

Legislation Details (With Text)

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File created: 12/21/2018 **In control:** Planning, Building and Code Enforcement Department

On agenda: 1/15/2019 **Final action:**

Title: City Council Priority #27: Cannabis Manufacturing, Distribution, and Testing.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Memorandum (a) and (b), 2. Memorandum (c), 3. Memorandum (d), 4. Presentation, 5. (a) Resolution, 6. (b) Ordinance, 7. (c) Ordinance, 8. Memorandum from Peralez and Carrasco, 1/11/2019, 9. Memorandum from Diep, 1/14/2019, 10. Memorandum from Esparza, 1/14/2019, 11. Memorandum from Mayor Liccardo, 1/15/2019

Date	Ver.	Action By	Action	Result
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City Council Priority #27: Cannabis Manufacturing, Distribution, and Testing.

(a) Adopt a resolution approving the San José Industrial Cannabis Municipal Code Amendment Project Addendum to the Envision San José General Plan Final Environmental Impact Report (General Plan FEIR), Supplemental Program Environmental Impact Report (General Plan SEIR) for the Envision San José 2040 General Plan, and addenda thereto, all in accordance with the California Environmental Quality Act, as amended.

(b) Approve an ordinance amending Title 20 (the Zoning Ordinance) of the San José Municipal Code amending Section 20.10.040 of Chapter 20.10 and Section 20.50.100 of Chapter 20.50, Section 20.80.760 of Chapter 20.80, adding a new Part 9.76 to Chapter 20.80, and amending Sections 20.100.1530, 20.100.1535, and 20.100.1540 of Chapter 20.100 to add “Cannabis Manufacturing Business,” “Cannabis Distribution Business,” and “Cannabis Testing Business” as new restricted uses; and make other technical, non-substantive, or formatting changes to Title 20.

(c) Approve an ordinance amending Chapter 6.88 of Title 6 (Business Licenses and Regulations) of the San José Municipal Code to:

(1) Add cannabis manufacture, distribution, and testing to the categories of regulated cannabis businesses;

(2) Create a registration process, safety criteria, and other regulations for cannabis manufacturers, distributors, and testing labs;

(3) Approve other changes to update the San José Municipal Code to align with new State regulations; and

(4) Make other technical, non-substantive, or formatting changes.

(d) Direct the City Manager and City Attorney to return to the City Council before June 30, 2019 with an ordinance amending Chapter 4.66 of the San José Municipal Code to implement a revised Marijuana Business Tax rate structure to reduce the tax rate for the cultivation, manufacturing, testing, and distribution of cannabis. CEQA: Addendum to the Envision San José 2040 General Plan EIR (Resolution No. 76041), and Supplemental Program Environmental Impact Report (Resolution No. 77617) and Addenda thereto; and File No. PP18-014. Planning Commission recommends approval (5-0-1; Vora absent).

(Planning, Building and Code Enforcement/Police/Finance)