

Don't Bogart that Joint My Friend

Lyrics: *Lawrence Wagner*

Music: *Elliot Ingber*

(on the soundtrack of "Easy Rider")

Chorus

Don't bogart that joint my friend

Pass it over to me

Don't bogart that joint my friend

Pass it over to me

Roll another one

Just like the other one

You've been holding on to it

And I sure will like a hit

[**chorus**]

Roll another one

Just like the other one

That one's burned to the end

Come on and be a real friend

[**chorus**]





Medical Marijuana Dispensary

Purpose and Findings



A. Due to the fact that all distribution of marijuana was previously illegal, it has never been allowed within the provisions of the City's Zoning Ordinance.

B. The voters of the State of California overwhelmingly affirmed the medical use of marijuana ... The intent of this Proposition was to enable persons who are in of medical need of marijuana to be able to obtain and use it without fear of criminal prosecution. The specific purposes of this Chapter are to safeguard the urban environment by permitting compliance with state law in a manner consistent with neighborhood concerns. (Berkeley)

Another example...

Purpose and Intent. It is the purpose of this section to implement the Compassionate Use Act of 1996... and the Medical Marijuana Program... by establishing reasonable and uniform zoning regulations for medical marijuana collective facilities which, in combination with licensing requirements contained in the San Diego County Code, will allow qualified patients and primary caregivers to collectively or cooperatively cultivate marijuana for medical purposes,





and at the same time protect the public health, safety and welfare of communities, within the unincorporated area of San Diego County area and is the intent of this section that the regulations be utilized to preserve the character of neighborhoods and property values and to deter the spread of crime and prevent problems of blight, deterioration, and public safety which would often accompany and are brought about by the operation of medical marijuana collective facilities. (San Diego County)

Definitions

- "Medical Marijuana Dispensary"
 - In person
 - Or from which delivered
- "Consideration"
 - Money, barter, membership, labor or other
- "Patient"
 - Permitted to cultivate and/or consume (Berkeley)





"Medical marijuana collective"
(**"collective"**). An incorporated or unincorporated association, composed solely of four or more qualified patients, persons with identification cards, and designated primary caregivers of qualified patients and persons with identification cards (collectively referred to as "members") who associate at a particular location to collectively or cooperatively cultivate marijuana for medical purposes, in strict accordance with California Health and Safety Code Sections 11362.5, *et seq.* (San Diego County)

Marijuana. "Marijuana" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. (Aracata, CA)



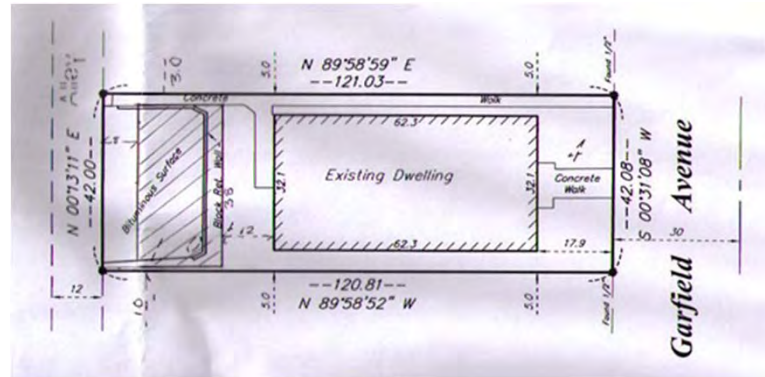
- Exclusion for small users
 - “where the amount of marijuana at no time exceeds 1.5 times the amount allowed by state law for a single Qualified Patient...only cultivation occurs, and no exchanges of marijuana or reimbursements for marijuana occur....”





- Exclusion for Collective Facility operated by Primary Care Giver
“where the amount of marijuana at no time exceeds the amount allowed for a single Primary Care Giver, ...only cultivation occurs, and no exchanges of marijuana or reimbursements for marijuana occur....”
(San Diego County)

No Nonconforming Uses



No use which purports to have distributed marijuana prior to the enactment of this Chapter shall be deemed to have been a legally established use under the provisions of the Zoning Ordinance and such use shall not be entitled to claim legal nonconforming status.

- Relief from requirement to cease operations:
 - 6 months on application
 - Availability of alternative location
 - Nonrecoverable costs of improvement
 - Term of lease
 - Potential for other conforming uses on the site
- (San Diego County)



Use Permit Required In All Cases

...and not allowed as a home occupation...



Burlington Department of Planning and Zoning
149 Church Street, City Hall
Burlington, VT 05401-8415
www.ci.Burlington.vt.us/Planning
PH: 802-865-7188 FAX: 802-865-7195 TTY: 802-865-7142



To Bruce's
mum
From
The
Cohens

Home Occupation Application Questionnaire

Name of Business Proposed: _____

Type of Business Proposed: _____

Allowed Districts

Medical Marijuana Dispensaries may be permitted in all Zoning Districts except the R-1, R1-A, R-2, R2-A, R-3, R-4 R-5 and ES-R Districts.



Medical Marijuana Dispensaries may be permitted in the R-1, R1-A, R-2, R2-A, R-3, R-4, R-5 and ES-R Zoning Districts if they are located on the premises of a church or other religious institution which qualifies as such under section 501 of the Internal Revenue Code and are otherwise in compliance with the requirements of this Chapter.



