Marin County
Board of Supervisors Hearing
October 20, 2015
(Agenda Item 14)

Proposed Ordinance to License Medical Cannabis Dispensaries

Tom Lai, Community Development Agency
David Zaltsman, County Counsel
From the Headlines…

Government Can't Block Pot Clubs Complying with State Laws: Judge

By Mark Matthews

A federal judge found the federal government has no ability to block the operation of a pot club as long as the operator complies with state laws. Mark Matthews reports. (Published Monday, Oct. 19, 2015)

A federal judge on Monday found the federal government has no ability to block operation of a pot club as long as the operator complies with state laws. Mark Matthews reports.
Existing Regulatory Context

- Marin County Ordinance 3109 Medical Use of Marijuana (1992)
- Proposition 215 Compassionate Use Act (1996)
- State Medical Marijuana Program (2003)
- Medical Cannabis Dispensaries currently prohibited in Unincorporated Areas of County
Medical Marijuana Regulation and Safety Act (2015)

<table>
<thead>
<tr>
<th>Operation</th>
<th>State Law</th>
<th>Marin County</th>
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<tbody>
<tr>
<td>Dispensary</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Delivery</td>
<td>✓</td>
<td>*</td>
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<tr>
<td>Cultivation</td>
<td>✓</td>
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<tr>
<td>Manufacturing</td>
<td>✓</td>
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<tr>
<td>Testing</td>
<td>✓</td>
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* Allowed, subject to compliance with state law
Framework

- Competitive License
- Limited to Cooperate/Collective Model
- No protection from Federal Prosecution
Requirements

✓ Hours and Minimum Staffing
✓ Size and Stock Limits
✓ Security Patient/financial Records
✓ No on-site physician
✓ No on-site consumption
Locational Criteria

- Commercial Zoning District
- 800 feet from School
- 800 feet from Youth-oriented Facility
Eligible Parcels

City-Centered: 53
West Marin: 136
TOTAL: 189

Unincorporated Marin County Only
Implementation

Ordinance
Oct.-Dec. 2015

Fee & Program

Implementation
Apr.-Sept. 2016
1. Conduct a first reading of the ordinance; and
2. Schedule the merit hearing for December 8, 2015.