

Pot club faces city crackdown

By **DARREL W. COLE**
Sentinel staff writer

✓ **SANTA CRUZ** — City officials have served a shut-down order on a new medical marijuana provider on Seabright Avenue but will allow the group to continue operating while it seeks the proper permits.

Kate Wells, who opened Santa Cruz Cannabis Pharmaceuticals in a small home on Seabright almost two weeks ago, said she wants to comply with city rules but has no plans to abide by Monday's notice.

City officials said Wells, a lawyer, never obtained the proper permits to open. A permit was needed because the house was previously used as a residence and is zoned for offices.

Area residents complained that

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The city could legally shut down the non-profit group but is giving it a chance to apply for the necessary operating permits.

the use was inappropriate because the neighborhood is largely residential and because a school and church are nearby.

Chief Building Official Dick Stubendorff said Tuesday the city could legally shut down the non-profit group but is giving it a chance

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to apply for permits.

"They are working with no permission from us whatsoever, but we are looking at it objectively, forget the politics of it," Stubendorff said. "We are telling them to get in an application immediately and let's go from there. This is new water for us."

Stubendorff said the city wouldn't want to shut down an operation, thereby depriving someone of medication.

Marijuana is used by some people to relieve suffering caused by diseases and illnesses like HIV, migraines, cancer and anorexia.

Wells opened Santa Cruz Cannabis Pharmaceuticals April 7, just days before the City Council approved an ordinance that allows recognized associations to cultivate and distribute medical marijuana to qualified patients in the city. That ordinance will take effect May 11.

"The council passed an ordinance without first communicating with the city permit department," Wells said. "We are the ones caught in the middle. We'll do whatever we have to do and jump through whatever hoops we have to, but we don't know what the hoops are. They could red tag us, but it won't close us down."

Wells said she picked up permit application forms Monday.

"I think the city letter (ordering a shut down) was a knee-jerk reaction coming from neighbors'

complaints," Wells said.

Meanwhile, she hopes to find a new space to distribute the medical marijuana and wants to keep the Seabright house for administrative uses only.

Mayor Keith Sugar said the city will work out site details before the ordinance takes effect. He said he wants the city to work with Wells and neighbors, but that Wells must follow city zoning rules.

"It means she can't really operate," until we have (guidelines), Sugar said.

Sugar said he fears that if the city doesn't regulate its medical marijuana associations "100 percent by the book," the federal government will be more apt to intervene.

"We are now drafting guidelines and criteria. ... I'm sure Kate is all above board and she will provide a valuable service, but she has to play ball. What I want to do is meet with the residents and talk to them and once we have rules in place we can provide assurances to them that these operators are above board."

Wells said the new city ordinance doesn't make clear the zones in which a marijuana operation can operate. She said such uses should be allowed in residential areas.

Asked if she would close down if the city ordered her, she said, "Hell no. Hell no I'm not going to back down."