



Memorandum

**TO: PUBLIC SAFETY, FINANCE,
AND STRATEGIC SUPPORT
COMMITTEE**

FROM: Joseph Horwedel
Deanna J. Santana

**SUBJECT: MEDICAL MARIJUANA
ZONING/LAND USE**

DATE: March 8, 2011

Approved

Date

3/9/11

COUNCIL DISTRICT: Citywide
SNI: All

RECOMMENDATION

Accept the report and receive input from the Public Safety, Finance and Strategic Support Committee on the draft medical marijuana zoning/land use policy and alternatives prior to bringing forward a complete set of medical marijuana zoning and regulatory ordinances for City Council consideration.

OUTCOME

Based on the discussion of the Public Safety, Finance, and Strategic Support Committee, the Committee should identify the parameters for land use and zoning requirements related to future medical marijuana establishments that may be allowed in the City, pending future action by City Council. This report contains the Administration's recommendation and policy options as a starting point for the Committee's discussion. The recommendation to the City Council will be considered with the entire package of medical marijuana ordinances in June 2011.

BACKGROUND

At the June 22, 2010 City Council meeting, the Administration presented proposed ordinances regarding medical marijuana establishments operating in the City. Those ordinances included a regulatory program and zoning/land use regulations. The Administration also presented proposed amendments to the City's Schedule of Administrative Fines that could be levied against persons operating medical marijuana establishments if those persons failed to comply with the proposed regulations, should those regulations be approved by Council. Finally, staff presented information to the Council regarding the staff required to develop and implement the regulatory program so that Council could understand the full cost of the program to the City.

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The proposed framework of ordinances met the City Council's earlier direction by advancing regulations that would control medical marijuana collectives (e.g., land use and operational limitations), ensure a 100% cost recovery program, create a tax structure (through the passage of Measure U), and establish fines if the regulatory program is violated. This multi-part regulatory program attempts to ensure that the City's interests related to public health and safety are adequately addressed.

In addition to the various policy alternatives available within the regulatory program, the Administration also advanced a policy option outside of regulations, which was to implement a ban on medical marijuana establishments.

At the June meeting, the City Council deferred action on the proposed ordinances and options, and directed the Administration to:

- Schedule a City Council Study Session to further review the medical marijuana regulatory program options once the November General Election results were available, and
- Continue to "focus enforcement on the closure of any collective that is within 500 feet from sensitive uses enumerated in the staff report and/or any collective located outside the CG Commercial General Zoning District."

At the December 13, 2010 Medical Marijuana Study Session, the Administration presented to the City Council the same set of regulations presented in June, along with a summary of community input and an analysis of potential impacts to City resources. This Study Session was accompanied by comment from the District Attorney's Office with respect to its legal perspective regarding medical marijuana.

At the Study Session, the Council gave direction to the Administration to stop issuing business tax certificates to new medical marijuana establishments and to continue the enforcement priorities approved by the City Council on June 22. As of December 13, 2010, the Finance Department has ceased accepting Business Tax License registration forms for new medical marijuana establishments. The Council also enacted a new marijuana business tax of 7% that went into effect on March 1, 2011.

With respect to those ordinances containing the regulatory program and zoning/land use regulations, the City Council deferred action and directed the Administration to return to the Rules and Open Government Committee with a workplan and meeting schedule to complete the review of the policy options within each of those ordinances by the PSFSS Committee. On February 23, the Rules and Open Government Committee approved the workplan, with land use and zoning policy as the first topic in the series. The Administration's recommendations for potential land use/zoning parameters are intended to work in concert with the full regulatory program which is scheduled to be discussed at the April 21st PSFSS Committee meeting.

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ANALYSIS

The overall purpose of this agenda item is to generate discussion and direction from the Committee that could be shaped into a revised ordinance(s) for Council consideration in June. This report starts with a brief summary of the legal context for medical marijuana establishments in California. It then summarizes potential land use and zoning parameters for medical marijuana establishments, including policy alternatives. Given the Council's previous inquiries about a ban or moratorium, those policy options are provided in this report, as well. Finally, the report concludes with a brief summary of the City's code enforcement approach for medical marijuana establishments.

Legal Context

The City Attorney's Office has prepared extensive analyses of the complex legal environment regarding medical marijuana, as documented in memoranda provided to the Council in 2010. In summary, the analysis has four key findings that are relevant to local government consideration of land use and zoning regulations:

1. Marijuana is a federally controlled and illegal substance, and
2. The San Jose Municipal Code does not currently provide land use or zoning provisions to allow medical marijuana establishments.
3. The California's Compassionate Use Act of 1996 protects patients, caregivers, and physicians from criminal prosecution under state law for the possession and cultivation of marijuana for the personal medical use of qualified patients.
4. Case law is evolving with regard to the legal status of medical marijuana establishments and a collective's cultivation of medical marijuana by patients and caregivers for this medical purpose, under California law.

