



San Joaquin County  
Cannabis Policy Project

# Public Workshop

Supervisorial District 4 | May 2, 2017  
Lodi Library

# Workshop Agenda

- ▶ Overview of State Laws and Current County Ordinances
- ▶ Overview of Commercial Cannabis Business Types
- ▶ **DISCUSSION TOPICS**
  - ▶ 1. Commercial Cultivation (20 minutes)
  - ▶ 2. Retail/Dispensary (20 minutes)
  - ▶ 3. Manufacturing, Testing, Distribution, Transportation (20 minutes)
  - ▶ 4. Personal Cannabis Cultivation (20 minutes)

# Workshop Etiquette

- ▶ *Raise your hand* and we will bring you the mic.
- ▶ *Be courteous.* Don't interrupt others.
- ▶ *Stay on topic and keep your comments to under 3 minutes.* Remember, there will be several opportunities to ask questions and make comments.
- ▶ *Feel free to ask questions.* There will be an opportunity to ask questions about each topic before beginning the discussion.



# Other Details

- ▶ Recorded and streaming on Facebook Live
- ▶ We will collect and document all comments made on the comment cards



- ▶ To provide additional feedback, please visit the website and complete the survey:  
[www.sjccannabis.org/survey.aspx](http://www.sjccannabis.org/survey.aspx)

# Public Workshops

- ▶ **April 17: Supervisorial District 5**  
Larch Clover Community Center  
11157 W. Larch Road, Tracy, CA 95376
- ▶ **April 18: Supervisorial District 1**  
Public Health Auditorium  
1601 E. Hazelton Avenue, Stockton, CA 95205
- ▶ **April 24: Supervisorial District 3**  
Manteca Senior Center  
252 Magnolia Avenue, Manteca, CA 95337
- ▶ **April 25: Supervisorial District 4**  
Ripon Memorial Library Community Room  
333 W. Main Street, Ripon, CA 9536
- ▶ **May 1: Supervisorial District 2**  
University of the Pacific's Eberhardt School of Business  
Westgate Center, 611 Chapel Lane, Stockton, CA
- ▶ **May 2: Supervisorial District 4**  
Lodi Library, 201 West Locust Street, Lodi, CA 95240
- ▶ **May 9: Supervisorial District 3**  
Elks Lodge, 8900 Thornton Road, Stockton, CA 95209

# Industry Professionals Workshops

- ▶ May 16: Dispensary/Retail
- ▶ May 22: Cultivation
- ▶ June 5: Testing/Transportation/  
Distribution/Manufacturing

All Industry Professionals Workshops will take place at 6:00 p.m. at the **Robert J. Cabral Agricultural Center**, 2101 E. Earhart Avenue Stockton, CA 9520

For a list of all meeting dates, visit:  
<http://www.sjccannabis.org/workshops>

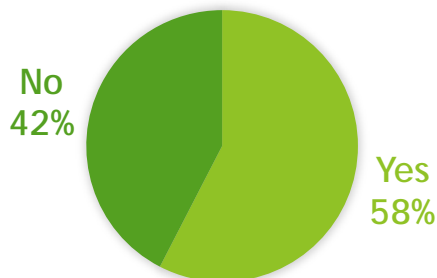
# OVERVIEW OF CURRENT STATE LAW AND COUNTY ORDINANCES



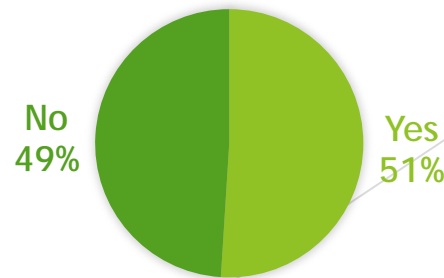
# New State Laws on Cannabis

- ▶ 2015: Medical Marijuana Regulation & Safety Act (MMRSA)
  - ▶ Medical Cannabis licensing
  - ▶ Amended Medical Cannabis Regulation & Safety Act (MCRSA)
- ▶ 2016: Prop 64 - Adult Use of Marijuana Act (AUMA)
  - ▶ Adult Use (over 21)
  - ▶ Business licensing that substantially mirrors MCRSA
  - ▶ Voters passed AUMA:

STATE LEVEL



SAN JOAQUIN COUNTY





# Current State Law: Medical and Adult Use

State law has legalized adult use of cannabis but:

- ▶ **No** public consumption
- ▶ **No** smoking/vaping cannabis where tobacco is prohibited
- ▶ **No** use, possession, or entry into licensee by anyone under 21
- ▶ **No** cultivation/businesses within 600 feet of school/daycare
- ▶ **No** smoking within 1000 feet of schools *EXCEPT* within a private residence *IF* odor is not detectable on school grounds
- ▶ **No** possession on school or daycare property
- ▶ **No** driving while intoxicated
- ▶ **No** smoking in a vehicle (even passengers)
- ▶ **No** unsecured outdoor cultivation
- ▶ **No** unsecured inventory

# Current County Ordinances

- ▶ **DISPENSARY BAN:** Prohibits medical marijuana dispensaries in San Joaquin County.  
(Ordinance Code of San Joaquin County, Title 9, Division 1, Chapter 9-125)
- ▶ **CULTIVATION BAN:** Prohibits all (indoor and outdoor) medical marijuana cultivation.  
(Ordinance Code of San Joaquin County, Title 4, Division 10, Chapter 1)

# Direction from Board of Supervisors

On February 28, 2017, the Board of Supervisors directed staff to:

## ▶ **Step 1: Modify Existing Ordinances**

- ▶ Modify the existing dispensary and cultivation bans to include all license types defined in MCRSA and AUMA.
- ▶ Those bans are to sunset by December 31, 2017.

## ▶ **Step 2: Determine Appropriate Regulations**

- ▶ Explore possible commercial cannabis business policies/regulations and bring those back to the Board prior to December 31, 2017.

