



TOWN OF FAIRFAX

STAFF REPORT

April 6, 2016

TO: Mayor and Town Council

FROM: Garrett Toy, Town Manager *GT*

SUBJECT: Discuss/consider results of Town on-line forum regarding medical marijuana cultivation and direct staff as appropriate

RECOMMENDATION

Discuss/consider results of on-line forum regarding medical marijuana cultivation and direct staff as appropriate

BACKGROUND

At its February 3, 2016 meeting, the Council deferred its adoption of Ordinance No. 797 to ban marijuana cultivation with exemptions for personal cultivation for qualified patients and primary caregivers. The State had eliminated the March 1st deadline (AB 21) prior to the Council meeting which allowed the Council to defer the adoption. Ordinance No. 797 was developed in response to the passage of AB 243, which requires the State to develop a Medical Cannabis Cultivation Program and sets a deadline of March 1st for towns to adopt regulations regarding the cultivation of medical marijuana or the State will become the sole licensing authority. The decision to defer adoption was based on the Council's desire to solicit more community input on the issues.

DISCUSSION

At its March 2, 2016 meeting, the Council approved staff's recommendation to use Town's on-line forum (run by "Peak Democracy") to solicit more community input and to report the results at the April Council meeting. The community was informed of the on-line forum via the Town newsletter, website, and Nextdoor. The on-line forum ran from March 8th to March 28th.

The following are the results for 32 total responses:

14 On-Forum responses: All respondents registered and verified their email addresses which allows other respondents to view their comments. Eleven of the 14 respondents live in Fairfax.

18 Off-Forum responses: These responses come from people who either did not begin or complete the registration process. These respondents' comments cannot be seen by the public and we cannot identify their place of residence. We also do not know if a respondent took the survey more than once.

Attached are three summary reports detailing the results: On-Forum, Off-Forum and All Responses. We have only attached the comments for the On-Forum report

The All Responses report indicates a majority of respondents support having local regulations for both personal (approx. 67%) and commercial (60%) cultivation. With regard to an indoor plant limit, approximately 46% support zero (0) to six (6) plants. Approximately 40% support an outdoor limit of zero (0) to 12 plants. Approximately 57% of the respondents support

prohibiting cultivation near specific land uses (e.g., schools). However, it was unclear as to the distance limitations.

In comparison, the On-Forum report also supports (64%) a local regulations for personal use, but a higher number supported a ban on commercial cultivation. With regard to an indoor plant limit, approximately 57% supported zero (0) to six (6) plants. Approximately 57% support an outdoor limit of zero (0) to 12 plants. Approximately 60% of the respondents support prohibiting cultivation near specific land uses (e.g., schools).

Overall, the response rate, especially for the On-Forum, was fairly low which could be a reflection that the community believes the Council has sufficiently discussed the issues and they are comfortable with the Council's direction. Staff's assessment is that the responses, although limited, would seem to support the adoption of local regulations for medical marijuana cultivation.

The options available to the Council are:

- 1) Request staff to return to the Council at a future meeting with the second reading of Ordinance No. 797 banning marijuana cultivation with exemptions for personal cultivation for qualified patients and primary caregivers. At that meeting, Council could discuss revisions and reintroduce the Ordinance; or
- 2) Take no further action and wait to see the results of potential statewide ballot measures/initiatives regarding recreational marijuana; or
- 3) Refer the Ordinance back to the Planning Commission (PC) for revisions based on Council direction.

Staff recommends the Council consider the second reading of the Ordinance No. 797 at its May meeting (Option No. 1). Our recommendation is based on the Council's and PC's in-depth discussion and consideration of the matter at their respective public meetings. Staff would prefer to have local regulations in place which provides more clarity to staff from an enforcement perspective. Should a measure or initiative regarding recreational marijuana pass at the state level, the Town can always amend its regulations at a later date.

FISCAL IMPACT

None at this time.

ATTACHMENTS

1. On-Forum response report
2. Off-Forum response report
3. All Responses report

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

All On Forum Responses sorted chronologically

As of March 29, 2016, 9:03 AM



As with any public comment process, participation in Community Forum is voluntary. The responses in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.

ATTACHMENT 1

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

As of March 29, 2016, 9:03 AM, this forum had:

| | |
|--------------------------|-----|
| Attendees: | 55 |
| On Forum Responses: | 14 |
| All Responses: | 32 |
| Hours of Public Comment: | 1.6 |

This topic started on March 9, 2016, 3:29 PM.