In addition, in September 2010, the Governor signed Assembly Bill No. 2650 into law which prohibits the location of any medical marijuana establishment (e.g., cooperative, collective, dispensary, etc.) within a 600-foot radius of any public or private school that provides instruction to kindergarten through 12th grade. This law expressly states that cities may "further restrict the location or establishment of these medical marijuana establishments."

Zoning/Land Use Policy Options

At its March 30, 2010 meeting, the City Council discussed Councilmember Oliverio's recommendation for a City ordinance to include "...industrial zoning as the primary area to be considered for medical marijuana cultivation and sale and specify that no on-site consumption of medical cannabis shall be allowed." After extensive City Council discussion and public testimony, the City Council expressed interest in other possible recommendations related to appropriate zoning districts that the Council could consider for medical marijuana uses in the event Council decided to move forward to allow them in San Jose.

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Upon the Administration's review and analysis, the draft ordinance prepared in June 2010 contains proposed amendments to Title 20 to include specific land use provisions for medical marijuana collectives (collectives). These provisions include:

1. **Commercial General (CG) Zoning District and Sensitive Uses:** Collectives are the locations where qualified patients and/or their primary caregivers come together to collectively cultivate and distribute marijuana for medical purposes. The Commercial General Zoning District is best suited to collectives because this district is typically located on major streets with public transit and is not always located adjacent to neighborhoods. For this reason, if the Council decides to allow collectives, the Administration recommends that collectives be allowed only in the Commercial General (CG) Zoning District, as long as the location is not within a certain number of feet of enumerated sensitive uses such as a residential use, a school, a child day care center, a church that includes a school or a child day care use, a community or recreation center, a park, a trail, a library, substance abuse rehabilitation center, or another collective.

Since the draft ordinance was proposed in June, State law has changed to require that medical marijuana establishments be located at least 600 feet from kindergarten through grade 12 public and private schools, as discussed above (this is more restrictive than the City's June 2010 enforcement direction). Prior to Council consideration of a draft ordinance in June 2011, the distance requirement to schools will be modified to conform to State law at a minimum in the event Council decides to provide for a location for collectives.

Policy Alternative(s): The PSFSS Committee and full City Council could consider these other options:

- a. **Industrial Zoning Districts.** Allow these uses in another Zoning District, such as the Industrial Park or Combined Industrial/Commercial Zoning Districts.
Staff is opposed to collectives locating in any Industrial Zoning District given the City's longstanding challenge to attract and retain jobs to secure fiscal sustainability. The employment lands zoned Industrial need to be preserved and used for industrial, economic development purposes. The introduction of collectives tends to undermine this critical goal and could compromise the availability of this land for future businesses entering the City's Industrial Areas. For these reasons, the Administration recommends that the Commercial General Zoning District is the only logical zoning district for collectives given their exchange of goods nature.
- b. **Distance Requirement from Sensitive Uses.** Establish any of the alternative distance requirements from sensitive uses:
 - (1) Conform only to distance requirements contained in the State law, or
 - (2) Adopt distance requirement from sensitive uses and/or remove some of the proposed sensitive uses, as determined by Council but no less than the 600-foot distance from schools per State law. As sensitive use categories or distance requirements from the proposed sensitive uses are added to the proposed land use policy requirement, the number of potentially eligible sites is reduced significantly.

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- 2. Cultivation:** The Administration's recommendation to require on-site cultivation is based on the desire to ensure a "closed-loop system" where the distribution of medical marijuana is traceable back to the cultivation of it for collective members. The primary concern is to ensure that the medical marijuana is not diverted from, or to, non-legal uses and to enable adequate regulation of collectives during a time of implementation of the ordinances and transition for the City organization. If the system is not "closed-loop," schemes could easily be set up to facilitate the unlawful sales of marijuana for profit, instead of the cultivation of marijuana for qualified medical patients belonging to collectives, as intended by state law. Permitting multiple cultivation locations for a Collective presents additional regulatory issues for the City to resolve and integrate into the proposed ordinances and staffing plans to address that issue upon the receipt of more detailed input from the City Council.

In connection with this cultivation element, there is concern that the Police Department would not be able to definitively determine where the medical marijuana is being produced and obtained without a "closed loop" system. This could mean that, among other things: (1) marijuana is emanating from sources that support criminal activity, (2) marijuana is being grown with chemicals and substances that could be harmful, and/or (3) marijuana is being grown in residential homes that have been converted to illegal "grow-houses." San Jose's experience suggests that these are very real outcomes and the ability to prevent these three concerns exceeds staff's capacity to resolve under the proposed staffing plan. It is therefore recommended that the "closed-loop" system be instituted and all marijuana be required to be grown at the designated collective's site. The scope of appropriate cultivation at a site, based upon the site and the proposed operation of a collective, also would be developed.