# Direction from Board of Supervisors

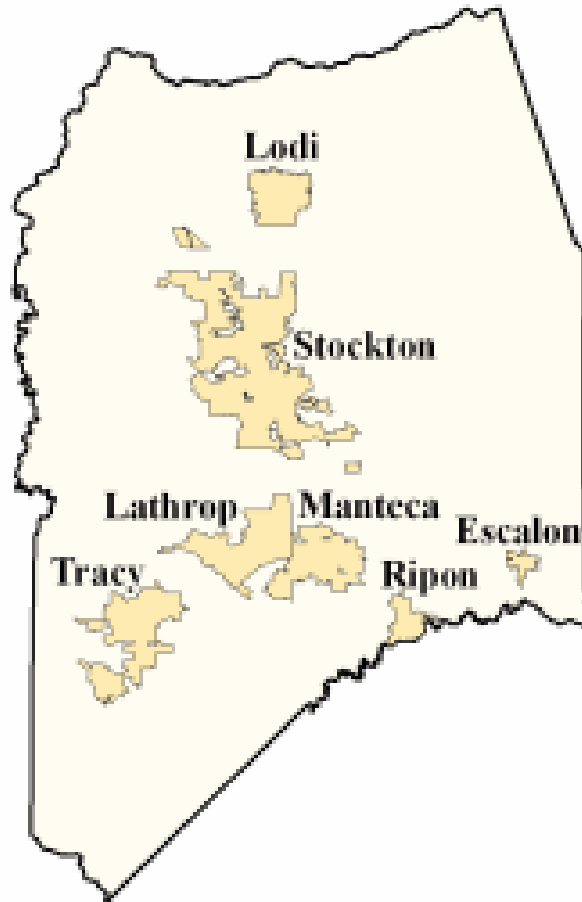
## San Joaquin County Cannabis Policy Project

Reach out to the public and community stakeholders on whether to allow cannabis businesses in the County, and if so:

- ▶ What types of cannabis businesses should be allowed to operate in San Joaquin County?
- ▶ What is the best location for each type of cannabis business?
- ▶ How and when should cannabis businesses be allowed to operate?
- ▶ Should the County impose reasonable regulations on the personal cultivation of cannabis?

# What can the County regulate?

- ▶ San Joaquin County can only regulate cannabis businesses in the unincorporated County.
- ▶ It cannot regulate cannabis businesses within city limits.



# What can the County regulate?

- ▶ **What does “reasonably regulate” mean?**
  - ▶ The County can adopt policies and regulations that relate to protection of the public health, safety, and general welfare.
- ▶ **What are some examples of how a County “reasonably regulates” business?**
  - ▶ By limiting allowed business types and the time, place, and manner within which the business operates.

# What can the County regulate?

## ▶ Personal Cultivation

- ▶ County **can't ban** but can adopt “reasonable regulations” governing the cultivation of up to 6 plants for personal use.

## ▶ Commercial Cannabis Businesses

- ▶ County may allow or prohibit commercial cannabis businesses.
- ▶ If the County allows a cannabis business, it can “reasonably regulate” them.

# What can the County regulate?

- ▶ The County can develop regulations that are **more restrictive** than the cannabis standards set in State law but **not less restrictive**
- ▶ Examples of State standards include minimum standards for:
  - ▶ Distance from schools / daycare
  - ▶ Health and Safety / Testing
  - ▶ Environmental Protection
  - ▶ Worker Protections
  - ▶ Security



# What are some land use approaches to regulation of cannabis businesses?

- ▶ Ban in all zones (like the existing Dispensary and Cultivation bans)
- ▶ Allow or restrict in certain overlay district(s) (which are specified areas of the community within a zone)
- ▶ Allow or restrict businesses in specific zones
- ▶ Allow business only conditionally in specific zones

# What are some land use approaches?

- ▶ What Zones exist in San Joaquin County:
  - ▶ **Agricultural Zones**
    - ▶ General Agriculture, Limited Agriculture, Agriculture-Urban Reserve
  - ▶ **Residential Zones**
    - ▶ Rural, Very Low Density, Low Density, Medium Density, Medium-High Density, High Density
  - ▶ **Commercial Zones**
    - ▶ Limited, Neighborhood, Community, General, Office, Freeway Service, Crossroads
  - ▶ **Industrial Zones**
    - ▶ Warehouse, Industrial Park, Limited Industrial, General Industrial, Truck Terminal



Photo source: ProVerde Laboratories, Inc.

# OVERVIEW OF COMMERCIAL CANNABIS BUSINESSES

# Types of Cannabis Businesses/Licenses

## The Medical license types:

- ▶ Type 1, 1a, 1b = Cultivation; Specialty
- ▶ Type 2, 2a, 2b = Cultivation; Small
- ▶ Type 3, 3a, 3b = Cultivation; Medium
- ▶ Type 4 = Cultivation; Nursery
- ▶ Type 6 = Manufacturer 1
- ▶ Type 7 = Manufacturer 2
- ▶ Type 8 = Testing
- ▶ Type 10 = Dispensary; General
- ▶ Type 10A = Producing Dispensary; Max. 3 retail sites
- ▶ Type 11 = Distributor
- ▶ Type 12 = Transporter

Subcategories of cultivation licenses (Types 1-4) each include outdoor, indoor, and mixed light options that vary from up to 5,000 sq. ft. or up to 50 mature plants to up to 10,001 sq. ft. or 1 acre.

## The Adult license types:

- ▶ Type 1, 1a, 1b = Cultivation; Specialty
- ▶ Type 2, 2a, 2b = Cultivation; Small
- ▶ Type 3, 3a, 3b = Cultivation; Medium
- ▶ Type 4 = Cultivation; Nursery
- ▶ Type 5, 5A, 5B = Cultivation; Large
- ▶ Type 6 = Manufacturer 1
- ▶ Type 7 = Manufacturer 2
- ▶ Type 8 = Testing
- ▶ Type 10 = Retailer
- ▶ Type 11 = Distributor
- ▶ Type 12 = Microbusiness

