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To the Santa Cruz County Cannabis Community,

The Santa Cruz County Board of Supervisors is meeting tomorrow to evaluate a proposed ordinance for regulating and licensing cultivation of medical marijuana within Santa Cruz County. Under this ordinance, only cultivators who have been licensed by the County would be allowed to legal cultivate in this County.

In order to receive such a license, the applicant must present to the County, and specifically a licensing official who is being hired specifically for this purpose, a plan for a garden that meets a very specific and complex set of land-use regulations, which will be very difficult for many cultivators to meet. The licensing program also includes a registration program with a 90 day window during which all cultivators who wish to comply must register with the County, after which the applicant must go through a thorough and largely discretionary license review process where the licensing official is given almost total power to approve or deny applications.

Below is a chart listing the zoning types where cultivation will be allow and a list of regulations that will apply to all cultivation sites, as well as a chart showing the maximum allowable garden sizes by zoning type and parcel size, as well as restrictions that are specific to particular zoning areas.

**GENERAL RULES APPLICABLE TO ALL CULTIVATION SITES:**

1. Cultivation is only allowed within areas zoned CA, A, C4, M, TP, SU, RA.
2. Licensee must show that they have either (1) been cultivating in Santa Cruz County since January 1, 2013, or (2) have been engaged in other commercial agriculture for over 3 years.
3. In order to apply for a license, the applicant must participate in a County registration program lasting only 90 days. Registration requires the applicant submit information regarding the garden site, the cultivators personal information, and a registration fee.
4. For properties zoned A, TP, SU, RA, a cultivator must live in a permitted residence on-site.
5. Parcel may not have any active code violations and must comply with all relevant county ordinances, including water, power, fire roads, septic, etc.
6. Water must be obtained from a source on-site, with valid water rights.
7. No cultivating in or within the coastal zone in parcels zoned RA, TP, SU, or M.
8. No cultivating within the urban services line except in parcels zoned C4 or M.

9. No cultivating within 600 feet of (1) a municipal boundary; (2) a school; (3) a library; (4) an alcohol or drug treatment facility; (5) a perennial stream; (6) any habitable structure on a neighboring parcel; or (7) any park other than a State Park located within the urban area defined by the Urban Services Line.
10. Other Setbacks. No cultivation within:
  - a. 300 feet of a park within the urban area defined by the Urban Services Line.
  - b. On parcels ranging in size from one to five acres, cannabis shall not be cultivated within one hundred (100) feet of a public right-of-way.
  - c. On parcels ranging in size from five to ten acres, cannabis shall not be cultivated within two hundred (200) feet of a public right-of-way.
  - d. On parcels over ten acres in size, cannabis shall not be cultivated within three hundred (300) feet of a public right-of-way.
  - e. Cannabis shall not be cultivated within fifty (50) feet of an intermittent stream or sensitive habitat.
  - f. Cannabis shall not be cultivated within twenty-five (25 feet) of an ephemeral stream or riparian wetland.
  - g. Cannabis shall not be cultivated within 100 feet of the high water mark of a lake, estuary, lagoon, or natural body of standing water.
11. The cultivation site may not be visible from any public right-of-way.
12. No visible lighting from sundown to sunrise.
13. Written consent from the property owner is required.
14. Generators may only be used in case of emergency.
15. No sales to the general public.
16. Licensee may be denied for a criminal record. Felonies 10+ years old or cannabis related offenses which occurred prior to 2013 and did not involve sales to a minor will not be grounds for disqualification.
17. An adequate security plan is required.
18. If outdoors, a solid, 6+ foot fence is required.
19. No GMO plants.
20. Must meet all relevant state laws.
21. If indoors, facility must have (1) air filtration and (2) approval by a licensed electrician.
22. No outdoor cultivation in the 2<sup>nd</sup> District.

**GARDEN SIZES AND SPECIFIC RULES**

<i><b>Zoning Type</b></i>	<i><b>Garden Size and Other Restrictions</b></i>	<i><b>Code Section</b></i>
<b>CA</b>	Allow canopy equaling 2% of parcel size up to a max of 22,000 square feet.	7.128.110(F)(1)
	Minimum Parcel Size of 1 acre.	

<b>A</b>	10 acre minimum parcel size	7.128.110(F)(2)
	Allow Canopy equaling 1.5% of parcel size, up to a maximum of 10,000 square feet	
	If within or less than a mile inland from the Coastal Zone, cultivation must be outdoors or within existing structures (no new buildings).	
<b>RA</b>	Total canopy of up to 1.25% of parcel size, with a cap of 5100 square feet for 5-10 acre parcels, 10,000 square feet on 10+ acre parcels	7.128.110(F)(3)
	5 acre min parcel size	
<b>C4,</b>	Allow canopy sizes up to 22,000 square feet	7.128.110(F)(4)
	Indoor only.	
<b>M</b>	Up to 22,000 square feet of canopy.	7.128.110(F)(5)
	5 acre min parcel size, total canopy of up to 1.25% of parcel size, with a cap of 5100 square feet for 5-10 acre parcels, 10,000 square feet on 10+ acre parcels	
	Indoor only.	
	On parcels zoned M3, outdoor can be considered under certain circumstances (see section 7.128.110(F)(5)(a)(1))	
<b>TP</b>	Total canopy of up to 1.25% of parcel size, with a cap of 5100 square feet for 5-10 acre parcels, 10,000 square feet on 10+ acre parcels	7.128.110(F)(6)
	5 acre min parcel size	
<b>SU</b>	Total canopy of up to 1.25% of parcel size, with a cap of 5100 square feet for 5-10 acre parcels, 10,000 square feet on 10+ acre parcels	7.128.110(F)(7)
	5 acre min parcel size	
<b>OTHER ZONING TYPES</b>	NO COMMERCIAL CULTIVATION! 100 Square feet for personal use only	

Again, this chart includes only very basic information and should only be used for reference purposes only, check the full report for details. Feel free to contact me for more information.

All the best,