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Responses

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

| | | % | Count |
|---------------------------------------|---|-------|-------|
| Yes, adopt local regulations |  | 64.3% | 9 |
| No, rely on state regulations |  | 21.4% | 3 |
| No, ban medical marijuana cultivation |  | 14.3% | 2 |

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

| | | % | Count |
|--|---|-------|-------|
| Yes, adopt local regulations |  | 50.0% | 7 |
| No, rely on state regulations |  | 21.4% | 3 |
| No, ban commercial medical marijuana cultivation |  | 21.4% | 3 |
| Don't know / Maybe |  | 7.1% | 1 |

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

| | | % | Count |
|-----------------------------------|---|-------|-------|
| 0 plants (ban indoor cultivation) |  | 14.3% | 2 |
| 3 or less |  | 35.7% | 5 |
| 6 or less |  | 7.1% | 1 |
| More than 12 |  | 7.1% | 1 |
| Other |  | 14.3% | 2 |
| Don't know / Maybe |  | 21.4% | 3 |

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

| | | % | Count |
|------------------------------------|---|-------|-------|
| 0 plants (ban outdoor cultivation) |  | 21.4% | 3 |
| 6 or less |  | 21.4% | 3 |
| 12 or less |  | 14.3% | 2 |
| More than 18 |  | 14.3% | 2 |
| Other |  | 14.3% | 2 |
| Don't know / Maybe |  | 14.3% | 2 |

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

| | | % | Count |
|--------------------|---|-------|-------|
| Yes |  | 57.1% | 8 |
| No |  | 35.7% | 5 |
| Don't know / Maybe |  | 7.1% | 1 |

If yes, what type of land uses? (Select all that apply.)

| | | % | Count |
|--|---|-------|-------|
| Public/private elementary and middle schools |  | 88.9% | 8 |
| Town owned parks/recreational facilities |  | 77.8% | 7 |
| Licensed day care/child care facilities |  | 88.9% | 8 |
| Other |  | 44.4% | 4 |

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

| | | % | Count |
|-----------------------------|---|-------|-------|
| Only on adjacent properties |  | 15.4% | 2 |
| A minimum of 100 ft |  | 15.4% | 2 |
| A minimum of 200 ft |  | 7.7% | 1 |
| A minimum of 300 ft |  | 23.1% | 3 |
| Other |  | 30.8% | 4 |
| Don't know / Maybe |  | 7.7% | 1 |

Are there any general comments you would like to share?

Answered 7

Skipped 7

again always approach big commercial **community cultivation**
do don exposure fairfax growers growing grown health her include its
know less little marijuana medical number ones only other
people **plants** property rather s size t than they think
town **Use** young

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown outside Town of Fairfax

March 28, 2016, 10:52 PM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

No, ban medical marijuana cultivation

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

No, ban commercial medical marijuana cultivation

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

0 plants (ban indoor cultivation)

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

0 plants (ban outdoor cultivation)

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

Yes

If yes, what type of land uses? (Select all that apply.)

Public/private elementary and middle schools

Town owned parks/recreational facilities

Licensed day care/child care facilities

Other - No cultivation of marijuana for any reason

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

Other - No cultivation of marijuana for any reason

Are there any general comments you would like to share?

No Response

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown outside Town of Fairfax

March 28, 2016, 7:28 AM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

Yes, adopt local regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

Don't know / Maybe

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

3 or less

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

0 plants (ban outdoor cultivation)

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

Yes

If yes, what type of land uses? (Select all that apply.)

Public/private elementary and middle schools

Town owned parks/recreational facilities

Licensed day care/child care facilities

Other - Please include Preschools as a protected facility! As a parent of a preschooler I am deeply concerned that the town would allow cultivation and use of marijuana ANYWHERE near this young and fragile population. Please protect our next generation!

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

A minimum of 300 ft

Are there any general comments you would like to share?

Again, I am mostly concerned about the exposure to marijuana it's self, which we know to be effective when inhaled, as well as the exposure to unsavory members of the community of users and cultivators. Of course we like to think the community will be limited to calm and responsible people who only USA marijuana to treat disease and critical conditions but it would be naive to think this is always the case. Further, people don't always excersizes the best judgement when under the influence. Preschool is an impressionable and neurologically sensitive time for our little ones. Please include them as part of the facilities that nearby

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

cultivation and use is strictly prohibited.

