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JCCrandall, LLC V. County Of Santa Barbara: Will A Dispute Over The Use Of An Easement Send The Concept Of Legal Cannabis Cultivation Up In Smoke?

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Cannabis is a multi-billion-dollar industry in California. For many years now, cannabis businesses have operated pursuant to state law, obtaining licenses and permits and entering into contracts to carry out cultivation, distribution, sales, and other commercial cannabis activities. These businesses may enter into purchase and sale transactions or leases to obtain property on which to operate, and at different points in the supply chain, from cultivation site to storefront, they may rely on easements that were granted before California voted to legalize adult-use cannabis. The industry has developed and expanded despite the fact that cultivation/manufacture, distribution, sale, and possession of marijuana remains a crime under federal law, except in limited circumstances.

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