Policy Alternative(s): Allow multiple cultivation locations for collectives in limited Zoning Districts. If the PSFSS Committee provides specific direction and/or input on cultivation locations/circumstances, then the Administration would assess and evaluate those options and return with recommendations, including a revised land use policy, staffing plan, and revised Registration Fee for Council consideration in June.¹

- 3. No Land Use Permit/Zoning Verification Issued:** The proposed draft ordinance does not require a land use permit for a collective. This is because land use permits run with the land rather than the operator/owner of the collective. Given the requirements proposed under the draft Title 6 ordinance, it would not be possible to transfer the obligations and clearances of the collective owners/operators to another collective. Instead, the Administration recommends that the Department of Planning, Building, and Code Enforcement (PBCE) complete a ministerial "Zoning Verification" process for any proposed collective to document that it meets the zoning, location, and distance criteria mentioned above. Since there would not be a requirement for a land use permit for a collective, Council Policy 6-30: Public Outreach Policy for Pending and Development Proposals would not strictly apply (see "noticing" discussion below for more on this point).

¹ It should be noted that during the week of December 7, 2010, the Department of Justice issued a warning to the City of Oakland, raising objections to their City's new ordinance that will allow licensed operators of large scale off-site cultivation farms to be taxed and regulated. The City of Oakland has not implemented cultivation permits for larger scale cultivation as originally planned and the City Attorney is no longer providing legal advice on this matter.

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Policy Alternative(s): The PSFSS Committee could direct the Administration to require a Conditional Use Permit (CUP) for Collectives. This would provide for public involvement and a public hearing before Planning Commission. The Planning Commission, and Council on appeal, would determine the appropriate land use conditions affecting a collective's operation consistent with the proposed Title 6 registration requirements. Such a permit would "run" with the property regardless of the operator or business. This is a significant concern and the main reason why the Administration is not recommending this alternative.

4. **Noticing:** As noted in item #3 above, a Zoning Verification does not have a public outreach or noticing requirement. Given the concerns expressed about where a collective may locate, the City Council may be interested in asking the Administration to develop a noticing process that would be used to inform nearby property owners or occupants of a collective's proposed location. If neighbors express concern(s), these concerns could be considered by the Police Department in their review of the collective's operation. The input could not affect the Zoning Verification which is a ministerial review based on the site's Zoning District and physical distances to sensitive uses. Careful consideration needs to be given in this process such that it does not convert into a land use permit process.

Policy Alternative(s): The City Council could establish a noticing process and put into place the additional resources needed to support this function.

5. **Non-Transferability:** A Zoning Verification is non-transferable to different locations or a change in collective operator at the same location. Each operator would need its own verification to determine if the site meets the proposed zoning and sensitive use distance requirements at the time of its application. A change in collective operator(s) at the same location would require a new Zoning Verification. This is due to the dynamic nature of land use. For example, a new sensitive use could have located to the area, and/or a property owner applied for and obtained approval for a rezoning of the property.

Policy Alternative(s): No policy alternative available. If the City Council would like to allow for the proposed use to transfer to another Collective at the same location, then other land use measures, such as a CUP requirement, might be more appropriate.

6. **Maximum Number of Collectives.** Under the proposed ordinance, the Administration is recommending a maximum number of ten (10) collectives. The proposed maximum is part of a proposed companion ordinance amending Title 6 of the Municipal Code to establish a regulatory program for medical marijuana collectives (scheduled for PSFSS Committee on April 21st).

Policy Alternative(s): The City Council could expand or decrease the maximum number of Collectives. The Administration is recommending ten (10) as the maximum number to ensure that the City balances the availability of medical marijuana at approved collectives, while sustaining a regulatory program within the proposed staffing plan. Any changes that require greater oversight or regulation would require an adjustment to the proposed staffing plan, the cost of the regulatory program and consequently, the fee for registration charged to the collectives. Upon City staff implementing the regulatory program, the City Council could

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reconsider the maximum collective number and adjust it based on its evaluation of how the collectives and/or regulatory program are performing. The Administration is suggesting 10 collectives as a starting point, subject to more evaluation and discussion, and to facilitate proper implementation of the proposed regulation. It should be noted that if the maximum number of collectives were to increase beyond 10, it may be necessary to add additional staff to the proposed regulatory program to help offset the potential increase of workload due to the additional collectives.

