



# County of San Diego

## LAND USE AND ENVIRONMENT GROUP

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April 11, 2016

**TO:** Supervisor Ron Roberts, Chairman  
Supervisor Dianne Jacob, Vice Chairwoman  
Supervisor Greg Cox  
Supervisor Dave Roberts  
Supervisor Bill Horn

**FROM:** Sarah E. Aghassi  
Deputy Chief Administrative Officer

### **MEDICAL MARIJUANA COLLECTIVE FACILITY INTERIM URGENCY MORATORIUM ORDINANCE REPORT**

On March 16, 2016 (3), the Board of Supervisors took action on an interim urgency ordinance enacting a moratorium on the establishment of medical marijuana collective facilities. The Board also directed staff to return at a future date with various ordinance options to address the siting and enforcement of these facilities. The interim urgency ordinance allows County staff the time needed to prepare and evaluate the various options addressing the necessary regulatory changes for the siting of medical marijuana collective facilities and enforcement options available to address illegally established facilities.

Pursuant to Section 65858 of the California Government Code, the initial duration of such an interim urgency ordinance is a period of 45 days. After notice pursuant to Section 65090 of the Government Code and a public hearing, the legislative body may extend the interim urgency ordinance for 10 months and 15 days and subsequently extend the interim urgency ordinance for an additional year. The action to extend the interim urgency ordinance is set to come to your Board on April 27, 2016 to request an extension for 10 months and 15 days.

Further, Section 65858 requires that 10 days prior to the expiration of the interim urgency ordinance, or any extension, that the Board issue a written report describing the measures being taken to alleviate the condition which led to the adoption of the interim urgency ordinance. On behalf of your Board, this memo serves as a report describing what is currently taking place to address the need for a moratorium prohibiting the establishment of medical marijuana collective facilities. This memo will be available for public viewing on the Planning & Development Services (PDS) Advance Planning website thereby fulfilling the requirements of Section 65858 of the Government Code.

Since the moratorium was enacted, the work group previously formed to evaluate enforcement efforts against illegally operating dispensaries is analyzing options for improved enforcement. The work group consists of staff from PDS, County Counsel, the Sheriff's Department and the District Attorney's office. The work group will continue to evaluate enforcement efforts, analyze

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best practices, and return to the Board with a thorough analysis of the alternatives and/or related Zoning Ordinance or Regulatory Code changes consistent with the Board's direction described above.

In conjunction with this effort, staff is also preparing Zoning Ordinance amendments regulating the location and siting of medical marijuana collective facilities. Staff has prepared a work plan that takes into account the necessary time required to draft regulatory changes, conduct an internal and external review, review and response to public comments, the Planning Commission hearing and Board letter docketing.

If I can be of further assistance, please contact me at (619) 531-5451.

Respectfully,



SARAH E. AGHASSI  
Deputy Chief Administrative Officer

cc: Clerk of the Board of Supervisors  
Mark Wardlaw, Director, Planning & Development Services