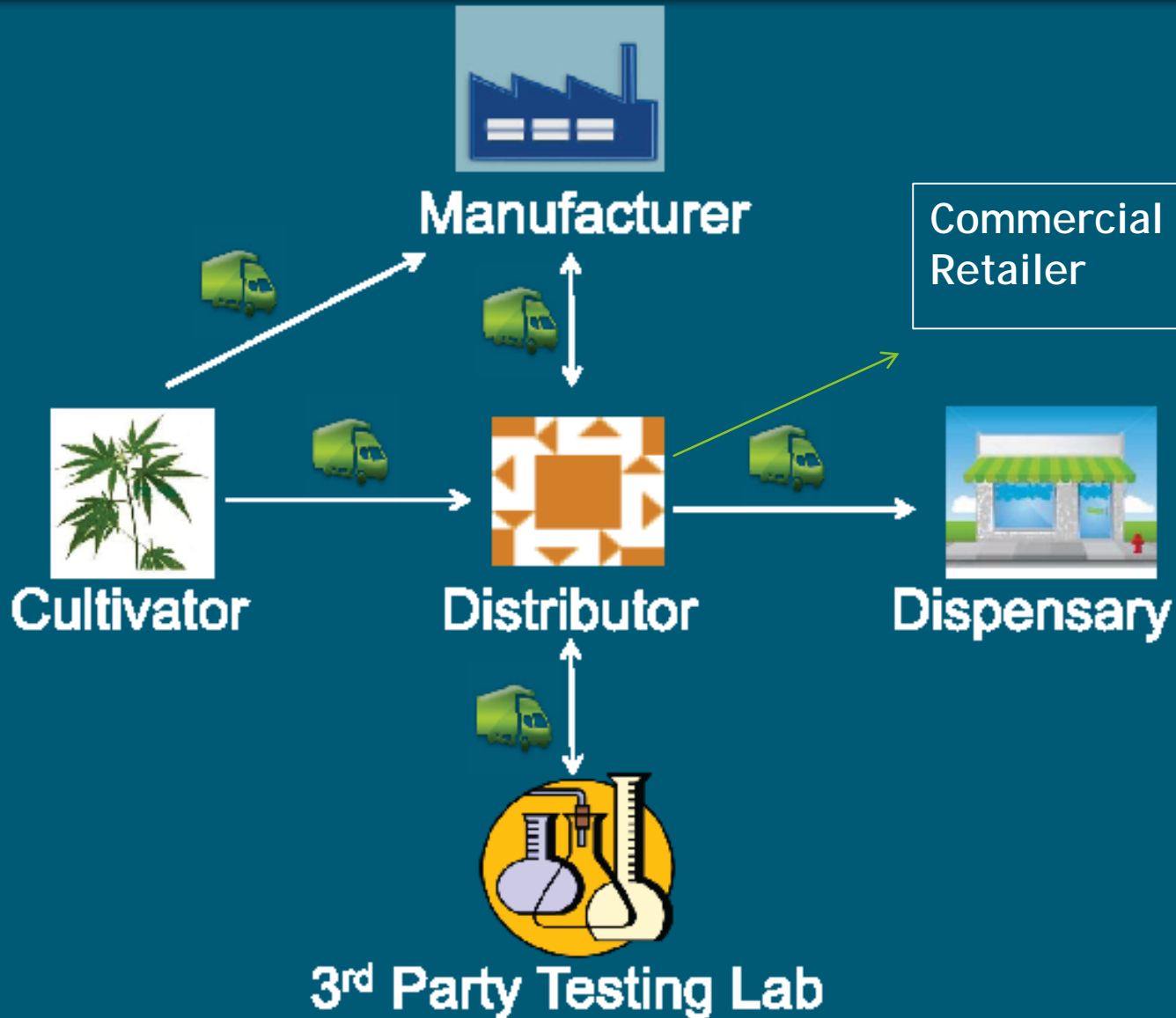
Large cultivation allows for cultivation sites over the initial one-half acre indoor or one-acre outdoor limit, however, such licenses are not to be issued until January 1, 2023.

# Types of Cannabis Businesses/Licenses

- ▶ Medical has 17 license types, which are similar but not identical to Adult Use, which has 19 license types.
- ▶ Business types can generally be summarized into the following categories:
  - ▶ Cultivation
  - ▶ Manufacturing
  - ▶ Testing
  - ▶ Distribution (between licensed businesses)
  - ▶ Retail/Dispensary Sales (traditional or delivery)
  - ▶ Transport