In addition to the amendments to Title 20 described above, the proposed draft ordinance also amends Section 1.13.050 of Title 1 to provide that collectives that are in full compliance with the Municipal Code and applicable state law are not deemed a local public nuisance solely because these facilities may be in violation of a federal law or regulation.

At the March PSFSS Committee, the Administration will be prepared to summarize the land use provisions of other California cities regarding medical marijuana establishments.

Ban Medical Marijuana Establishments

As an alternative to regulation, the City Council may approve an ordinance that bans all medical marijuana establishments in the City of San José. While the City Council has not taken affirmative steps to allow medical marijuana establishments, such that a ban would reverse any prior course of action, several businesses that appear to be unlawful have commenced operations while the City Council has been examining this issue. A ban could serve to clarify any misimpressions by operators that the Council previously allowed such uses. In addition, if the City Council wishes to continue the discussion of designing a regulatory program, the Administration has developed an option that bans all medical marijuana establishments but places an interim moratorium on medical marijuana collectives and cooperatives until the City Council sets regulations in June 2011.

The distinction between establishing a “ban” or “moratorium” is important. It is the City’s position that medical marijuana dispensaries and collectives are not permitted uses under Title 20 and have not yet, to date, been allowed in the City. Therefore, placing a moratorium on the establishment of additional medical marijuana establishments is not consistent with the City’s position because a moratorium implies that, but for the moratorium, the use could commence operations, and that is not the case. A ban on medical marijuana establishments would confirm the City’s position that these existing establishments are illegal and would need to cease operations. The ban would also enable the Council to consider a package of ordinances for the overall regulation of medical marijuana establishments, including legislation of a Council-designated number of permitted medical marijuana establishments. A ban, rather than a moratorium, makes clear and reflects the fact that existing dispensaries and collectives currently are not permitted uses under Title 20.

Specifically, in order to put a ban into effect, the Council would need to:

- (a) Adopt an urgency ordinance amending the Section 20.10.040 of Chapter 20.10 and adding a new Part 9.5 to Chapter 20.80 of Title 20 of the San José Municipal Code to clarify that businesses involving the cultivation, dispensation, distribution, transportation or sale of

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marijuana in the City for any purpose are prohibited and setting forth the facts constituting such urgency.

- (b) Adopt a resolution initiating proceedings to amend Section 20.10.040 of Chapter 20.10 and adding a new Part 9.5 to Chapter 20.80 of Title 20 of the San José Municipal Code to clarify that businesses involving the cultivation, dispensation, distribution, transportation or sale of marijuana in the City for any purpose are prohibited, setting a public hearing for the ordinance and referring said ordinance to the Planning Commission for its review and recommendation.

These documents were prepared for the December 2010 Study Session.

Implement a Moratorium on Medical Marijuana Collectives and Cooperatives until Regulations are Adopted

During this period while the Council is continuing to study the regulation and/or taxation of medical marijuana, it could adopt the permanent ban set forth above, and also adopt an interim moratorium just on medical marijuana collectives until such time that the City Council determines how to regulate them and the Administration completes the adopted administrative process to permit them (expected June 2011).

This would have the effect of making the permanent ban temporary only for collectives. If during the course of the moratorium period, the Council decides that it is no longer interested in establishing regulations on medical marijuana collectives, it could repeal the moratorium and the permanent ban would apply to this subset of marijuana businesses as well. Council's specific action would entail approval of an interim ordinance of the City of San Jose implementing a moratorium on medical marijuana collectives and cooperatives. This ordinance was prepared for the December 2010 Study Session.

Code Enforcement

As documented in the memorandum to the Rules Committee Council dated February 17, 2011, there are over 100 medical marijuana establishments operating in San Jose (see attachment). The Department of Planning, Building, and Code Enforcement has received numerous complaints of public nuisance related to unregulated medical marijuana facilities since 2009 and Code Enforcement actions have been commenced against illegally operating medical marijuana establishments that are creating a public nuisance.

Due to limited resources in both Code Enforcement and in the City Attorney's Office, the workload associated with complying with Council's enforcement direction in June 2010 exceeds budgeted resources. This will likely worsen as additional staff reductions are anticipated for FY2011-2012. For this reason, staff has focused enforcement on medical marijuana collectives/dispensaries that have had a negative impact on nearby residences or businesses, and have demonstrable evidence of a public nuisance. These joint efforts have resulted in the closures of Pharmers Inc. and Purple Elephant.

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Code Enforcement has expended a significant amount of resources, including a Code Enforcement Supervisor and two Code Enforcement Inspectors, to investigate complaints and appear in Court to assist the City Attorney in prosecuting businesses that have created public nuisances. In addition, staff has responded to questions from residents and business owners concerned about the impact of medical marijuana collectives/dispensaries that are operating in neighborhood/business districts, property owners interested in renting to these businesses, daycare operators, school officials, neighborhood leaders, and other residents or business owners concerned about the "negative impact" resulting from these businesses opening up without any regulatory or zoning guidelines.

