



Legislation Text

File #: 19-153, **Version:** 1

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.