

Attachment C

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Comparison of current proposed language and draft February 16, 2016 language

Change in definition:

J. **Property owner.** “Property owner” means the individual or entity, ~~and who is the record owner, or an agent or assign or prospective purchaser~~ duly authorized in writing by the property owner, who is the record owner, of the subject property where a medical marijuana dispensary or medical marijuana cultivation site is located or is proposed to be located.

Change in Exemption “D”:

D. This interim ordinance does not prohibit collective or cooperative medical marijuana cultivation in a greenhouse or indoor cultivation site ~~during the term of this interim ordinance~~ if the property owner demonstrates to the satisfaction of the Director of Planning that substantial progress towards cultivation at a greenhouse or indoor cultivation site within the jurisdiction of unincorporated Monterey County had occurred prior to July 7, 2015, and if the property owner applies for and obtains all necessary County discretionary and ministerial permits required to commence cultivation under existing regulations. “Substantial progress” shall be determined by the Director of Planning and requires the property owner to provide proof based on substantial evidence of all of the following conduct:

1. Ownership of a viable greenhouse or indoor cultivation site, or the execution of a lease, purchase, lease option agreement, ~~or purchase option agreement, or letter of intent~~ for a viable greenhouse or indoor cultivation site;
2. Preparation of a viable the above-referenced greenhouse or indoor cultivation site for medical marijuana cultivation;
3. Substantial financial investment in the preparation of medical marijuana cultivation at a greenhouse or indoor cultivation site including ~~sales receipts for written documentation of the purchase of applicable materials including, but not limited to such as plumbing fixtures, electrical devices, soils, as well as seeds, mature plants, or immature plants;~~
4. Proof that ~~applicant was the~~ medical marijuana cultivation will be on behalf of a medical marijuana cooperative or collective ~~prior to July 7, 2015;~~ and
5. Proof that the proposed greenhouse or indoor cultivation site existed and was legally permitted prior to July 7, 2015. Any modifications would require appropriate permits.