This work has been absorbed to date, effectively reducing Code Enforcement services in the General Code Program, a complaint-based program that responds to resident complaints involving neighborhood quality issues. Assuming that the focus remains on public nuisance cases, the overall level of Code Enforcement services will remain as described in an Information Memorandum to the Council dated August 30, 2010, and available at:

<https://www.piersystem.com/external/content/document/1914/889447/1/08-31-10%20PBCE.PDF>.

Should the level of medical marijuana enforcement increase, General Code Enforcement services would continue to be reduced for non-life safety complaints.

Conclusion

The Administration looks forward to the Committee's discussion regarding potential land use and zoning parameters for medical marijuana establishments. To guide the discussion, the Committee may wish to follow the organization of this memorandum by providing direction on each of the following issues:

- Zoning districts for medical marijuana establishments in the event those are allowed in the future
- Distance requirements from sensitive uses
- Cultivation considerations
- Land use "approval" mechanism (i.e., zoning verification versus Conditional Use Permit)
- Noticing requirement
- Non-transferability
- Maximum number of collectives
- Policy options for a ban and/or moratorium
- Code enforcement

EVALUATION AND FOLLOW-UP

Based on the recommendation of the PSFSS Committee, the Administration would modify the draft ordinance amending Title 20 of the San Jose Municipal Code with specific zoning and land use requirements for possible future medical marijuana establishments. A draft of this ordinance would be the subject of a noticed public hearing before the Planning Commission prior to the Council's final consideration of the ordinance in June.

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Per the medical marijuana workplan adopted by the Rules and Open Government Committee on February 23, 2011, the PSFSS Committee will be discussing the Regulatory Program (proposed Title 6 amendments to the Municipal Code) in April, and Costs and Fines in May. The entire package would be considered by the City Council in June.

If enacted, the Administration proposes to review the success of the ordinance(s) and report back to the City Council after two years, or as needed, during the pilot period for the purpose of identifying any necessary ordinance changes. Each fiscal year, however, the Administration will propose new costs, fees and charges, budgets, etc. as part of the budget process.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This issue meets Criteria 2 and 3 above and falls under the Community Engagement Policy established by the City Council. Community outreach has been conducted to obtain input, as discussed in the materials posted for the December 13, 2010 City Council Study Session. At that Study Session, the Council took additional public testimony. The proposed ordinances are posted to the Clerk's agenda webpage and a separate website has been developed that provides an inventory on all materials published by the City during the course of its consideration of medical marijuana regulations.

COORDINATION

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

CEQA

Not a Project, File PP10-069(a), staff reports and informational memos.

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/s/

DEANNA J. SANTANA
Deputy City Manager

/s/

JOSEPH HORWEDEL, Director
Planning, Building and Code Enforcement

For more information, please contact Laurel Prevetti at 408/535-7901.

