



Legislation Details (With Text)

**File #:** 19-153      **Version:** 1      **Name:** Amended Cannabis Dispensary Ordinance  
**Type:** Ordinance      **Status:** Passed  
**In control:** City Council  
**On agenda:** 3/18/2019      **Final action:** 4/1/2019  
**Enactment date:** 4/1/2019      **Enactment #:** Ordinance 2019-004  
**Title:** ORDINANCE Amending Title 4, Chapter 4-33 and 4-38 of the San Leandro Municipal Code Pertaining to Medical Cannabis Dispensary Permits

**Indexes:**

**Code sections:**

**Attachments:** 1. Revised Ordinance Amending Title 4, Chapter 4-33 and 4-38

Date	Ver.	Action By	Action	Result
4/1/2019	1	City Council	Adopted	Pass
3/18/2019	1	City Council	Passed to Print	Pass

ORDINANCE Amending Title 4, Chapter 4-33 and 4-38 of the San Leandro Municipal Code Pertaining to Medical Cannabis Dispensary Permits

**Section 1. RECITALS**

**WHEREAS**, in 2013, the City Council for the City of San Leandro adopted an ordinance that established a procedure by which it could award permits for the dispensing of medical cannabis, in accordance with State law. That ordinance is Chapter 4-33 of the San Leandro Municipal Code; and

**WHEREAS**, the City Council also amended the Zoning Code to establish the land use parameters for the location of medical cannabis dispensaries; and

**WHEREAS**, the City Council analyzed, prepared and adopted its ordinance on the State law prevailing at the time, namely the Compassionate Use Act (Prop. 215, 1996), the Medical Marijuana Program Act (SB 420, 2003), and the California Attorney General’s Guidelines for the non-diversion of cannabis (2008); and

**WHEREAS**, the City Council has over time chosen to amend the ordinance as necessary to comply with changes to State law, including changes stemming from the passage of Proposition 64 (The Adult Use of Marijuana Act) and the Medicinal and Adult-use Cannabis Regulation & Safety Act; and

**WHEREAS**, the City Council, with the assistance and analysis of staff, has evolved its position on the dispensing of cannabis within the City, and now desires to allow its previously permitted medicinal cannabis dispensaries to conduct adult use sales of cannabis to customers who are at least 21 years of age or older, regardless of whether or not they possess proof of a physician’s recommendation; and

**WHEREAS**, the City Council also desires to establish a time limitation that automatically rescinds the operating permit of any previously permitted dispensary that fails to commence operations and begin serving customers prior to December 31, 2019.

Now therefore, the City Council for the City of San Leandro does **ORDAIN** as follows:

**SECTION 2. AMENDMENT OF CODE.** Title 4, Chapter 4-33 and 4-38 of the San Leandro Municipal Code is hereby amended as shown in attached Ordinance, so as to achieve the above-referenced desired outcomes.