

## Legislation Details (With Text)

**File #:** 17-365 **Version:** 1

**Type:** Final Adoption of Ordinance **Status:** Agenda Ready

**File created:** 11/8/2017 **In control:** City Clerk's Office

**On agenda:** 11/28/2017 **Final action:**

**Title:** Final Adoption of Ordinances.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance - Part (a), 2. Ordinance - Part (d), 3. Ordinance - Part (e)

Date	Ver.	Action By	Action	Result
11/28/2017	1	City Council		

### Final Adoption of Ordinances.

- (a) ORDINANCE NO. 30028 - An ordinance of the City of San José amending the San José Municipal Code to add Title 26 for Community Energy. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Attorney/City Manager)
- (b) ORDINANCE NO. 30029 - An ordinance of the City of San José amending Sections 20.10.040, 20.50.100, 20.70.100, 20.80.760, 20.80.765, 20.80.775, 20.80.780, 20.80.790, 20.100.1530, 20.100.1535, and 20.100.1540 of Title 20 (Zoning) of the San José Municipal Code relating to medical and non-medical marijuana to change “Medical Marijuana Collective” to “Medical Cannabis Collective,” “Medical Marijuana Collective Cultivation Site Only,” to “Medical Cannabis Collective Cultivation Site Only,” “Medical Marijuana Collective Dispensary Site Only,” to “Medical Cannabis Collective Dispensary Site Only,” and to add “Medical Cannabis Business,” and “Non-Medical Cannabis Business” as newly enumerated restricted uses in specified industrial zoning districts and the downtown primary commercial zoning district and to make other technical, formatting, non-substantive 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
- (c) ORDINANCE NO. 30030 - An ordinance of the City of San José amending Chapter 6.88 of Title 6 of the San José Municipal Code pertaining to Medical Cannabis Collectives, Medical Cannabis Businesses, Non-Medical Cannabis Businesses and to the personal cultivation and use of cannabis. 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

- (d) ORDINANCE NO. 30031 - An ordinance of the City of San José amending Part 12 to Chapter 17.23 of Title 17 of the San José Municipal Code to modify the definition of rental unit, to modify the scope of the exception to the material or habitual lease violation cause for eviction, and to repeal Section 17.23.1290, which suspended Part 6 and Part 7 of this Chapter. CEQA: Statutorily Exempt, File No. PP17-030, CEQA Guidelines Section 15061(b)(3), No potential for causing a significant effect on the environment. (Housing)
- (e) ORDINANCE NO. 30032 - An ordinance of the City of San José amending Parts 1 through 8 and adding a new Part 9 to Chapter 17.23 of Title 17 of the San José Municipal Code to revise the Apartment Rent Ordinance. CEQA: Statutorily Exempt, File No. PP17-075, CEQA Guidelines Section 15061(b)(3), No potential for causing a significant effect on the environment. (Housing)