# Product Movement

Between Licensees





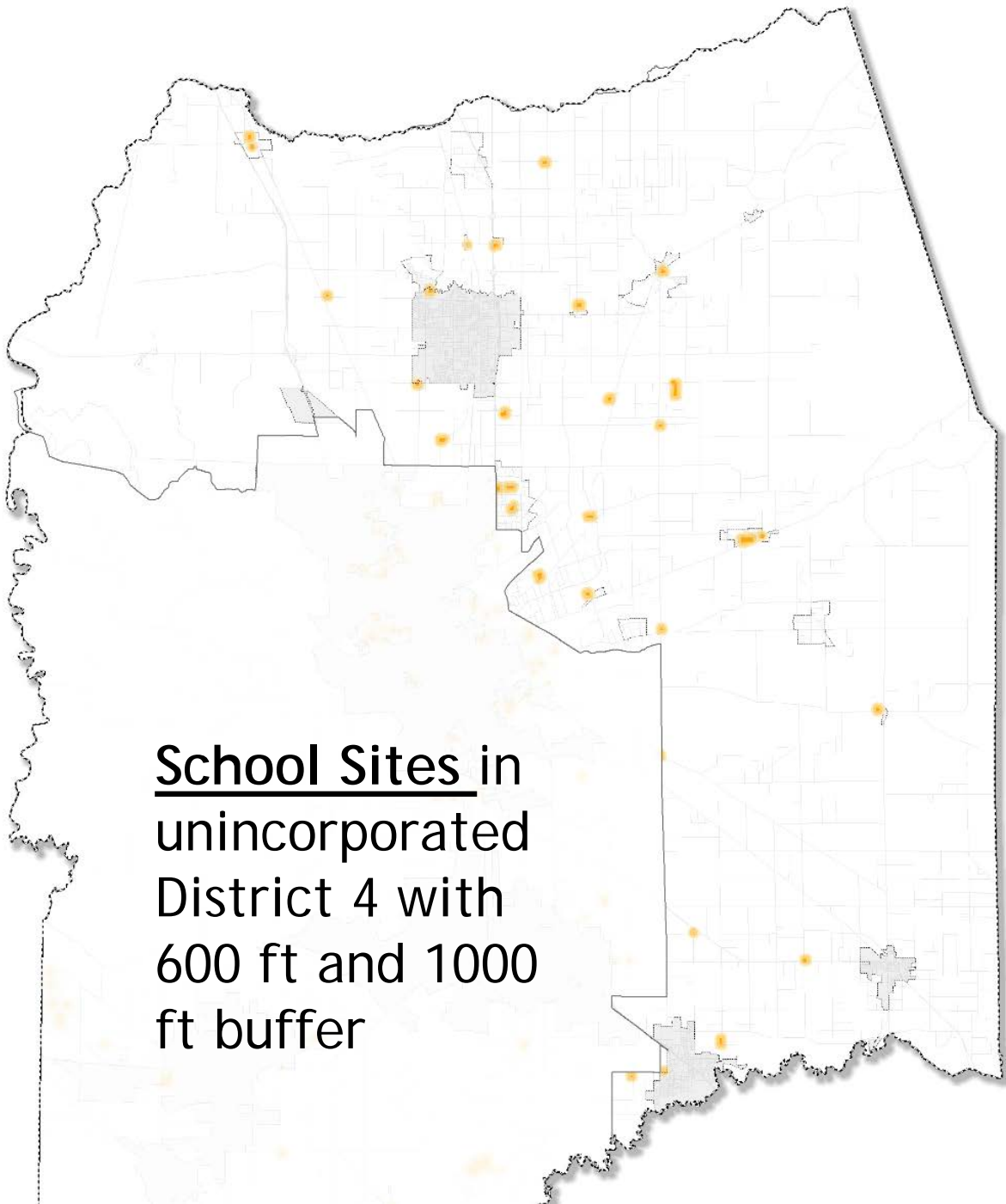
# 1. COMMERCIAL CANNABIS CULTIVATION

# Commercial Cultivation State Licenses

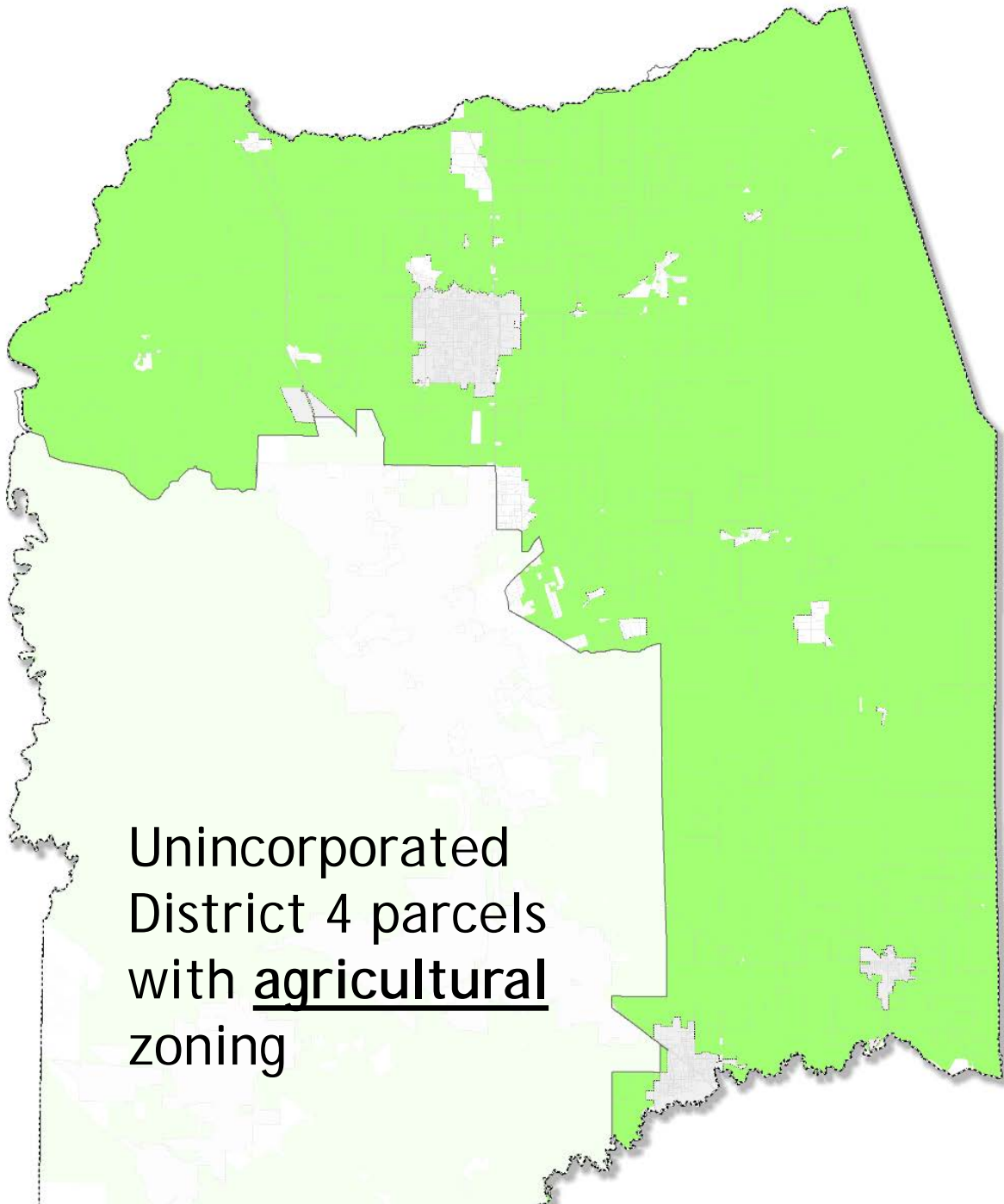
- ▶ Medical and Adult Use Cultivation:
  - ▶ Indoor
  - ▶ Outdoor
  - ▶ Mixed Light



