



# Ordinance Extending the Moratorium on Commercial Marijuana Land Uses And Activity

Community & Economic  
Development Department

City Council  
October 24, 2017

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## Issue

Extension of an initial 45-day moratorium on commercial marijuana uses and recreational outdoor cultivation, for an additional period of 10 months and 15 days.

- Maintain exemption of marijuana testing laboratories.



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## Background

**September 12, 2017** – City Council adopted an Urgency Ordinance (#7391) to establish a moratorium on:

1. Recreational outdoor cultivation
2. Land use entitlements
3. Building permits
4. Business licenses
5. Any other applicable approvals or decisions for commercial marijuana land uses or activity



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## Reasons for Moratorium <sup>EJ2</sup>

1. Existing Municipal Code is vague and open to interpretation
2. Need to adapt to and satisfy changes in state law
3. Need time to research best practices from other communities
4. Need to develop regulations that address marijuana-related land uses and clarify the Municipal Code



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## Slide 4

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**EJ2**

Don't we need a public health, safety and welfare reason??

Eastman, Jay, 09/21/2017

## Measures Taken During Initial 45-day Moratorium

1. Continued to meet internally to review:
  - a. State regulatory framework
  - b. Best practices from other communities
2. Coordinated with David McPherson of HdL Companies for guidance on a local regulatory framework.
3. Reviewed the Municipal Code to identify potential amendments.
4. Began developing regulations related to marijuana testing laboratories.



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## Moratorium Process

1. Existing Moratorium expires October 27, 2017
2. This Ordinance would extend the moratorium no more than 10 months and 15 days (to expire on September 11, 2018)
3. Adoption of Ordinance requires four-fifths vote
4. Must make findings to support the moratorium (see report)
5. Prior to September 11, 2018, the Council may extend moratorium for up to one additional year



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## Next Steps

**November 7, 2017** – City Council to:

1. Consider Municipal Code Amendments allowing marijuana testing laboratories.
2. Commercial marijuana workshop:
  - a. Provide brief update on actions taken to date
  - b. Provide framework of State regulations and best practices
  - c. Solicit City Council feedback and direction on regulation of commercial marijuana uses and activities



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## Recommendation

That the City Council:

Introduce and immediately adopt the attached ordinance extending the existing moratorium prohibiting all land use entitlements, building permits, business licenses and any other applicable approval or decisions for commercial marijuana land uses and/or activities, as well as prohibiting all recreational outdoor cultivation, but exempting testing laboratories as part of the future marijuana certification process per State licensing.



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