

County supervisors vote to limit commercial medical marijuana cultivation

By **Anne Ternus-Bellamy** From page A1 | October 12, 2016

WOODLAND — Yolo County supervisors on Tuesday applied the brakes to commercial medical marijuana cultivation in unincorporated areas of the county, giving prospective growers until 5 p.m. to apply for permits.

Supervisors voted 3-to-2 to have staff bring back an ordinance prohibiting commercial cultivation of medical marijuana except among those growers who were registered property owners in the county as of Tuesday and had submitted an application to the California Regional Water Quality Control Board by 5 p.m. Tuesday.

The interim ordinance would be in place until the county develops and implements more comprehensive medical marijuana regulations.

Tuesday's move is aimed at curtailing what has been described as a "land rush" with prospective growers buying up agricultural land in Yolo County in order to go into business as medical marijuana growers.

The board had adopted an interim medical marijuana ordinance in March that opened the door to commercial growers, allowing for cultivation by permit on between 1,000 and 43,560 square feet, provided the grower was in compliance with California Regional Water Quality Control Board regulations for marijuana cultivation.

The ordinance contained a number of rules related to setbacks and proximity to schools, churches and other locations, and also allowed growers to cultivate marijuana for personal medical use.

Since March, according to Yolo County Agriculture Commissioner John Young, "we have over 40 registered cultivators that have gone through the process ... and by now there's probably another 60 because just mentioning a moratorium created a rush."

"The numbers are beginning to overwhelm us," added County Administrator Patrick Blacklock. "We need to slow that down from a staff perspective."

Additionally, Young said, "we've seen land speculation ... people have prequalified properties purely to raise the value of these properties with no intent to cultivate."

Young added that other counties that have opened the doors to commercial cultivation, including Calaveras, are experiencing the same thing.

Critics of the ordinance argued that the moratorium is unfair to those who were planning to get into the business and also would prevent the commercial growers who are currently cultivating marijuana illegally from acquiring a permit and becoming legal businesses.

According to Young, there are somewhere between 800 and 1,000 growers in Yolo County currently.

Supervisors Don Saylor of Davis and Matt Rexroad of Woodland voted against the plan, with Saylor saying he thought the 5 p.m. deadline Tuesday was unfair.

“It’s an arbitrary act by us and I don’t see a reason for us to shut the door at 5 o’clock today,” Saylor said.

Young had suggested an Oct. 31 deadline for submitting a notice of intent to obtain a Water Quality Control Board permit, but Supervisor Jim Provenza of Davis said, “You could get 1,000 applications between now and Oct. 31. If we don’t make the cutoff today, we may get overwhelmed between now and Oct. 31.

“It’s a virtual land rush to Yolo County because other counties have prohibited it and we’ve become the county of choice,” Provenza continued. “I’m very much in favor of putting the brakes on it and coming back.

“I don’t want to become the marijuana capital,” he added.

Looming over the discussion is the possibility that voters in November will legalize recreational marijuana use, but Young said, “In reality, it’s all the same. All we would need to do is extract the word ‘medical’ and leave marijuana.”

The policy question remains the same, he said: “Do we want to allow commercial cultivation of marijuana?”

Removed from the proposed ordinance was a requirement that persons cultivating commercially would have to have lived in Yolo County for at least two years.

The proposed ordinance will return to the board for a vote at its next meeting but Young noted that it is still a work in progress.

“This is an interim ordinance,” he said. “The ink is not dry.”

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