

ACTION MINUTES

LAND USE & COMMUNITY DEVELOPMENT COMMITTEE

September 15, 2011

MEMBERS PRESENT: Richard Forster, Supervisor, District II
Louis Boitano, Supervisor, District IV

Supervisor Boitano called the meeting to order at 10:05 a.m.

AGENDA: Approved.

CORRESPONDENCE: None.

APPROVAL OF MINUTES: The minutes of the August 30, 2011 meeting were approved as submitted.

PUBLIC MATTERS NOT ON THE AGENDA: None.

ITEM 1. DISCUSSION REGARDING WHETHER THE COUNTY SHOULD ADOPT REGULATIONS SIMILAR TO THOSE RECENTLY ADOPTED BY BUTTE COUNTY REGARDING THE GROWING OF MEDICAL MARIJUANA PLANTS AS ALLOWED BY STATE LAW--Planning Department

(Present: Linda VanVleck, Code Enforcement; Jim Wegner, Sheriff's Office; Susan Grijalva, Planning Department; and Bob Allen, member of the public, was present until 10:25 a.m.)

Linda VanVleck, Code Enforcement, spoke to cases she is aware of where medical marijuana is being grown and cultivated legally and the complaints she has received pertaining to those grows concerning the plants' odor, improper sanitary conditions, camping, increase in traffic and feeling unsafe.

Jim Wegner, Sheriff's Office, provided background on Federal and State laws regarding the dispensing, growing, and cultivation of marijuana for medical purposes, how the Sheriff's Office is handling the enforcement of those laws, and the crime associated with the grows. Currently there is a prohibition of dispensaries in Amador County. Individuals are required to obtain a "215 card" from Public Health. It is illegal to sell marijuana or to grow it for commercial purposes. It can be grown by co-operatives and collectives, but they can only charge for the actual cost.

The formation of an ad hoc committee was discussed; suggested participants being county counsel, ACNET, law enforcement, Cities, a few citizens, and Land Use Committee. The Committee directed other counties be contacted to see what is working and where they would suggest making changes in their ordinances. The Committee suggested referencing Humboldt County's and Kern County's ordinances and using Butte County's ordinance as a format.

The Committee directed staff to work toward the County being appointed trustee of the property located at 19200 American Flat Side Road so action can be taken to respond to complaints.

Committee Action: The Committee recommended taking the matter to the Board of Supervisors for a decision as to whether they want staff to expend time pursuing the adoption of an ordinance which would set forth regulations regarding the cultivation of medical marijuana. The Committee directed that the materials provided in the Land Use Committee agenda packet be included in the Board's packet and the staff report be narrow and to the point--"Do we want to explore developing regulations that apply to marijuana cultivation?"

The meeting adjourned at 11:05 a.m.