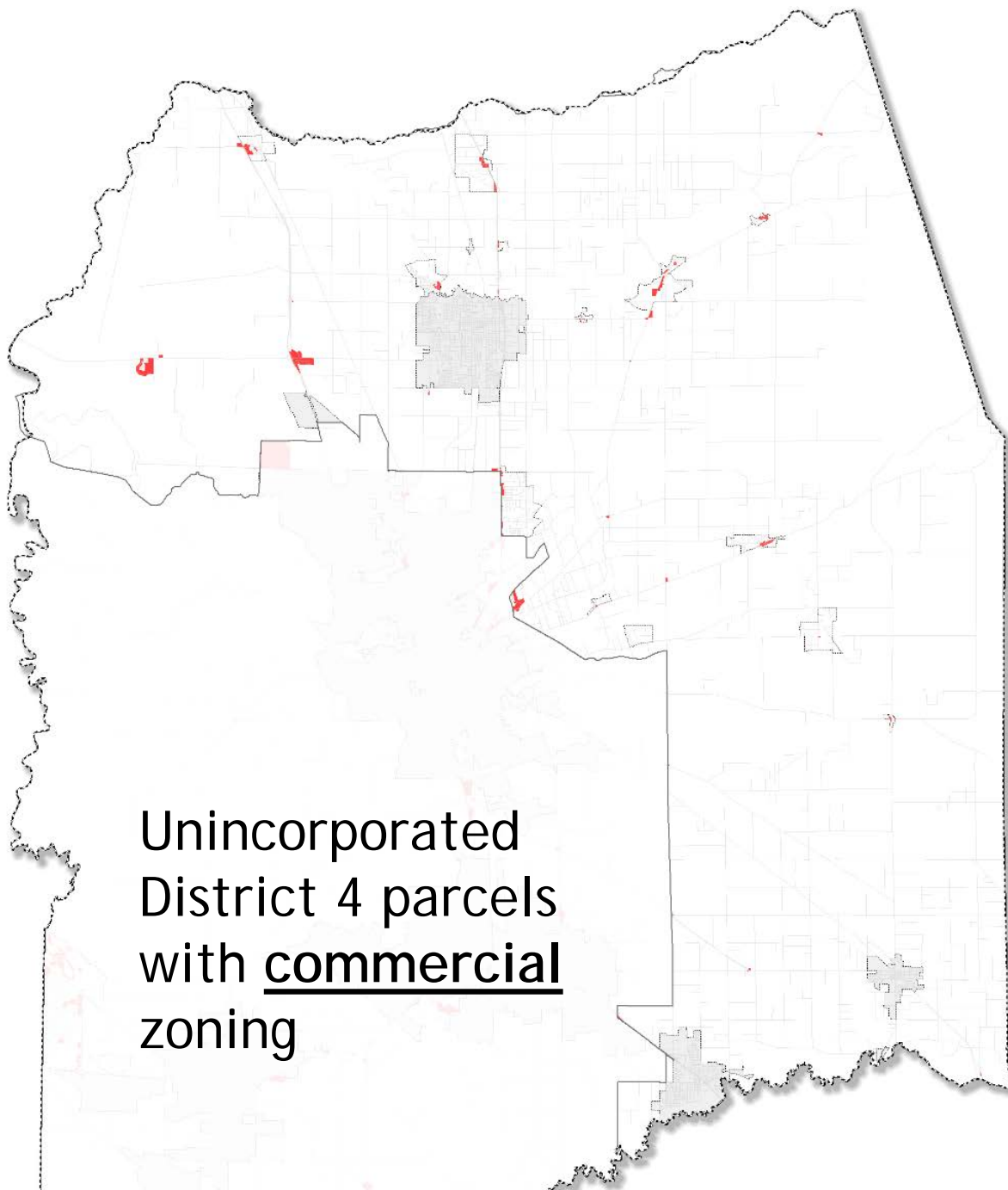




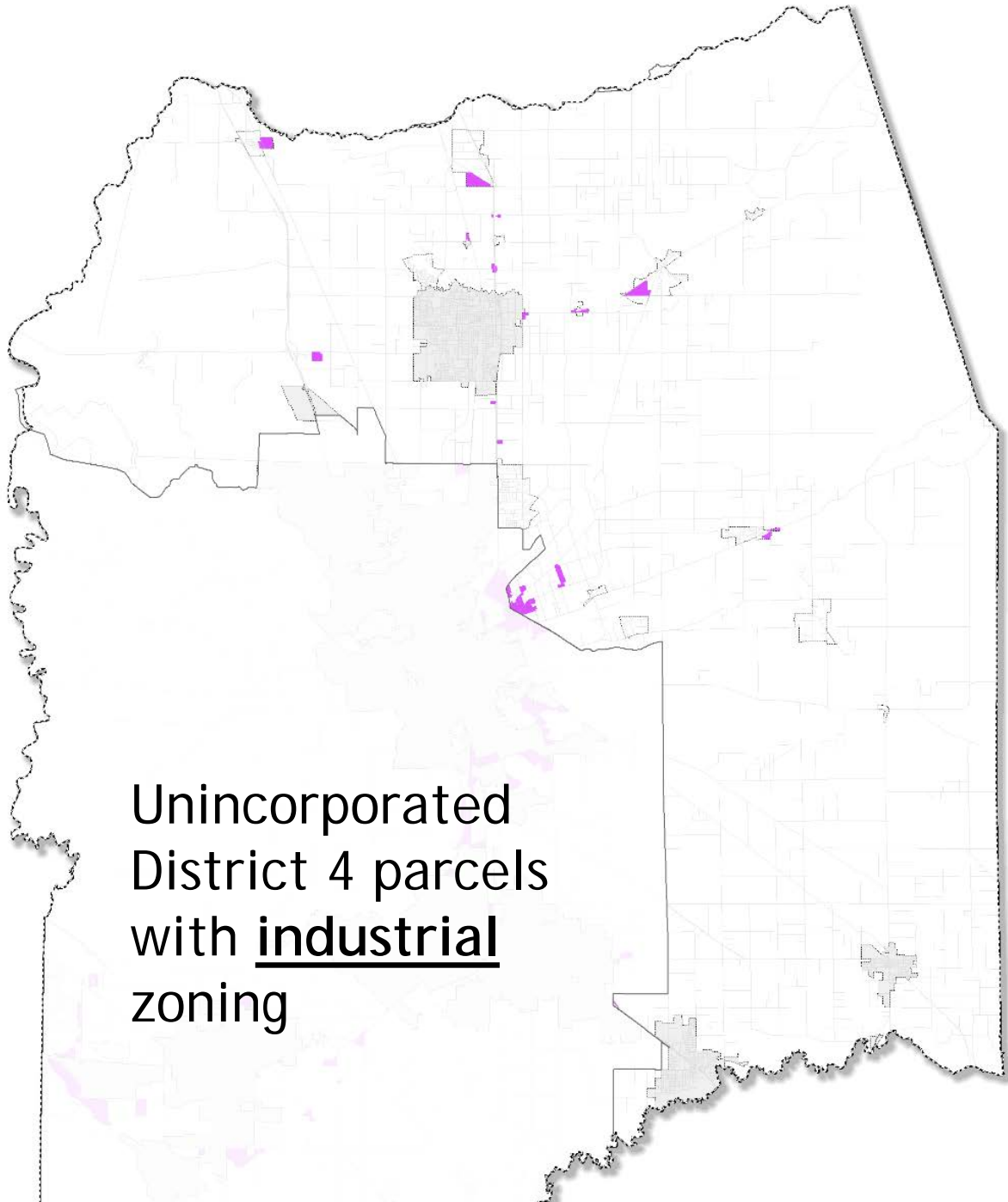
**School Sites** in  
unincorporated  
District 4 with  
600 ft and 1000  
ft buffer



