



Cannabis Policy Proposed Code Amendments

**Rules Committee meeting
July 22, 2026**



CITY COUNCIL PRIORITY



PREVIOUS COUNCIL & COUNCIL COMMITTEE ACTIONS

May 19, 2025

Council awards 4th operating permit and directs staff to bring to Rules Committee a potential expansion of the number of licenses and the related process for awarding them and to treat other dispensary operators comparably

June-December 2025

Rules Committee deliberates on potential code changes

December 10, 2025

Rules Committee directs staff to advance the project forward for full City Council consideration

March 9, 2026

Council considers Rules Committee recommendations and directs staff to send topic back to Rules Committee for further discussion and direction

April 22, 2026

Item agendaized at Rules Committee meeting; Committee continues the topic to May 27, 2026 meeting

May 27, 2026

Rules Committee re-considers topic. Directs staff to:

- Share youth center definitions from other jurisdictions
- Provide legal analysis regarding potentially limiting cannabis permit awards to only City Council districts 3 & 5.
- Remove downtown from consideration in potential cannabis expansion areas

3/9 CITY COUNCIL TAKE-AWAYS

Council consensus:

- Supported allowing for the issuance of two additional cannabis operating permits (for a total of 6)
- Supported allowing setback modifications to account for physical barriers, such as freeways or waterways

Council lack of consensus:

- sensitive use distancing requirements
- modified zoning districts
- cannabis retail downtown

12/10/25 RULES COMMITTEE RECOMMENDATION

- Codify clearer definition of Youth Center, mirroring City of Alameda.

Sample DRAFT definition:

"Youth centers" means any public or private facility that is exclusively used to host recreational or social activities for minors (under eighteen (18) years of age), such as, private youth membership organizations or clubs, social service teenage club facilities, or amusement facilities. "Youth centers" does not include any building, location, or facility where any programs, activities, or services: (a) are offered at private residences, (b) involve martial arts/combat sports, cultural or similar education, or physical fitness, or (c) are offered for fewer than five hours per day each day the building, location, or facility is open. Notwithstanding the foregoing, youth centers shall also mean any facility determined by the Recreation and Parks Department to be a recreation center in a city park."

YOUTH CENTER DEFINITIONS

- Overview of Youth Center definitions from other East Bay jurisdictions
 - See summary attached to today's agenda file
 - Key take-away:
 - Most definitions are broad and provide less proscriptive clarity as compared to recommended City of Alameda definition

LEGAL ANALYSIS REGARDING COUNCIL DISTRICT PRIORITIZATION

- The City already regulates dispensaries under the Municipal Code and the Zoning Code.
- Significant findings would be required to demonstrate the rationale and basis for using political boundaries rather than traditional zoning districts.
- Without findings to establish the nexus between the district boundaries and the impacts of the dispensaries, the City would be vulnerable to claims to overturn the ordinance based on claims that the regulation violated equal protection or was inconsistent with land use regulations.
- **Recommendation:** Discuss further amendments regarding where dispensaries can be located through the Municipal Code or Zoning Code framework, as opposed to pursuing a regulation based on council districts.

Cannabis Dispensary Regulations, Alameda County Jurisdictions											
Jurisdiction	Dispensary Restrictions & Setbacks from Sensitive Uses										
	Residential Zones	Schools	Houses of Worship	Parks/ Playgrounds/ Rec Centers	Youth Centers	Library	Child Care/ Day Care	Drug Recovery Facility	Other Dispensary	Permit Type Required for Dispensary	Number Currently Allowed by Code*
Unincorporated Alameda Co.	N/A	1,000'	N/A	1,000'	N/A	N/A	1,000'	1,000'	1,000'	Use Permit	5
Alameda	N/A	1,000'	N/A	N/A	600'	N/A	600'	N/A	5,280'	Use Permit	4
Berkeley	N/A	600' Elem 1,000' Middle/ High	N/A	600'	N/A	N/A	N/A	N/A	600'	Zoning Certificate	7
Emeryville	N/A	250'	250'	250'	N/A	N/A	250'	N/A	N/A	Use Permit	4
Hayward	N/A	1,000'	N/A	600'	600'	600'	600'	N/A	500'	Use Permit	3
Oakland	N/A	600'	N/A	N/A	600'	N/A	600'	N/A	N/A	Cannabis Dispensary Permit	26
Union City	100'	100'	N/A	100'	100'	100'	100'	N/A	N/A	Commercial Cannabis Permit	3
San Leandro (existing)	500'	1,000'	1,000'	1,000'	1,000'	1,000'	1,000'	N/A	N/A	Use Permit	4
San Leandro (proposed)	N/A	600'	N/A	600'	600'	N/A	600'	N/A	N/A	Use Permit	6
Albany	not allowed										
Dublin	not allowed										
Fremont	not allowed										
Livermore	not allowed										
Newark	not allowed										
Piedmont	not allowed										
Pleasanton	not allowed										
*May not reflect number presently open for business											

REGIONAL CONTEXT & STAFF RECOMMENDATION

San Leandro Zoning Districts that allow a Cannabis Dispensary with a CUP:

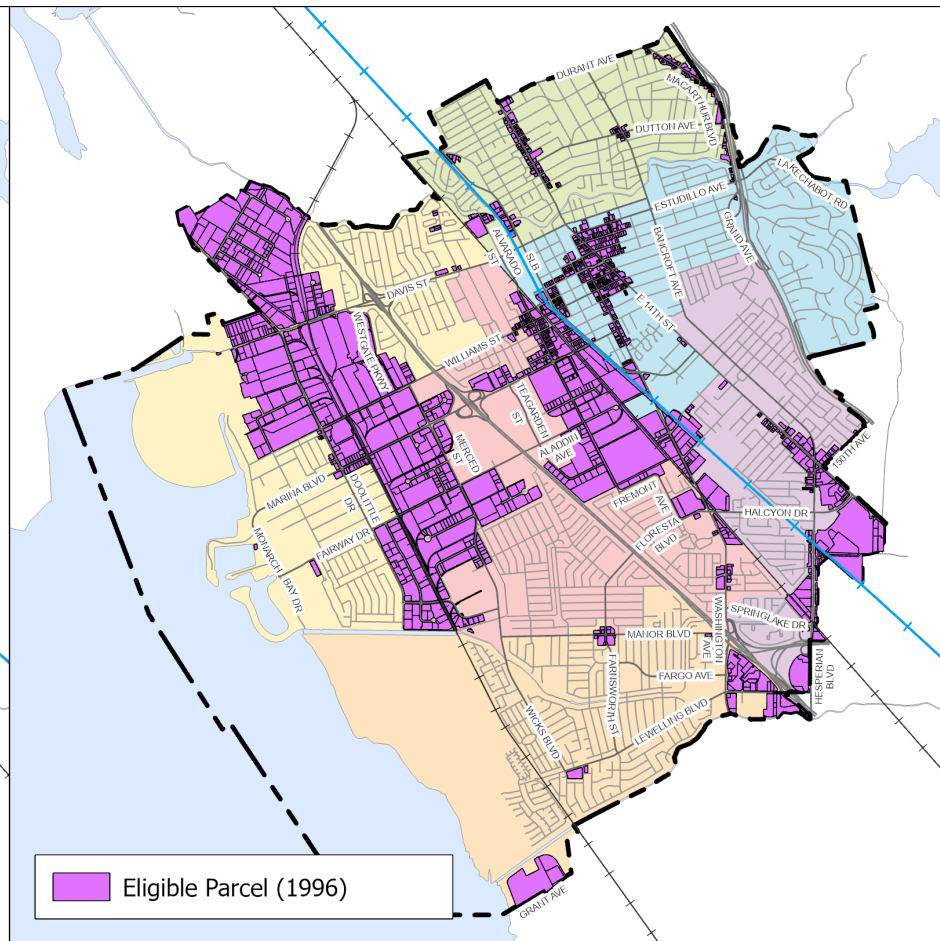
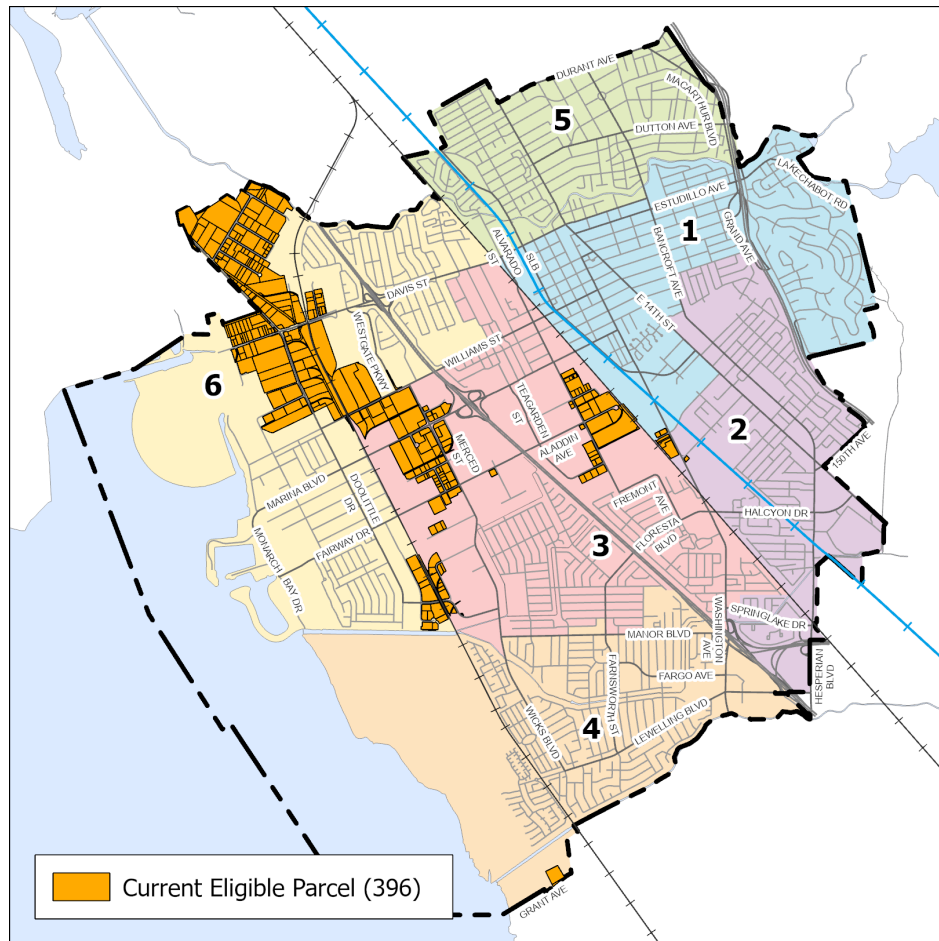
Industrial Zones

- IG - Industrial General
- IG (AU) - Industrial General (Assembly Overlay)
- IP - Industrial Park
- IT - Industrial Transition

Commercial Zones

- CC - Commercial Community

EXISTING MAP VS. RECOMMENDED MAP COMPARISON*



*viability could be further impacted by individual site constraints; excludes youth center overlay

Slide 11

COMMITTEE DIRECTION NEEDED



Rules Committee provide direction to staff on the following:

- Sensitive use distancing requirements
- Youth center definition
- Modified zoning districts
- Council district prioritization