Attachment

San José Cannabis Clubs/Businesses						
Business Tax Number	Business Name	Owner Name	Business Address	Business Phone	Nature of Business	Start Date
Active - 98 Accounts						
1498490762	408 Collective		2435 South Bascom Av San José, CA 95125	408-757-9560	Fixed Carbon	02/15/10
7752431705	408 Compassion Center	SV Cooperative Corp.	2370 Aiello Dr., Ste. B San José, CA, 95111	408-314-6927	Herbal Remedies	01/15/10
1423955887	A Better Way	Pallares, Raul	1581 Little Orchard St San José, CA 95125	408-661-2255	Care Provider Medical Supply	12/20/09
8299746253	All Bay Cooperative		351 Lincoln Av San José, CA 95111	408-289-8998	Medical Cannabis	03/23/10
3634366541	All Herbal Remedies	Reyes, Isac	333 Phelan Av A San José, CA 95112	408-591-3810	Cannabis Club	10/14/10
7151087418	Amsterdam's Garden	Chau, Michele	2170 The Alameda San José, CA 95126	310-430-6909	Healthcare Consultant	02/21/10
3188160307	ARC Healing Center Cooperative Inc.		885 W Julian St San José, CA 95112	510-449-2772	Alt Medicine Health Sales	11/20/09
4075577469	Bay Pacific Care	Bay Pacific Care Inc.	1851 Little Orchard St San José, CA, 95125	925-708-8768	Retail Sales	01/06/10
3029562241	Better Health Group of San Jose		1630 Oakland Rd, A202 San José, CA 95131	707-643-3767	Health Services	10/01/10
941798482	Blue Harvest		1660 Alum Rock Av San José, CA 95116	510-760-8838	Wellness Center	01/08/10
9159774229	Buddy's Cannabis Patient Collective		4140 Stevens Creek Blvd San José, CA 95051	650-318-3437	Medical Cannabis Collective	08/07/10
2380858095	California Care Collective	Avila, Mark	551 Stockton Av San José, CA 95126	408-330-0900	Cannabis Dispensary	06/08/10
048315339	California Health Collective		2601 Senter Rd San José, CA 95111	408-476-6514	Medical Cannabis Collective	07/28/10
7388493852	California Naturopathic Agricultural Association 2		2175 Stone Av STE#1 San José, CA 95125	408-288-7990	Agricultural Association	10/26/09
1962716019	Cal-Med Wellness	Cal-Med Wellness	1926 O'Toole Av San José, CA 95131	650-207-6507	Wholesale/Retail Distributor	01/25/10
0023619300	Cannabis Culture Collective	Castellanos, Ramona	1760 S 7th St San José, CA 95112	530-265-3389	Health and Wellness Medical Marijuana	01/27/10
8573729773	Cinnabar Health	Rutherford, Jenny	910 Cinnabar St San José, CA, 95126	408-759-2530	Health Services	12/23/09
3114920613	Creekside Health Center		2129 S 10th St San José, CA 95112	408-621-9084	Medical Collective-Retail	08/30/10
4977292210	Digital Pie / Holistic Pain Management Institute	Sacred Water Project	1850 S. 10th St. #14 San José, CA 95112	510-774-2750	Misc. Retail	07/01/08
6355409466	Double Dynamite	Li, Kouang	80 Keyes St San José, CA 95112	408-289-1054	Non-profit medical	08/31/10
6501252204	Ekofresh		6140 Camino Verde Dr San José, CA 95119	408-226-4372	Retail Sales	12/17/09
4405264027	Elemental Wellness	Coastal Americare, Inc	711 Charcot Av San José, CA 95131	917-921-6964	Retail	11/17/09
0654364880	Elixir	Mammimi, Sandy	2417 Stevens Creek Blvd San José, CA 95128	408-266-5484	Health Related Products & Svc	05/15/10
4042664224	Emerald Crossings Health Cnt		560 E Gish Rd STE B San José, CA 95112	408-293-6375	Med Cannabis/Warehouse Facility	06/25/10

San José Cannabis Clubs/Businesses						
Business Tax Number	Business Name	Owner Name	Business Address	Business Phone	Nature of Business	Start Date
8824820044	Fortune St Wellness Foundation		2231 Fortune Dr A San José, CA 95131	831-234-4679	Holistic Wellness/ Resource Ctr	03/20/10
2152651567	Garden House Remedies, Inc	Christianson, Elliot	156 S. Jackson Av San José, CA 95116	408-206-7813	Marijuana Cooperative	08/02/10
8275889607	Golden State Care Collective	Golden State Care Collective	20 N 1st St San José, CA 95112	4048-597-5968	Selling Alternative Medicine	08/02/10
6305317021	Green Acres Cannabis	Davis, Antoinette	2266 Senter Rd Unit 122 San José, CA 95112	408-644-0243	Medicinal Cannabis	03/23/10
4591523519	Green State Collective	Conteras, Mike	2485 Autumnvale Dr E San José, CA 95132	408-455-8142	Collective	08/13/10
7114963925	Harborside of San José	Esters, Peter T	2106 Ringwood Av San José, CA 95131	408-499-3172	Retail	11/12/09
7482125893	Hemp Daddy Mobile Dispensary		2570 N 1st St, Ste. 200 San José, CA 95131	415-625-9762	Medical Cannabis Delivery	09/10/10
1144270308	Herb Appeal, Inc	Herb Appeal, Inc	450 Drake St San José, CA 95126	408-406-9806	Retail	03/05/10
4533901687	Herbal Dispensary of Silicon Valley	Young, Robert	2296 S 10th St San José, CA 95112	408-666-0590	Medical Marijuana Dispensary	06/06/09
1590152210	Herbs & Creams Delivery Svnc	Flores, Mario	1621 Almaden Rd San José CA 95125	408-833-3217	Sales	04/22/07
3989178655	Holistic Health Care Collective (Herbal Leaf)	Knoop, Pat / Higgins, Jim	88 Tully Rd Unit 107 San José, CA 95111	408-455-5550	Selling Herbs/Aromatherapy	11/10/09
5764772233	Holistic Herbal Healers		5406 Thornwood Dr San José, CA 95123	408-226-5500	Non-Profit Wellness Center	07/12/10
2967173599	Holistic Remedies Cooperative	Holistic Remedies Cooperative	1701 S 7th St San José, CA 95112	408-410-3747	Medical Coop	03/01/10
0246706049	I Fly	Moutano, Mario	711 N. Genevieve Ln San José, CA 95128	408-247-1679	Medical Marijuana Delivery	04/23/10
1778470528	Kingston Collective Inc		1141 Campbell Av San José, CA 95126	408-712-6716	Medical Marijuana Dispensary	11/15/10
1609625946	Kuut's Collective		701 Kings Row San José, CA 95112	408-607-2016	Holistic Healing	06/02/10
No BT Certificate Known Cannabis Business	La Vie MMX		2081 Bering Dr San José, CA 95131			
4758433644	Leaf Lab		855 Commercial St San José, CA 95112	408-634-5823	Retail	06/01/09
0582864019	Liberty Care Collective Assoc	Velasco, Robert / Velasco, Sandy	701 Kings Row San José, CA 95112	408-509-9791	Natural Med Deliver / Cannabis	06/01/10
8974908336	Mana Leaf Inc	Mana Leaf Inc	3039 Monterey Rd San Jose, CA 95111	408-590-8088	Health Svc Supply & Provider	06/01/10
3925421499	Mary Jane Cares	Doung, Duc	1999 Monterey Rd Suite. 140 San José, CA 95125	312-804-8500	Marijuana Cannabis Seeds	10/31/10
5384698951	MDCannabis.org	Smith, Erik K / Caravajal, Aron	1926 Topeka Ave San José, CA 95126	408-315-4662	Medical Supply Delivery	10/01/10
8626688865	Med Ex Collective & Deliveries	Med Ex Services	2000 Senter Rd San José, CA 95112	408-930-6339	Holistic Apothecary Whlr	03/30/10
6148135786	Medicinal Gardens	Jones, Jermaine	2559 S. Bascom Av San José, CA 95124	408-439-3924	Medical	11/15/10

