

County may take up medical pot grows

Cultivation could be added before regulations go into effect

Drugs

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SANTA CRUZ — Santa Cruz County will look at regulating medical marijuana grow operations, from large pot fields draped over mountain peaks to those tucked behind curtains in quiet neighborhoods.

The effort would represent an expansion of rules passed in 2011 for dispensary operations in unincorporated areas. Though approved unanimously, those rules immediately were suspended while the state's high court weighed whether local governments could regulate pot clubs.

"In my district, we've got entire 2,000-square-foot homes in Rio del Mar taken over for medical marijuana grows," said Supervisor Zach Friend, who has public safety concerns about commercial pot production in residential areas. "When you buy a home, a three-quarters-of-a-million-dollar home, you don't expect to move in next to a couple thousand pot plants."

Last month, the Supreme Court decided local cities and counties could regulate pot clubs, including banning them outright. A number of cities have done just that, especially after a 2011 Justice Department crack-down on the state's medical marijuana trade.

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Along with Supervisor Bruce McPherson, Friend is one of two members of the five-member board sworn after the county first passed its pot regulations. The two signed a letter outlining a number of concerns, which will be up for discussion when the board meets Tuesday.

The board is not expected to take official action, but instead refer the matter back to county lawyers for further investigation. Existing county regulations are under a moratorium that expires in November, though the board could vote to lift it earlier.

Supervisors John Leopold and Neal Coonerty, who

chairs the board, signed a separate letter that also signaled a willingness to consider regulating the legally murky supply side of the county's medical marijuana industry.

"The law is very unclear in this area. It's why we didn't try to address it the first time," Leopold said. "But now there seems to be interest on the board to do it."

Grow operations exist throughout the county, and there is concern that some are operated in unsafe manners. That could include overloading electrical circuits that cause transformers to blow out — of special concern in wooded areas — to robberies to growers who guard their product with firearms.

Both Friend and McPherson said they have no inten-

tion of cutting off access for medical marijuana patients. McPherson, whose San Lorenzo Valley district includes several dispensaries, said he supports medical marijuana.

"When I was in the state Legislature, I supported medicinal uses for marijuana with proper oversight, and continue to feel that way," McPherson said.

While there are common themes in each, the fact that there are two letters regarding the county's pot regulations is a sign that the board — right now, at least — is not unanimous on what to do about them.

Ben Rice, a local attorney who works with a number of pot clubs, said he expects a few to close once the suspended regulations go into effect. Those rules required

setbacks from schools and other dispensaries, among other criteria.

Rice also said he welcomes rules on cultivation, saying he tried to get the board to take up the issue when the board first tackled pot regulations two years ago. He also said his clients won't protest added taxes, a step suggested by the letter from Coonerty and Leopold.

"Nobody that I know that's doing this responsibly disagrees that this should be done, that we should have better and clearer regulations," Rice said. "And everyone agrees that we should be taxed to cover any county expenses required to monitor this stuff."

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