

Thumbs down on urban pot grows

With 4-1 vote,
cultivation rules
approved

By JASON HOPPIN

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SANTA CRUZ — The Santa Cruz County Board of Supervisors on Tuesday pushed commercial pot grows out from the urban landscape, making the county the latest to issue rules governing the murky area of medical marijuana production.

Driven by complaints that entire houses were being converted into pot factories and concerns over environmental damage from larger farms, the rules allow for small, personal gardens for pot patients but move larger grows into the hills. They also place new limits on

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POT

Continued from C1

cultivation practices.

"We're close to the cutting edge. I'm not sure we're on it, but we're close to it," said Supervisor John Leopold, adding that the new law could be revisited if residents or medical marijuana providers find parts unworkable. "If we've created rules, as well-intentioned as they are, that end up being impractical in their use, we're going to have to change that. (But) there's a lot of good in this ordinance."

The law includes a 99-plant and 100-square-foot limit for pot grows in residential areas, eliminating a practice where many patients could pool together to create massive pot grows under one roof.

Larger grows are restricted to rural areas, and must comply with

county environmental laws on water use, pesticides and more. Properties more than one acre but less than five may include pot farms up to 1,000 square feet. Depending on the size of the parcel, up to 3,000 square feet would be allowed.

Some Bonny Doon neighbors said those limits are too low. Eric Hoffman, who lives on McGivern Way, said there is a grow in his area, lending a strong odor (not to mention questions from guests) during backyard barbecues. The issue also has come up during school field trips to visit his herd of alpacas.

"I'm a 60s product. I'm not opposed to marijuana," Hoffman said. "I just think the feelings of the people that are not involved in this trade need to be respected."

The rules also ban medical pot grown here from being sold elsewhere, requires an electrician to sign off on home grow operations,

bans commercial grows within 600 feet of schools or parks, and makes land and homeowners responsible for tenant compliance with the law.

Local attorney Ben Rice was optimistic about the board's vote, which included a provision to revisit the law in six months. He said one area worth looking at might be allowing larger grows in urban warehouses, which can be managed well and alleviate rural neighborhood concerns.

"I've had clients who were busted for incredibly well-put-together warehouses," Rice said. "Unfortunately, they were also illegal."

Rice also said the rules are a good foundation for what he expects will be the legalization of recreational pot. A Field Poll released Tuesday showed for the first time a clear majority of Californians favor after the lead of Washington and Colorado and legalizing marijuana.

"I think the writing's on the wall," Rice said.

Enforcement remains an open question. Rather than sell licenses for pot grows — or dispensaries, through rules passed last month — the county decided to offer local immunity if growers and sellers comply with the regulations. That leaves the county without the funds to back up their new rules, even though several operators spoke in favor of a tax system as a way to suppress the black market.

The vote was not unanimous, with Supervisor Zach Friend adding a "no" vote. Friend has maintained Tuesday's proposal, as well as the recently passed dispensary rules, do not go far enough.

"I think we are still failing on this component of protecting the residential neighborhoods," Friend said.

In other business, the county con-

tinued its nascent economic development efforts, signaling an intent to create a standalone economic development department headed by Barbara Mason, who has spent months developing an economic development strategy through the Planning Department.

"It certainly feels much more collaborative and inclusive and forward-thinking," said Joe Foster, executive director of the Santa Cruz County Business Council.

For years the county has labored under an image as antibusiness, which may be contributing to lower pay and higher unemployment than some neighboring counties. Some developers and landowners also have avoided doing business here due to complex land use rules that often lead to lengthy delays and uncertain outcomes.

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WEDNESDAY, DECEMBER 11, 2013 C3