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Roselle Nardell inside Town of Fairfax

March 26, 2016, 9:01 AM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

Yes, adopt local regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

No, ban commercial medical marijuana cultivation

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

3 or less

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

6 or less

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

Yes

If yes, what type of land uses? (Select all that apply.)

Public/private elementary and middle schools

Town owned parks/recreational facilities

Licensed day care/child care facilities

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

A minimum of 200 ft

Are there any general comments you would like to share?

We think that is important that any ordinance create a buffer zone to shade small children and it would be a great shame if Fairfax becomes a place known for legalized commercial growing

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown inside Town of Fairfax

March 24, 2016, 4:31 PM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

Yes, adopt local regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

Yes, adopt local regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

3 or less

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

6 or less

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

Yes

If yes, what type of land uses? (Select all that apply.)

Public/private elementary and middle schools

Town owned parks/recreational facilities

Licensed day care/child care facilities

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

A minimum of 300 ft

Are there any general comments you would like to share?

Limit the number of plants to "per property" rather than "per person". Our neighbor had 20 of her closest friends list her property as their permanent residence and fills her property with hundreds of plants which attracts ne'er-do-wells

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown outside Town of Fairfax

March 21, 2016, 11:02 AM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

Yes, adopt local regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

Yes, adopt local regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

6 or less

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

12 or less

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

Yes

If yes, what type of land uses? (Select all that apply.)

Public/private elementary and middle schools

Town owned parks/recreational facilities

Licensed day care/child care facilities

Other - Libraries, places of worship

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

Other - 1000 feet. This is a common standard distance to protect minors

Are there any general comments you would like to share?

Fairfax is a very dense residential and commercial town. Young people travel by foot and bike all over town and they should not be exposed to smelling or seeing marijuana plants being grown in their communities even if its for medical use. Already young people in Marin county share a fearless attitude about marijuana and its potential health impacts. As a mom and public health professional, I know differently. The less we expose our young people to the normalization of marijuana the less likely they are to feel comfortable about their own use. As a community we must do everything we can to protect our youth and reducing exposure is only one of the ways adult leaders have some control. I strongly encourage you to not allow cultivation near youth-centered places since for that particular cultivation it won't be clear that it is just for medical use. It will also make

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

stealing less of a possibility and again decreases access along with exposure.

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown inside Town of Fairfax

March 19, 2016, 11:34 AM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

No, rely on state regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

No, rely on state regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

Don't know / Maybe

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

More than 18

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

No

If yes, what type of land uses? (Select all that apply.)

No Response

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

Only on adjacent properties

Are there any general comments you would like to share?

No Response

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown inside Town of Fairfax

March 17, 2016, 11:08 AM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

Yes, adopt local regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

Yes, adopt local regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

Don't know / Maybe

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

Don't know / Maybe

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

No

If yes, what type of land uses? (Select all that apply.)

No Response

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

Don't know / Maybe

Are there any general comments you would like to share?

No Response

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown inside Town of Fairfax

March 14, 2016, 8:44 PM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

No, ban medical marijuana cultivation

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

No, ban commercial medical marijuana cultivation

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

0 plants (ban indoor cultivation)

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

0 plants (ban outdoor cultivation)

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

Yes

If yes, what type of land uses? (Select all that apply.)

Public/private elementary and middle schools

Town owned parks/recreational facilities

Licensed day care/child care facilities

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

A minimum of 300 ft

Are there any general comments you would like to share?

No Response

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Greg Nudd inside Town of Fairfax

March 11, 2016, 8:46 AM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

Yes, adopt local regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

Yes, adopt local regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

3 or less

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

12 or less

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

No

If yes, what type of land uses? (Select all that apply.)

No Response

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

No Response

Are there any general comments you would like to share?

Maybe require 100% green power for indoor cultivation? Minimize size to avoid big farms. Other than that, I don't care.

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown inside Town of Fairfax

March 10, 2016, 4:20 PM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

No, rely on state regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

No, rely on state regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

Don't know / Maybe

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

Don't know / Maybe

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

Yes

If yes, what type of land uses? (Select all that apply.)

Public/private elementary and middle schools

Licensed day care/child care facilities

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

A minimum of 100 ft

Are there any general comments you would like to share?

