

**1. What does the passing of Proposition 64 (Adult Use of Marijuana Act) mean?**

Personal recreational use: Adults 21 years or older are now able to possess up to 28.5 grams of un-concentrated marijuana, possess up to 8 grams of concentrated marijuana, and cultivate up to six plants in their private residence for personal use.

Commercial recreational cannabis businesses: Proposition 64 requires a license from the State Bureau of Medical Cannabis Regulation for commercial recreational cannabis operations. The State plans to begin accepting applications for licenses starting January 1, 2018. ***No commercial recreational cannabis businesses are allowed in Monterey County without a state license.*** The County may consider local regulations for recreational cannabis businesses within Monterey County that would apply in addition to State licensing requirements; however, nothing is in place currently. Please check the Monterey County Resource Management Agency website if you are interested in these efforts.

**2. Do I need a permit to cultivate medical cannabis in Monterey County and if so, how do I apply?**

Yes. A permit is required for all medical cannabis activities in Monterey County. The County anticipates that it will begin accepting applications for permits beginning December 7, 2016. The permitting process can take several months. For specifics on application requirements, zoning, and permit restrictions please read the ordinances adopted by the Board of Supervisors:

[https://www.municode.com/library/ca/monterey\\_county/codes/code\\_of\\_ordinances?nodeId=TIT21ZO](https://www.municode.com/library/ca/monterey_county/codes/code_of_ordinances?nodeId=TIT21ZO)

Additional information is also available on the Monterey County Planning Department website: (<https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/faq-s/cannabis-permitting-information>)

**3. Where can I cultivate medical cannabis in Monterey County?**

Personal Use: Up to 100 square feet of cannabis may be grown for personal medical use (not for sale or distribution) with a Personal Medical Cannabis Permit in any zoning district. For specifics, the relevant ordinance can be found here:

[https://www.municode.com/library/ca/monterey\\_county/codes/code\\_of\\_ordinances?nodeId=TIT7BUTALIRE\\_CH7.100COCABUTA](https://www.municode.com/library/ca/monterey_county/codes/code_of_ordinances?nodeId=TIT7BUTALIRE_CH7.100COCABUTA)

Commercial cannabis cultivation and nurseries will only be permitted within existing greenhouses or industrial buildings that were legally established prior to January 1, 2016 and within the following zoning districts:

Inland: Farmland (F), Agricultural Industrial (AI), Heavy Industrial (HI), and Light Industrial (LI) zoning districts. Cultivation in the Light Industrial zoning district is limited to type 1A, 1B, 2A, and 2B state licenses types.

Coastal: Coastal regulations are still pending California Coastal Commission certification. After certification by the Coastal Commission, the ordinances must be adopted by the Board of Supervisors. Until adopted regulations become effective, the Interim Ordinance prohibiting cannabis businesses in Monterey County remains in effect.

Outdoor commercial cannabis cultivation is not permitted at this time. To check the zoning on a property please visit:

<http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency/gis>

#### **4. Is manufacturing of medical cannabis allowed in Monterey County?**

Commercial medical cannabis manufacturing is addressed in two categories: volatile and nonvolatile.

Volatile manufacturing is not currently defined, but will generally include oil extraction methods that make use of flammable substances or pressurized systems that pose a threat of explosion, fire, or chemical leaks. Volatile manufacturing will only be permitted in the Heavy Industrial (HI) zoning districts.

Nonvolatile manufacturing can be permitted in the following zoning districts:

- Farmland (F) zones when combined with cultivation permits;
- Heavy Commercial (HC);
- Agricultural Industrial (AI);
- Light Industrial (LI); and
- Heavy Industrial (HI) zoning districts.

Permits are only being accepted for Inland zoning districts at this time (not Coastal). For the status of permits in the Coastal zone or to look up zoning for a property, please refer to Question 3 above.

**5. Are medical cannabis dispensaries allowed in Monterey County? What about delivery services?**

Medical cannabis dispensaries may be permitted in Light Commercial (LC) or Heavy Commercial (HC) zoning districts. Delivery services must originate from permitted dispensaries only. Restrictions apply to dispensary locations including a 1000 foot setback from another dispensary and a 600 foot setback from schools, parks, or drug recovery facilities. For more details on restrictions and regulations please read the ordinances adopted by the Board of Supervisors:

[https://www.municode.com/library/ca/monterey\\_county/codes/code\\_of\\_ordinances?nodeId=TIT21ZO](https://www.municode.com/library/ca/monterey_county/codes/code_of_ordinances?nodeId=TIT21ZO)

Permits are only being accepted for Inland zoning districts at this time (not Coastal). For the status of permits in the Coastal zone or to look up zoning for a property, please refer to Question 3 above.