Unincorporated  
District 4 parcels  
with agricultural  
zoning



Unincorporated  
District 4 parcels  
with commercial  
zoning

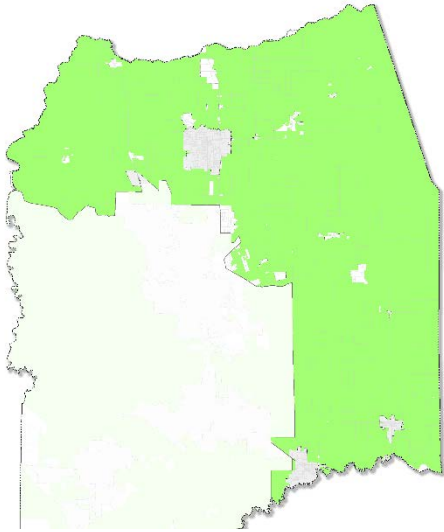


Unincorporated  
District 4 parcels  
with industrial  
zoning

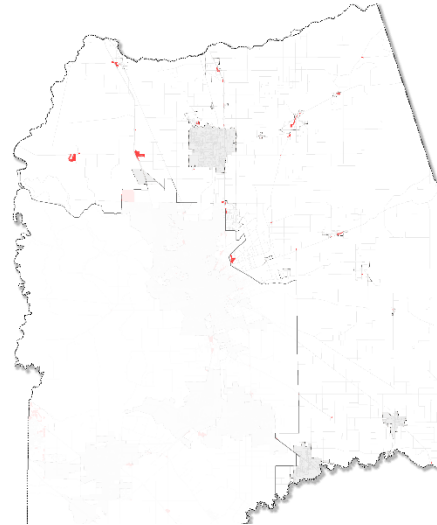
# Community Considerations

- ▶ Odor
- ▶ Security
- ▶ Water Use
- ▶ Energy Use
- ▶ Building Code & Safety Issues
- ▶ Costs
- ▶ Available locations
- ▶ Buffer Zones (e.g., 300-500-feet from property line)
- ▶ County Fees (licensing, inspection, permits)
- ▶ Enforcement of potential land use regulations.

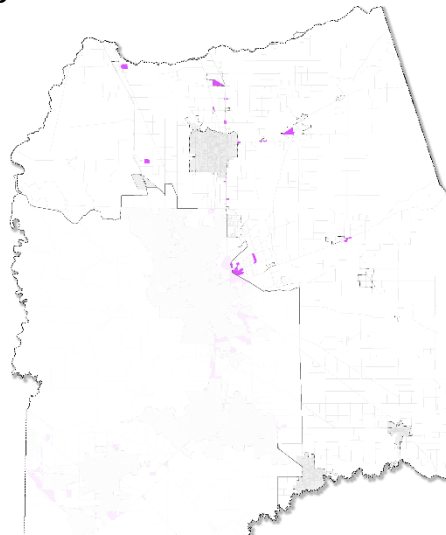
# Unincorporated District 4 Zoning



Agricultural zoning



Commercial zoning



Industrial zoning



Any Questions on  
**CULTIVATION?**

# Commercial Cannabis Cultivation

## DISCUSSION (20 minutes)

- ▶ Should the County permit commercial cannabis cultivation?
  - ▶ Should the County permit outdoor cultivation?
  - ▶ Should the County permit indoor cultivation?
  - ▶ Should the County permit mixed light or greenhouse cultivation?
  - ▶ Should the County permit nurseries?
- ▶ Should medical cultivation be treated differently from adult use?
- ▶ Where, if anywhere, should commercial cannabis cultivation be permitted in and around your community?