No Response

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Michael Simler inside Town of Fairfax

March 10, 2016, 3:12 PM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

Yes, adopt local regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

Yes, adopt local regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

Other - Size of room is a better regulation. Plant numbers is an arbitrary metric for indoor regulation

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

Other - No

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

No

If yes, what type of land uses? (Select all that apply.)

Other - That would discriminate against homeowners and tenants who happen to live in these prohibited areas.

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

Other - No

Are there any general comments you would like to share?

Limiting the number of plants is not a reasonable approach to regulate personal cultivation. The plant's size and shape can be manipulated to the grower's preferred method and style. I can potentially understand this approach for commercial outdoor growing, but it still is rather ambiguous as it only affects the methods of pruning and manicuring. One can grow many little plants in the same area as a few big ones and achieve similar results.

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown inside Town of Fairfax

March 10, 2016, 11:29 AM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

No, rely on state regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

No, rely on state regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

3 or less

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

6 or less

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

Yes

If yes, what type of land uses? (Select all that apply.)

Public/private elementary and middle schools

Town owned parks/recreational facilities

Licensed day care/child care facilities

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

A minimum of 100 ft

Are there any general comments you would like to share?

No Response

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown inside Town of Fairfax

March 10, 2016, 11:06 AM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

Yes, adopt local regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

Yes, adopt local regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

Other - I don't have any idea what difference the number of plants would have. Is the issue use of resources such as electricity and water?

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

Other - Same as above: I don't have any idea what difference the number of plants would have. Is the issue use of resources such as electricity and water?

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

Don't know / Maybe

If yes, what type of land uses? (Select all that apply.)

No Response

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

Other - What's the concern here? Theft?

Are there any general comments you would like to share?

I don't know "how much is too much," in terms of the number of plants to be grown inside or outside. Would regulations include monitoring of electricity and water? Would growers pay an extra fee for these resources? What do growers of other plants do; how are they regulated?

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Name not shown inside Town of Fairfax

March 10, 2016, 10:49 AM

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

Yes, adopt local regulations

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

Yes, adopt local regulations

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

More than 12

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

More than 18

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

No

If yes, what type of land uses? (Select all that apply.)

No Response

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

Only on adjacent properties

Are there any general comments you would like to share?

No Response

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

All Off Forum Responses sorted chronologically

As of March 29, 2016, 9:45 AM



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ATTACHMENT 2

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

As of March 29, 2016, 9:45 AM, this forum had:

| | |
|--------------------------|-----|
| Attendees: | 55 |
| Off Forum Responses: | 18 |
| All Responses: | 32 |
| Hours of Public Comment: | 1.6 |

This topic started on March 9, 2016, 3:29 PM.

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Responses

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

| | | % | Count |
|-------------------------------|--|-------|-------|
| Yes, adopt local regulations | | 68.8% | 11 |
| No, rely on state regulations | | 31.3% | 5 |

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

| | | % | Count |
|--|--|-------|-------|
| Yes, adopt local regulations | | 68.8% | 11 |
| No, rely on state regulations | | 25.0% | 4 |
| No, ban commercial medical marijuana cultivation | | 6.3% | 1 |

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

| | | % | Count |
|-----------------------------------|--|-------|-------|
| 0 plants (ban indoor cultivation) | | 12.5% | 2 |
| 3 or less | | 18.8% | 3 |
| 6 or less | | 6.3% | 1 |
| 12 or less | | 6.3% | 1 |
| More than 12 | | 18.8% | 3 |
| Other | | 25.0% | 4 |
| Don't know / Maybe | | 12.5% | 2 |

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

| | | % | Count |
|--------------------|---|-------|-------|
| 6 or less |  | 12.5% | 2 |
| 12 or less |  | 12.5% | 2 |
| More than 18 |  | 18.8% | 3 |
| Other |  | 43.8% | 7 |
| Don't know / Maybe |  | 12.5% | 2 |

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

| | | % | Count |
|--------------------|---|-------|-------|
| Yes |  | 64.3% | 9 |
| No |  | 28.6% | 4 |
| Don't know / Maybe |  | 7.1% | 1 |

If yes, what type of land uses? (Select all that apply.)

| | | % | Count |
|--|---|-------|-------|
| Public/private elementary and middle schools |  | 90.0% | 9 |
| Town owned parks/recreational facilities |  | 70.0% | 7 |
| Licensed day care/child care facilities |  | 60.0% | 6 |
| Other |  | 30.0% | 3 |

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

| | | % | Count |
|-----------------------------|---|-------|-------|
| Only on adjacent properties |  | 15.4% | 2 |
| A minimum of 100 ft |  | 7.7% | 1 |
| A minimum of 300 ft |  | 15.4% | 2 |
| Other |  | 38.5% | 5 |
| Don't know / Maybe |  | 23.1% | 3 |

Are there any general comments you would like to share?