Distance Requirements

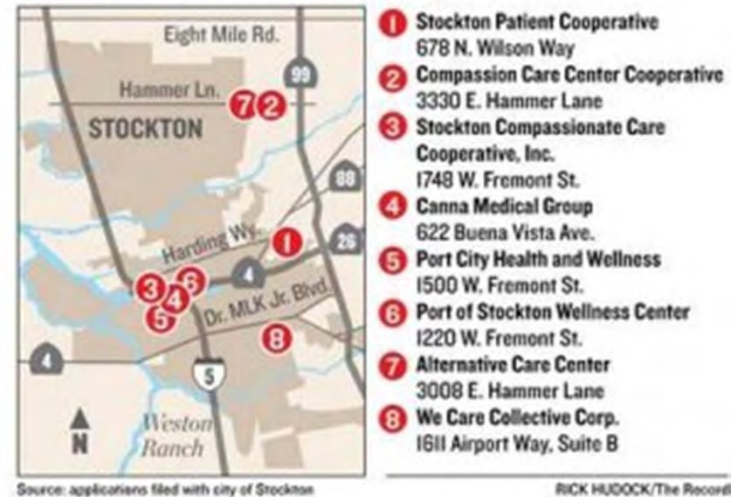
- 300 feet away from K-12, or park
 - Measured by most direct route to property line



Other examples...

Potential dispensary sites

Eight groups are in the running for Stockton's three medical marijuana dispensary permits. Here is where they have proposed locations.









- 1,000 feet from
 - residential use district
 - park, playground, school, church, recreation center, youth center
 - another Collective Facility (San Diego County)

Medical marijuana Industrial Zoned Parcels 1000 feet from Schools, Rec Centers, Youth Centers, Churches, playgrounds, Parks and Residential Zoning

Number	APN	Owner Name	Street	Suffix	USEREG
1	14121009	COUNTY OF SAN DIEGO			M52
2	24819014	AMERIGAS PROPANE L P	JULIAN	HWY	M54
3	24819021	JULIAN INDUSTRIAL SERVICES INC	HIGHWAY 78		M54
4	24819022	OLD GROVE PROPERTIES L L C	HIGHWAY 78		M54
5	24819023	NEWMAN FAMILY LTD-LIABILITY CO	HIGHWAY 78		M54
6	28101018	FOLTS FAMILY TRUST 05-09-05	MONTECITO	RD	M52
7	28101020	COUNTY OF SAN DIEGO	MONTECITO	RD	M52
8	28101020	COUNTY OF SAN DIEGO	MONTECITO	RD	M54
9	28106513	COUNTY OF SAN DIEGO			M52
10	28106516	BURTON HOWARD	PINE	ST	M52
11	28106517	BURTON HOWARD	PINE	ST	M52
12	28106519	AUERBACH FAMILY 1987 TRUST 12-18-98	OLIVE	ST	M52
13	28106520	RAMONA MUNICIPAL WATER DISTRICT	OLIVE	ST	M52
14	28106610	TURSKI TIMOTHY S&SUSAN M	OLIVE	ST	M52
15	28106611	SALDAMANDO VICTOR&LISA			M52
16	28106612	SALDAMANDO VICTOR&LISA			M52
17	28106615	COUNTY OF SAN DIEGO			M52
18	28106618	MCQUIEN TERI	OLIVE	ST	M52
19	28106619	HAGWOOD MICHAEL T&LAUREN M	OLIVE	ST	M52
20	28110018	M S W PARTNERSHIP	MAPLE	ST	M54
21	28112109	CHRISTIANSEN RALPH E&BARBARA M TRS	MAPLE	ST	M54
22	28112111	ROE INVESTMENT PROPERTIES	OLIVE	ST	M54
23	28112112	J R STEEL PROPERTIES L L C	OLIVE	ST	M54
24	28112115	G M B C VI	BRAZOS	ST	M54
25	28112116	CORNERSTONE PROPANE L P	WALNUT	ST	M54
26	28112117	CORNERSTONE PROPANE L P	WALNUT	ST	M54

Legend

-  Industrial Zoned Parcels
- at least 1000 feet from: Schools,
Rec Centers, Youth Center, Parks,
Churches, Playgrounds and
Residential Zoning
-  Industrial Zoning
-  SANDAG Land Use Codes
Schools, Rec Centers, Youth Center,
Churches, Playgrounds and parks
-  1000 foot buffer of SANDAG Select Land Use
-  Residential Zoning
-  Parcels

Cap on Number

B. Maximum Number of Collectives.

1. The maximum number of collectives in the City shall be capped at 70. However, there may be fewer than 70 collectives if sufficient locations do not exist ... for 70 collectives. To the fullest extent that locations consistent with ... this article exist, the 70 collectives shall be proportionally distributed by Community Plan Area, based on each Community Plan Area's percentage share of the City's total Community Plan Area population, as estimated by the Department of City Planning as of October 1, 2008, as shown on [Table 1](#), below: (Los Angeles)

TABLE 1

Community Plan Area ("CPA")	Population	Pct of Total	# of MMCs
Arleta - Pacoima	105,238	2.63%	2
Bel Air - Beverly Crest	21,659	0.54%	0
Boyle Heights	92,626	2.31%	2
Brentwood - Pacific Palisades	57,513	1.44%	1
Canoga Park - West Hills - Winnetka - Woodland Hills	185,670	4.64%	3
Central City	31,900	0.80%	0
Central City North	32,835	0.82%	1

Cultivation



(1) Permitted Cooperative or Collective. If the Use Permit authorizes limited, on-site medical marijuana cultivation at the cooperative or collective, a permitted medical marijuana cooperatives' or collectives' on-site cultivation shall not exceed twenty-five (25) percent of the cooperatives' or collectives' total floor area, but in no case greater than 1,500 square feet and not exceed ten feet (10') in height. (Arcata, CA)

You Can Smoke On Site

- Fully ventilated room
- Can't leave if stoned



Under 18 Accompanied By Parent or Guardian

IT'S JUST A PLANT



