



Legislation Details (With Text)

File #: 17-302 **Version:** 1

Type: Community & Economic Development **Status:** Agenda Ready

File created: 10/25/2017 **In control:** Planning, Building and Code Enforcement Department

On agenda: 11/14/2017 **Final action:**

Title: Amendment to Title 6 (Business Licenses and Regulations) and Title 20 (The Zoning Ordinance) for Medical and Non-Medical Marijuana/Cannabis Collectives/Businesses, and Cultivation and Dispensing of Medical and Non-Medical Marijuana.

Sponsors: City Council

Indexes:

Code sections:

Attachments: 1. Memorandum, 2. Memorandum - Part (c), 3. Memo from CMs Rocha, Jimenez and Khamis, 4. Memo from Councilmember Diep, 5. Ordinance - Part (b), 6. Ordinance - Part (c), 7. Letter from The Silicon Valley Organization, 8. Letter from Assemblymember Kalra_Item 4.3

Date	Ver.	Action By	Action	Result
11/14/2017	1	City Council		

Amendment to Title 6 (Business Licenses and Regulations) and Title 20 (The Zoning Ordinance) for Medical and Non-Medical Marijuana/Cannabis Collectives/Businesses, and Cultivation and Dispensing of Medical and Non-Medical Marijuana.

- (a) Consider the Negative Declaration and addenda thereto and Statutory Exemption in accordance with CEQA.
- (b) Consider an ordinance amending Title 20 (the Zoning Code) of the San José Municipal Code to:
 - (1) Change the terminology for existing medical cannabis uses;
 - (2) Add “Medical Cannabis Business” and “Non-Medical Cannabis Business” as newly restricted uses; and
 - (3) Make other technical, non-substantive, or formatting changes.
- (c) Consider an ordinance of the City of San José amending Title 6 (Business Licenses and Regulations) of the San José Municipal Code by amending Chapter 6.88 to:
 - (1) Allow each Registered Collective to conduct non-medical (“recreational/adult-use”) cannabis activities;
 - (2) Allow each Registered Collective to deliver non-medical cannabis to customers and establish the parameters under which deliveries could take place;
 - (3) Approve other changes to update the Code to align with new state laws, amend not-for-profit requirements, update definitions; and
 - (4) Make other technical, non-substantive, or formatting changes.

CEQA: Negative Declaration (File No. PP11-039, Resolution No. 75984), as addended by File Nos. PP11-076, PP14-030, PP16-076 and PP17-070; and Statutory Exemption pursuant to Section 26055(h) of the California Business and Professions Code: Without limiting any other statutory exemption or categorical exemption, Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity. (Planning, Building and Code Enforcement/Police)

PP17-070 - Citywide