

# Supervisors enact outdoor medical marijuana ordinance

By **Anne Ternus-Bellamy** From page A2 | March 09, 2016

WOODLAND — A unanimous Yolo County Board of Supervisors on Tuesday voted in favor of an outdoor medical marijuana ordinance that would allow individuals to cultivate up to 100 square feet of marijuana for personal use — with a hardship exemption available to those who need grow more in order to meet their personal needs.

The ordinance also would allow commercial growers — those growing marijuana on between 1,000 and 43,560 square feet — to continue, provided they are in compliance with the California Regional Water Quality Control Board regulations for marijuana cultivators.

The ordinance — an interim measure while the board works on a broader licensing and regulatory program — will return to the board for a second vote later this month.

Supervisors hope the measure, which applies only to outdoor marijuana cultivation, will address concerns that some county residents have raised about odors and other nuisances associated with outdoor cultivation.

Specifically, the ordinance prohibits outdoor cultivation within 1,000 feet of a school, school bus stop, park, church or youth-oriented facility and within 75 feet of any occupied legal residence on a separate parcel.

The cultivation area will have to be fully enclosed by an opaque fence at least 6 feet high and adequately secured by a locked gate.

The ordinance also bans cultivation that creates an “odor nuisance,” with the Yolo County Department of Agriculture determining what constitutes a nuisance.

“There is a section in existing county code on agricultural nuisance that we would use,” said Assistant County Counsel Carrie Scarlata.

The board’s action comes on the heels of the state’s enactment last year of the Medical Marijuana Regulation and Safety Act, which established a framework for the cultivation, production, transportation, testing, sale and taxation of medical marijuana in California.

Many of the regulations contained in the state law do not take effect until January 2018 and local governments retain the authority to enact stricter regulations.

Supervisor Jim Provenza of Davis stressed Tuesday that the ordinance before the board is simply an interim measure while staff works on a broader framework that would license and regulate other aspects of medical marijuana, including commercial growing, transportation and taxation.

“We’re going to do it right,” Provenza said.

— Reach Anne Ternus-Bellamy at [aternus@davisenterprise.net](mailto:aternus@davisenterprise.net) or 530-747-8051. Follow her on Twitter at [@ATernusBellamy](https://twitter.com/ATernusBellamy)