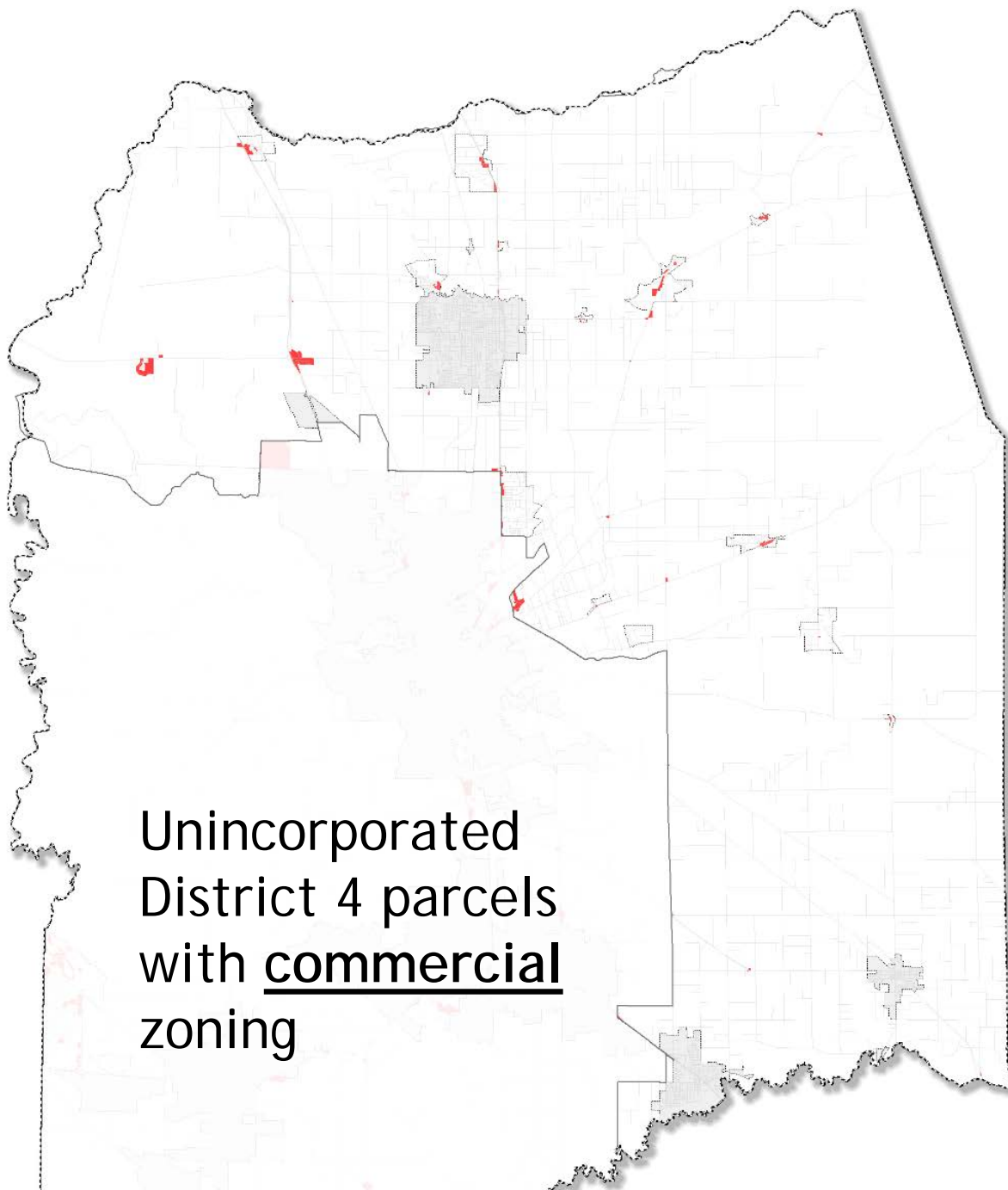
Photo Source: Kindland

## 2. RETAIL and DISPENSARY

# Commercial Cannabis Retail and Dispensary

## ▶ Retail and Dispensary

- ▶ County may allow or prohibit cannabis retail stores / dispensaries in the unincorporated county
- ▶ Retail may include mobile delivery services
- ▶ Retail may allow for on-site consumption



Unincorporated  
District 4 parcels  
with commercial  
zoning

# Community Considerations

- ▶ Odor
- ▶ Security
- ▶ Water Use
- ▶ Energy Use
- ▶ Building Code & Safety Issues
- ▶ Costs
- ▶ Available locations
- ▶ Buffer Zones (e.g., 300-500-feet from property line)
- ▶ County Fees (licensing, inspection, permits)
- ▶ Enforcement of potential land use regulations.



Any Questions on  
**RETAIL/  
DISPENSARIES?**

# Commercial Cannabis Retail and Dispensary

## DISCUSSION (20 minutes)

- ▶ How do you feel about permitting commercial cannabis retail businesses in your community?
- ▶ Should medical retail businesses be treated differently from adult use retail businesses?



Photo Source: Canna Source



# 3. MANUFACTURING, TESTING, DISTRIBUTION, TRANSPORTATION



Photo Source: Cumberland Times-News

# 3a. MANUFACTURING



# Commercial Cannabis Manufacturing

- ▶ A cannabis manufacturer prepares cannabis for commercial sale, including, but not limited, to the processes of
  - ▶ Drying
  - ▶ Cleaning
  - ▶ Curing
  - ▶ Packaging
  - ▶ Extraction of the active ingredients of cannabis in order to create cannabis-related products including edibles and concentrates

# Commercial Cannabis Manufacturing

- ▶ Level 1 - non-volatile solvents or no solvents
- ▶ Level 2 - volatile solvents
  - ▶ Quality control considerations v. danger

## Scope



### Example of Extraction Methods and Types of Solvents Used



Food based (e.g. oil, food grade glycerin, butter)



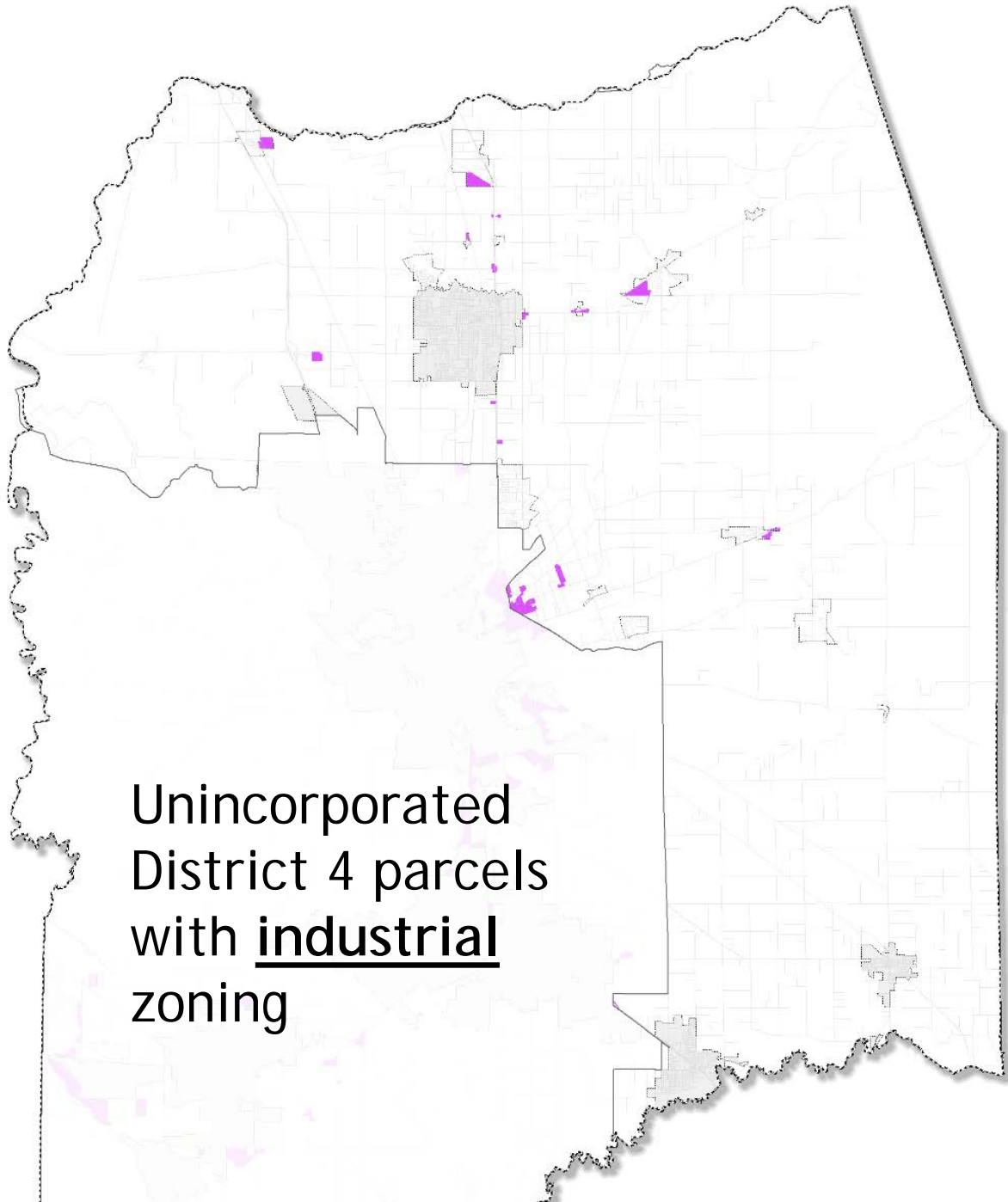
Supercritical fluid extraction (e.g., carbon dioxide)



