

**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 | NBC Bay Area - Internet Explorer

http://www.nbcbayarea.com/news/local/Government-Cant-Block-Pot-Clubs-Complying-with-State-Laws-Judge

Proposed Medical Marijuana... SCA Page Dispensary GIS Current Planner Grants.gov JobAps Live365 ProofPoint Google BOS CDA Planning Assessor DPW PMR COMET_DP

NORTH BAY

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

By Mark Matthews

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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 iudae on Mondav found the federal government has no ability to block

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80% of a child's brain develops in the first 3 years.

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TRENDING STORIES

- VIDEO** More Than 40 'Acutely Ill' After Contracting Shigella
- VIDEO** Shigella Cases Linked to SJ Restaurant: Health Department



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)

Operation	State Law	Marin County
Dispensary	✓	✓
Delivery	✓	*
Cultivation	✓	
Manufacturing	✓	
Testing	✓	*

* 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





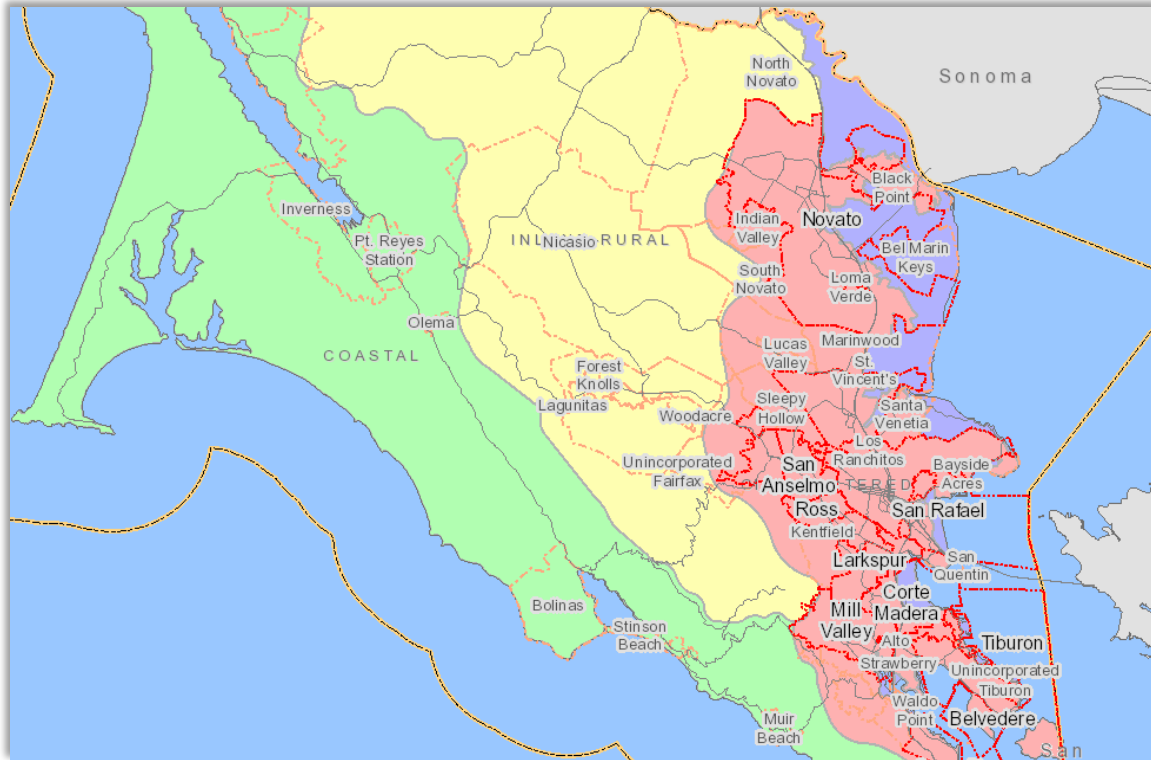
Locational Criteria

- ✓ Commercial Zoning District
- ✓ 800 feet from School
- ✓ 800 feet from Youth-oriented Facility





Eligible Parcels

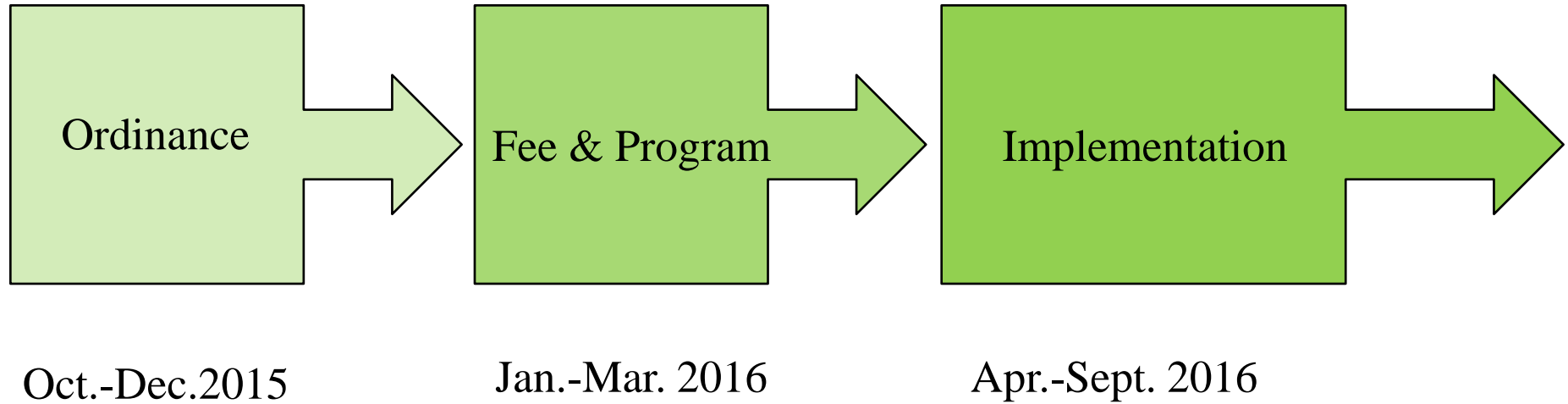


City-Centered: 53
West Marin: 136
TOTAL: 189

Unincorporated Marin County Only



Implementation





Recommendation

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