



CITY COUNCIL AGENDA REPORT

MEETING DATE: September 21, 2020

TO: City Council Members

FROM: Mary Rose Rutikanga, City Administrator
Nubia Goldstein, Deputy City Attorney

SUBJECT: Draft Recreational Cannabis Ordinance

RECOMMENDATION

For City Council information and possible direction regarding a Recreational Cannabis Ordinance

DISCUSSION

On January 16, 2018, the City Council approved an amendment to the General Municipal Code to allow for the establishment of a structure to regulate all cannabis businesses within the city. The ordinance allowed for a medicinal cannabis business, Type M-license, pilot program.

The city has since entered into 2 development agreements with 2 separate medicinal cannabis businesses, of which 1 of those businesses is fully operational and compliant with city rules and regulations.

On July 20, 2020, the Council directed staff to draft an Ordinance amending the General Municipal Code allowing for the establishment, operation and permitting of recreational cannabis businesses. Staff have drafted Ordinance 873 and Ordinance 874 for the Council's review. Differences between the current ordinances and the new, recommended drafts ordinances are as follows:

Business Type	Current Ordinance	New Ordinance
Cannabis Dispensary/Retail	• Pilot Program • Medicinal only • 2 business permits allowed • Businesses are prohibited from operating within 600 feet of a school, youth center, daycare, church, or park • CO, C, CG and ML Zone	• Medicinal and Recreational • 3 business permits allowed • Businesses are prohibited from operating within 600 feet of a school, youth center, daycare, church, or park • CO, C, CG and ML Zone
Cannabis Manufacturing	• Pilot Program • Medicinal and adult-use businesses allowable	• Medicinal and adult-use businesses allowable

	• Volatile and non-volatile businesses permissible • ML Zone	• Volatile and non-volatile businesses permissible • ML and C Zones
Cannabis Testing Laboratory	• Pilot Program • Medicinal and adult-use allowable • ML zone	• Medicinal and adult-use allowable • ML and C zone
Cultivation	• Limit the total number of plants allowable to six per residents with property owner permission and conforming to City building codes • Outdoor Prohibited	• Limit the total number of plants allowable to six per residents with property owner permission and conforming to City building codes • Outdoor Prohibited

The Cannabis Ordinance is tentatively scheduled to be heard in front of the Planning Commission on October 13, 2020. No action is necessary of the Council at this time if the Council agrees with the changes as recommended and the Ordinances will be presented to the Planning Commission. If the Planning Commission recommends the Ordinances to the City Council, Public Hearings will be scheduled for the City Council on November 2nd and 16th.

FISCAL IMPACT

An amendment to the General Municipal Code will increase revenues to the General Fund.

ATTACHMENTS

- Ordinance 873 in draft form
- Ordinance 874 in draft form