

Memorandum

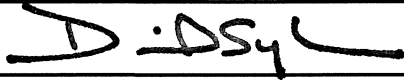
TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Angelique Gaeta

**SUBJECT: MEDICAL MARIJUANA -
AMENDED OUTREACH UPDATE**

DATE: February 29, 2016

Approved



Date

2/29/16

INFORMATION

The purpose of this memorandum is to provide the Council with an amended "Information" memorandum updating the Administration's February 11, 2016 memorandum regarding outreach the Administration is conducting in response to the Council's December 8, 2015 direction to Staff. On that date, the Council directed staff to return in March 2016 with an analysis of the cost of creating a Division of Medical Marijuana Control and sources of funding and an analysis of whether the City should consider allowing registered collectives to transact business with licensed/permitted marijuana cultivators and manufacturers throughout the State of California.

In addition, the Council directed staff to return with changes to Title 20 regarding the following:

- Allowing registered collectives to have secondary/multiple locations for cultivation, manufacturing and extraction;
- Allowing registered collectives to locate their off-site facilities for cultivation¹ outside the City and the contiguous counties and locate anywhere in the State of California;
- Allowing registered collectives to share a single cultivation site for multiple separate grows;
- Removal of the 50-foot buffer required to be kept between collective sites where cultivation and manufacturing are occurring (not to include 50-foot buffer required between collective sites where retail dispensing is occurring); and
- Allowing for greenhouse, but not sun-grown, cultivation of marijuana in appropriately zoned locations in the City.

Changes to Title 20 must first be considered by the City's Planning Commission and must be reviewed under the California Environmental Quality Act (CEQA). In turn, that process requires public outreach and community engagement.

¹ Though the motion approved by the Council deleted "manufacturing and extraction" from this section, it should be noted that the ordinance amending Chapter 6.88 of the San José Municipal Code, approved by the Council on this date, allows for collectives to manufacture and process medical marijuana at their off-site cultivation facilities located in San José and the contiguous counties.

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The Administration will be hosting meetings with all stakeholders and groups potentially impacted by the cultivation, manufacturing and dispensing of medical marijuana in the City, including: registered collectives and their members, cultivators, manufacturers, community based organizations, the County Department of Environmental Health, the County Department of Agriculture, the District Attorney's Office and the U.S. Attorney's Office.

The following is a timeline outlining when staff anticipates conducting meetings and outreach with the above groups so that staff can return to the Council with a report in March 2016:

<u>ACTION ITEM</u>	<u>TIMELINE</u>
Two (2) meetings with Community & Stakeholder Groups	March 12, 2016 at 9:00 a.m. March 14, 2016 at 6:30 p.m.
Meeting with County Departments	February – March 2016
Meetings with Law Enforcement Agencies	March 2016

Community and stakeholder meetings will be held at City Hall located at 200 E. Santa Clara Street, in Council Committee Rooms W118-120. Notices for community and stakeholder meetings will also be widely published. In addition, in an effort to ensure an open and transparent processes, City staff will also be tracking and documenting all public comments throughout this process.

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney.

/s/
ANGELIQUE GAETA
Assistant to the City Manager

For questions, please contact Angelique Gaeta, Assistant to the City Manager, at (408) 535-8253.