Uncompressed liquid solvents (e.g., ethanol, methanol, acetone, 'naptha')



Compressed liquid hydrocarbons (e.g., butane)



Unincorporated  
District 4 parcels  
with industrial  
zoning

# Community Considerations

- ▶ Odor
- ▶ Security
- ▶ Water Use
- ▶ Energy Use
- ▶ Building Code & Safety Issues
- ▶ Costs
- ▶ Available locations
- ▶ Buffer Zones (e.g., 300-500 feet from property line)
- ▶ County Fees (licensing, inspection, permits)
- ▶ Enforcement of potential land use regulations will be through the County's complaint driven Code Enforcement process



Any Questions on  
**MANUFACTURING?**





# 3b. CANNABIS TESTING

# Commercial Cannabis Testing

- ▶ A **cannabis testing business** will test all cannabis and certify it for resale or transfer prior to delivery to dispensaries or other businesses.
- ▶ Testing will be for cannabinoids, contaminants, microbiological impurities, and other compounds spelled out in State law.



Photo Source: Terpenes and Testing Methods



Photo Source: Leafly



Any Questions on  
**TESTING?**





# 3c. DISTRIBUTION

# Commercial Cannabis Distribution

- ▶ A **cannabis distribution business** will regulate the flow of cannabis between different cannabis business types.
- ▶ All cultivation cannabis businesses will send their products to a distributor who will inspect them before sending them by a transport business to the next stage for inspection before passing the cannabis to the next stage of manufacturing or retailing.



Photo Source: Fourthought.com



Any Questions on  
**DISTRIBUTION?**



# 3d. TRANSPORTATION

# Commercial Cannabis Transporters

- ▶ Licensed transporters will transport cannabis and cannabis products between cannabis.
  - ▶ These businesses will utilize non-marked vehicles; and
  - ▶ Must transmit an electronic shipping manifest to the state and carry a physical copy with each shipment.



Photo Source: General Hemp



Any Questions on  
**TRANSPORTATION?**



# Commercial Cannabis Manufacturing, Testing, Distribution, Transportation



## DISCUSSION (20 minutes)

- ▶ Should the County permit any of the following cannabis businesses in the unincorporated county?
  - ▶ Manufacturing
  - ▶ Testing
  - ▶ Distribution
  - ▶ Transportation
- ▶ Should businesses for medical purposes be treated differently from adult use?



# 4. PERSONAL CANNABIS CULTIVATION



# Personal Cannabis Cultivation

## State Law:

- ▶ Cultivation of up to 6 plants inside a private residence, or inside an accessory structure to a private residence, that is fully enclosed and secure.
- ▶ A “private residence” means a “house, an apartment unit, a mobile home, or other similar dwelling.”
- ▶ Cannot be visible from a public place.

## Possible San Joaquin County Cannabis Regulations:

- ▶ Cannot ban personal cultivation as allowed above.
- ▶ But may restrict size of total square footage of grow, location within the home, use of electricity, require mitigation of odor, mold etc.

# Personal Cannabis Cultivation

- ▶ The County may create other reasonable regulations (for personal cultivation of both indoor and/or outdoor):
  - ▶ Odor
  - ▶ Building Code / Safety
  - ▶ Indoor cultivation locations (bathrooms, hallways, etc.)
  - ▶ Express landlord approval
  - ▶ Distance from schools
  - ▶ Permits & fees
  - ▶ Limits on plant height
  - ▶ Property line set backs
  - ▶ Multi-family residential units
  - ▶ Registration Process



Any Questions on  
**PERSONAL  
CULTIVATION?**

# Personal Cannabis Cultivation



## DISCUSSION (20 minutes)

- ▶ Would you like the County to consider establishing reasonable regulations around personal cannabis cultivation undertaken by you or your neighbors?

# Thank You For Participating!

**SJC** San Joaquin County Cannabis Policy Project

**Comment Card**

What is your workshop location? \_\_\_\_\_ Date \_\_\_\_\_

**Commercial Cultivation.** How do you feel about permitting commercial cannabis cultivation in the unincorporated county? If so, where?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Retail/Dispensaries.** How do you feel about permitting cannabis retail businesses in the unincorporated county? If so, where?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Manufacturing, Distribution, Testing, and Transportation.** How do you feel about permitting these types of cannabis businesses in the unincorporated county? If so, where?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Personal Use.** How do you feel about establishing reasonable regulations around personal cannabis cultivation undertaken by you or your neighbors?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To provide additional input, please complete the survey at [www.sjccannabis.org](http://www.sjccannabis.org).

Please turn in your comment cards!

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