**6. Are medical cannabis transporters and/or distributors allowed in Monterey County?**

Medical cannabis transporters and/or distributors may be permitted in the Heavy Commercial (HC), Light Industrial (LI), Heavy Industrial (HI), and Agricultural Industrial (AI) zoning districts only. Restrictions apply to the location and types of operations. For more details on restrictions and regulations please read the ordinances adopted by the Board of Supervisors:

[https://www.municode.com/library/ca/monterey\\_county/codes/code\\_of\\_ordinances?nodeId=TIT21ZO](https://www.municode.com/library/ca/monterey_county/codes/code_of_ordinances?nodeId=TIT21ZO)

Permits are only being accepted for Inland zoning districts at this time (not Coastal). For the status of permits in the Coastal zone or to look up zoning for a property, please refer to Question 3 above.

**7. Are medical cannabis testing facilities allowed in Monterey County?**

Medical cannabis testing facilities may be permitted in the Heavy Commercial (HC), Light Industrial (LI), Heavy Industrial (HI), and Agricultural Industrial (AI) zoning districts only. Restrictions apply to the location and types of operations. For more details on restrictions and regulations please read the ordinances adopted by the Board of Supervisors:

[https://www.municode.com/library/ca/monterey\\_county/codes/code\\_of\\_ordinances?nodeId=TIT21ZO](https://www.municode.com/library/ca/monterey_county/codes/code_of_ordinances?nodeId=TIT21ZO)

Permits are only being accepted for Inland zoning districts at this time (not Coastal). For the status of permits in the Coastal zone or to look up zoning for a property, please refer to Question 3 above.

**8. Is there a size limit on medical cannabis cultivation or nurseries?**

Yes. Cannabis cultivation may be permitted in one of three size categories:

- Type 1 permits and State licenses are limited to 5,000 square feet of canopy area;
- Type 2 permits and State licenses are limited to 10,000 square feet of canopy area;
- Type 3 permits and State licenses are limited to 22,000 square feet of canopy area; and
- Type 4 permits and State licenses (nurseries) are not limited in size unless limited through future State regulatory requirements.

These limitations are “per premises.” If you are interested in multiple cultivation licenses on one property please see Question 10.

**9. Can I hold more than one license type?**

Yes, subject to State restrictions by license type. Chapter 3.5 of Division 8, of the California Business and Professions Code contains limitations on the number and types of licenses that may be held by one licensee. Section 19328 of the Business and Professions code allows a “licensee” to hold a state license in up to two separate license categories (e.g. Cultivation Type 3A and Manufacturing Type 6). Restrictions apply to the types of licenses that can be held at one time. Please see Business and Professions Code Section 19328 for more detailed information.

**10. Is more than one license allowed on a property (stacking permits)?**

The County may permit multiple cannabis businesses on one parcel (e.g. two or more businesses with separate premises on the same property) subject to Use Permit restrictions, and subject to limitations through future State regulations.

**11. Do I need a state license to operate a cannabis business?**

Yes, when they become available. The State anticipates accepting applications for medical and non-medical licensing in January 2018. Once state licenses are required, all

County approvals and state licenses must be obtained and maintained in order to operate a cannabis business. Prior to January 2018, County permits are required for **medical** cannabis operations. County approval does not guarantee or exempt a business from obtaining a state license. If for any reason, a County approved business cannot obtain a state license, the County will revoke or withhold renewal of local permission to operate.

**12. Does Monterey County have a cannabis tax?**

Yes. More information on the tax can be found here:

[https://www.municode.com/library/ca/monterey\\_county/codes/code\\_of\\_ordinances?nodeId=TIT7BUTALIRE\\_CH7.100COCABUTA](https://www.municode.com/library/ca/monterey_county/codes/code_of_ordinances?nodeId=TIT7BUTALIRE_CH7.100COCABUTA)

**13. Will Monterey County permit recreational/adult use cannabis businesses?**

Not at this time. Recreational cannabis businesses must obtain a state license to operate. The State is expected to begin accepting applications for licenses in January 2018. The County may begin working on local regulations for recreational cannabis businesses in the near future. Please check the Monterey County Resource Management Agency website periodically if you are interested in these efforts.

**14. How do I report a nuisance or violation?**

If you are reporting criminal activities such as trespassing or illegal sales, please contact the Monterey County Sheriff's Office at <https://www.montereysheriff.org/contact-us/> If it is an emergency dial 9-1-1. For permit information, or to file a land use complaint, contact the Resource Management Agency at (831) 755-5025.