type 3B – Cultivation; Mixed-light; Medium (Natural & supplemental artificial light, 10,001-22,000 sq ft)
- Type 4 – Cultivation; Nursery (Cultivation solely as a nursery. May transport live plants.)

# SAN MATEO COUNTY CANNABIS REGULATION: DRAFT ORDINANCE

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- Title & Definitions (6-9)
  - Mimics MAUCRSA when possible
- License Requirement & Disclaimer (10)
- Non-Commercial Activities (10)
- Prohibitions & Sunset (11)
- License Application Process (11-17)
- Review Process (18)
- Grounds for Denial (19)
- Renewal (19-21)
- Transferability (21)
- Fees & Taxes (22)
- Operational Requirements (22-27)
- Record Retention (27)
- Track and Trace (28)
- Cultivation Requirements (28-32)
- Revocation (32-33)
- Enforcement and Penalties (33-34)
- Appeals (34-35)
- Notice (36)
- Severability (36)