San José Cannabis Clubs/Businesses						
Business Tax Number	Business Name	Owner Name	Business Address	Business Phone	Nature of Business	Start Date
1949702349	Medleaf		2129 S 10th St San José, CA 95112	408-448-4798	Medical Collective Retail	03/22/10
1906419888	Medmar Healing Center	Chloupek, Douglas	170 S Autumn St San José, CA 95110	408-385-9600	Medical Marijuana	03/15/10
2194335411	Meridian Herbal Patients Co-op Inc		455 Meridian Av San José, CA 95126	408-275-6472	Medical Cannabis	07/05/10
3176138352	MMC		421 Lincoln Av San José, CA 95126	408-882-6741	Cannabis Co-op	06/17/10
5765872686	Monterey Road Health Center		1837 Monterey Rd San José, CA 95125	408-309-2089	Wellness/Health	01/11/10
1097588229	Natural Herbal Pain Relief	Duong, Jessie / Mai, Olivia	519 Parrott St San José, CA 95112	408-283-9318	Cannabis Collective	12/26/09
2868422451	Nature's REM	Harmssen, Ben	2787 Moorpark Av San José, CA 95128	408-691-3828	Medical Marijuana	03/29/10
4380267129	New Age Healing Collective	Facciuto, Ralph	914 S Bascom Av San José, CA 95128	530-354-2933	Holistic Healing Methods	12/15/09
4419057930	Nirvana Wellness Center		1855 O'Tool Ln San José, CA 95131	408-888-3856	Herbal Sales	10/02/09
4203711523	NL Herbal	Le, Nguyen	333 Phelan Av B San José, CA 95112	408-849-5827	Cannabis Club	12/01/10
2266564145	NorCal Care	Boitano, David	25 N. 14th St San José, CA 95112	408-348-9533	Retail Health Products	03/29/10
5757983516	Norcal Health Center, LLC	Norcal Health Center, LLC	462 Saratoga Av San José, CA 95129	408-591-0204	Health Services	11/20/09
0233033000	Northern California Natural	Northern California Natural	973 Park Av San José, CA 95126	408-647-6337	Retail	11/01/10
8456301895	Ocean Care Collective		90 E Gish Rd San José, CA 95112	408-441-0564	Medical Cannabis Collective	08/05/10
7410757634	Palliative Health Center	Palliative Health Center	1670 Zanker Rd San José, CA 95112	408-882-6741	Wellness Center	05/03/10
5596323456	Patients to Patients Group I	Estes, Kenneth	996 Saratoga Av San José, CA 95129	707-484-1601	Natural Healing Clinic	01/21/10
7745877786	Plant Providers Plus	Shaeffer, Kelly / Britt, Patrick	311 Henderson Dr San José, CA 95123	408-972-9075	Plant Materials	09/01/09
0546665865	Platinum Society	Winters, Krista	1174 Lincoln Av San José, CA 95125	310-228-8848	Health Care Consultants	03/19/10
0159127037	Proper Treatment	Jackson, Kwesi	1837 Monterey Rd San José, CA 95112	408-289-9111	Alternative Health	08/01/10
1147664601	Purple Elephant CO-OP (ACME Pharmacy)	Coleman, Mark	642 E Santa Clara St San José, CA 95113	916-799-4236	Pharmacy	12/15/09
No BT Certificate Known Cannabis Business	Purple Lotus Patient Center		125 N Jackson Av San José, CA 95116			
6788061106	Rehab420		2114 Senter Rd Unit 22 San José, CA 95112	800-282-0538	Cannabis Medical Dispensary	11/01/10
7125035084	San José Dispensary	Young, Robert K	1290 W Hedding St San José, CA 95126	408-666-2509	Medical Marijuana Delivery Service	03/16/09
9270545510	San José Medicinal Group	Galvan, Raul	52 S 1st St San José, CA 95112	408-640-1018	Community Services	12/20/09