Answered 6

Skipped 12

all away card **children cultivation do** from given kids know legal limit
locations **marijuana** people plants safety schools see state **support thank use**
very young **your**

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

All Responses sorted chronologically

As of March 29, 2016, 10:10 AM



As with any public comment process, participation in Community Forum is voluntary. The responses in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

As of March 29, 2016, 10:10 AM, this forum had:

Attendees: 55

All Responses: 32

Hours of Public Comment: 1.6

This topic started on March 9, 2016, 3:29 PM.

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

Responses

Should the Town enact local regulations pertaining to the cultivation of medical marijuana for personal use and by primary caregivers?

| | | % | Count |
|---------------------------------------|--|-------|-------|
| Yes, adopt local regulations | | 66.7% | 20 |
| No, rely on state regulations | | 26.7% | 8 |
| No, ban medical marijuana cultivation | | 6.7% | 2 |

Should the Town enact local regulations pertaining to the commercial cultivation of medical marijuana?

| | | % | Count |
|--|--|-------|-------|
| Yes, adopt local regulations | | 60.0% | 18 |
| No, rely on state regulations | | 23.3% | 7 |
| No, ban commercial medical marijuana cultivation | | 13.3% | 4 |
| Don't know / Maybe | | 3.3% | 1 |

If the Town establishes local regulations, should it limit the number of plants that can be cultivated INDOORS?

| | | % | Count |
|-----------------------------------|--|-------|-------|
| 0 plants (ban indoor cultivation) | | 13.3% | 4 |
| 3 or less | | 26.7% | 8 |
| 6 or less | | 6.7% | 2 |
| 12 or less | | 3.3% | 1 |
| More than 12 | | 13.3% | 4 |
| Other | | 20.0% | 6 |

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

| | | % | Count |
|--------------------|---|-------|-------|
| Don't know / Maybe |  | 16.7% | 5 |

If the Town establishes local regulations, should it limit the number of plants that can be cultivated OUTDOORS?

| | | % | Count |
|------------------------------------|---|-------|-------|
| 0 plants (ban outdoor cultivation) |  | 10.0% | 3 |
| 6 or less |  | 16.7% | 5 |
| 12 or less |  | 13.3% | 4 |
| More than 18 |  | 16.7% | 5 |
| Other |  | 30.0% | 9 |
| Don't know / Maybe |  | 13.3% | 4 |

Should medical marijuana cultivation for personal use or by primary caregivers be prohibited near certain types of land uses (e.g., parks, schools)?

| | | % | Count |
|--------------------|---|-------|-------|
| Yes |  | 60.7% | 17 |
| No |  | 32.1% | 9 |
| Don't know / Maybe |  | 7.1% | 2 |

If yes, what type of land uses? (Select all that apply.)

| | | % | Count |
|--|---|-------|-------|
| Public/private elementary and middle schools |  | 89.5% | 17 |
| Town owned parks/recreational facilities |  | 73.7% | 14 |

Medical Marijuana Cultivation

How do you think the cultivation of medical marijuana should be regulated?

| | | % | Count |
|---|---|-------|-------|
| Licensed day care/child care facilities |  | 73.7% | 14 |
| Other |  | 36.8% | 7 |

Should the Town establish distance limits (e.g., more than 100 ft.) prohibiting the cultivation of medical marijuana for personal use and primary caregivers near the land uses in the previous question?

| | | % | Count |
|-----------------------------|---|-------|-------|
| Only on adjacent properties |  | 15.4% | 4 |
| A minimum of 100 ft |  | 11.5% | 3 |
| A minimum of 200 ft |  | 3.8% | 1 |
| A minimum of 300 ft |  | 19.2% | 5 |
| Other |  | 34.6% | 9 |
| Don't know / Maybe |  | 15.4% | 4 |

Are there any general comments you would like to share?

| | |
|----------|----|
| Answered | 13 |
| Skipped | 19 |

all area big children community cultivation do don
 exposure fairfax grown her how indoor know less limit little
 marijuana medical much number ones only other people
 plants property s schools t than thank they think town use very
 young your