



THE TOWN OF
CORTE MADERA
MARIN COUNTY CALIFORNIA

TOWN OF CORTE MADERA PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

COMMERCIAL CULTIVATION OF MEDICAL MARIJUANA

TOWN AGENCY: CORTE MADERA PLANNING COMMISSION
MEETING DATE: TUESDAY JANUARY 12, 2016
TIME AND PLACE: 7:00 P.M., CORTE MADERA TOWN HALL, 300 TAMALPAIS DRIVE
SUBJECT: PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION AFFIRMING THE EXISTING PROHIBITION ON THE COMMERCIAL CULTIVATION OF MEDICAL MARIJUANA IN THE TOWN OF CORTE MADERA AND RECOMMENDING TO THE TOWN COUNCIL THE CONTINUATION OF SUCH PROHIBITION.

NOTICE IS HEREBY GIVEN that the Corte Madera Planning Commission will hold a public hearing to consider a resolution affirming the existing prohibition on the commercial cultivation of medical marijuana in the Town of Corte Madera and recommending to the Town Council the continuation of such prohibition at this time.

The Medical Marijuana Regulation and Safety Act (MMRSA), consisting of Assembly Bill 266, Assembly Bill 243, and Senate Bill 643, was enacted on September 11, 2015. The MMRSA imposes new regulatory mechanisms related to medical marijuana that includes a comprehensive state-run licensing system for the commercial cultivation, manufacture, retail sales, transport, distribution, delivery, and testing of medical cannabis. These new laws took effect on January 1, 2016.

Assembly Bill 243 establishes a dual licensing system. Under AB 243, both the state and the local agency may issue licenses for the commercial cultivation of medical marijuana. However, a medical marijuana commercial cultivation business may only operate within a jurisdiction if it is allowed by the local agency. Pursuant to AB 243, local jurisdictions wishing to preserve its ability to regulate the commercial cultivation of medical marijuana, including the ability to prohibit it, must do so by March 1, 2016. Otherwise, a local agency (city, etc.) could lose its ability to prohibit medical marijuana cultivation businesses in the city as the State would become the sole licensing authority.

Staff recommends that adoption of the proposed resolution is not subject to the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15060(c)(2), as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and Guidelines Section 15060(c)(3) as the activity is not a project as defined in Guidelines Section 15378, because it has no potential for resulting in physical change to the environment directly or indirectly.

Adam Wolff, Planning Director

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at 415-927-5064. Notification two business days (the Friday before the meeting) prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.