

MEMO

DATE: January 5, 2018

TO: Honorable Mayor and City Council

FROM: Clarissa Burke, Assistant Planner
Krishan Chopra, Senior Assistant City Attorney
Randal Tsuda, Community Development Director
Jannie L. Quinn, City Attorney

VIA: Daniel H. Rich, City Manager

SUBJECT: Memo Regarding the Development of Commercial Cannabis Regulations

PURPOSE

Issue a written report a minimum of ten (10) days prior to the expiration of the interim urgency ordinance prohibiting commercial cannabis activity describing measures taken to alleviate the condition that led to the adoption of the ordinance per Government Code Section 65858.

BACKGROUND

The City Council unanimously adopted an interim urgency ordinance prohibiting all commercial cannabis activity in Mountain View on December 5, 2017. Council adopted the interim urgency ordinance to provide time for staff to develop regulations allowing commercial cannabis activity and to prevent a regulatory gap in anticipation of California's legalization of commercial cannabis and of the State's licensing of commercial cannabis activity beginning January 1, 2018.

The State statute regulating urgency ordinances requires a written report be issued ten (10) days prior to its expiration describing measures taken to alleviate the condition that led to the adoption of the ordinance. The interim urgency ordinance adopted on December 5, 2017, expires on January 19, 2018. Council will consider extension of the ordinance on January 16, 2018.

DISCUSSION

In order to preserve local control, Council found it is necessary to temporarily prohibit all commercial cannabis activity within the City to allow time to evaluate state law, regulation, and licensing of commercial cannabis activity.

Since adoption of the urgency ordinance, staff has created a work plan, studied state cannabis laws, and reviewed regulations from surrounding cities. The following steps are planned to evaluate impacts and develop policies for commercial cannabis by December 2018:

- Study key issues including land use and permitting processes, safety, and revenue and taxation
- Organize and hold a community meeting in February 2018.
- Survey the residents of Mountain View regarding cannabis regulations.
- Survey and study cannabis regulations of cities comparable to Mountain View in California and other states.
- Study nearby legal cannabis dispensaries.
- Seek Environmental Planning Commission direction.
- Seek additional City Council direction.
- Provide easily accessible public information regarding Mountain View's cannabis regulations.

The Community Development Department, City Attorney's Office, Police Department, and Finance Department will collaborate on these efforts to develop comprehensive commercial cannabis regulations.

CB/4/CDD
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