

New medical pot rule delayed Tulare Co. has 6 more months to write ordinance.

By Sarah Jimenez / The Fresno Bee
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VISALIA — Tulare County supervisors extended a nearly 1-year-old moratorium Tuesday on the development of medical marijuana dispensaries, adding six months to the interim ordinance.

In a 4-1 vote, the Board of Supervisors agreed to give county Resource Management Agency staff additional time to come up with an ordinance regulating where medical marijuana dispensaries can be in unincorporated areas.

Supervisor Phil Cox cast the dissenting vote.

The issue originally went before supervisors as an urgency measure in February.

The county had received general inquiries about medical marijuana dispensaries, but no applications had been filed.

The board voted Feb. 7 to prohibit dispensaries in unincorporated areas for 45 days. They extended that interim ordinance a month later by 10 months and 15 days. The last extension expires next month.

The issue has attracted a handful of medical marijuana supporters to public hearings before supervisors and the Planning Commission during the last year. But no one showed up Tuesday to discuss the extension.

Cox said he was bothered that the issue was brought up as a "urgency item" a year ago but a permanent solution still is not in place.

"Obviously, it wasn't quite as urgent as we first thought," he said.

Theresa Szymanis, countywide planning division manager, said RMA staff believe they can finish the ordinance before the latest extension expires in August. But they asked for six months to play it safe.

Jason LoBue, a county planner, said a draft ordinance will go before the Planning Commission on Jan. 31. Medical and legal experts — as requested by the commission — will be on hand to answer questions.

Contacted after the meeting, Rick Morse, president of the Tulare County chapter of Americans for Safe Access, said he hoped the county would have an ordinance in place by now but he understands delays happen.

"It's to our benefit to be patient with the county and let them do what they need to do to make sure this is done right," he said.

If Tulare County approves zoning ordinances, it will join the cities of Tulare and Visalia, which approved regulations in 2005.

Under state law, patients or their caregivers are allowed to possess or cultivate marijuana for medical purposes if they have a doctor's written recommendation for the drug. California voters approved the law — also known as the Compassionate Use Act — in 1996 under Proposition 215.

But under federal law, marijuana remains illegal, regardless of whether it is for medical purposes.

Federal agents can enforce the federal law in California or other states with medical marijuana laws.

In other action, supervisors approved eliminating 38 jobs — 17 of which are vacant — from the Tulare County Workforce Investment Board Inc. because of reduced federal funding. The board is also reducing services with contracted providers.

The budget decrease is a result of a lower unemployment rate in the county and the elimination of agricultural and government workers from an allocation formula.

Human resource officials are working to place the remaining 21 employees in vacant county jobs.

The reporter can be reached at sjimenez@fresnobee.com or (559) 622-2413.