San José Cannabis Clubs/Businesses						
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9781038144	San José Patients Group		824 The Alameda San José, CA 95126	408-846-9850	Medical Cannabis	01/01/10
No BT Certificate Known Cannabis Business	San Jose Sanative Sanctuary		581 E Taylor St San José, CA 95112			
6416577059	Santa Cruz Naturally	Santa Cruz Naturally	93 N 14th St San José, CA 95112	831-600-6935	Health Care/ Counseling	12/15/09
3445732420	SBAC, Inc	South Bay Apothecary Collective	1907 Concourse Dr San José, CA 95131	408-248-9827	Health Services	11/02/09
2181178570	SBCPA		334 Commercial St San José, CA 95112	408-279-6700	Medical Marijuana	01/05/10
1741634115	SCVCS INC		2051 O'Tool Av San José, CA 95131	408-509-4924	Health/Wellness Counseling	03/15/10
0779979549	Sensi Herbal Care		21 Post St San José, CA 95113	408-483-7130	Herbal Supplement Sales	09/10/10
1503940390	Simply Chronic Healing Coop	Simply Chronic Healing Coop	970 Story Rd San José, CA 95122	408-462-5673	Health & Social Assistance Service	06/18/10
0329517109	SJCBC LLC	SJCBC, LLC	373 S. Monroe St San José, CA 95128	408-309-6498	Medical Marijuana	07/15/09
1794877868	Silicon Valley Collective	Silicon Valley Collective, I	831 S 5th St. Unit A San José, CA 95112	408-307-5944	Health Service	12/21/09
No BT Certificate Known Cannabis Business	South Bay CRC (Compassionate Relief Collective)		90 Great Oaks Blvd San José, CA 95119			
8466587738	South Bay Healing Center, In	South Bay Healing Center, In	991 Saratoga Av San José, CA 95129	408-529-5875	Retail	01/15/10
5292623156	So Bay Natural Remedies	South Bay Natural Remedies	2950 Daylight Wy San José, CA 95111	408-639-0182	Retail	12/29/09
8030563831	Statewide	Statewide	2370 Qume Dr San José, CA 95131	925-580-4996	Collective	12/14/10
1854773925	SVCare	Greenlight Management	1711 Hamilton Av San José, CA 95125	408-757-1235	Non-Profit	06/07/10
5263709401	The Bud Barber	Caruna, Pamela	1729 Galewood Ct San José, CA 95133	408-258-8241	Marijuana Equipment Rental	10/07/10
3805523809	The Green Door San José		330 S Monroe St San José, CA 95128	408-679-4235	Medical Cannabis Dispensary	05/24/10
9937930644	The Green Samaritans		4200 Dove Hill Rd San José, CA 95121	408-966-0983	Healthcare Collective	01/20/10
9599687955	The Portal Herbal Health Co	Meaux, Orville	1141 Ringwood Ct Unit 100 San José, CA 95131	408-526-0500	Retail sales	06/20/10
5211187264	The Root Cellar Health Cente	Patel, Minalkumar	2256 Senter Rd San José, CA 95112	404-217-2516	Retail-Herbal Products Marijuana	03/30/10
No BT Certificate Known Cannabis Business	TheraLeaf Careness Cooperative		606 Saratoga Av Ste D San José, CA 95129		Retail Sales	10/02/09
6859583119	Therapeutic Holistic Care	Lavender, Herbert R Jr	282 San Jose Av San José, CA 95125	408-888-4549	Retail	05/26/10
4238779264	University Ave Wellness Ctr	University Ave Wellness Ctr	630 University Av San José, CA 95110	408-564-5244	Retail Establishment	02/01/10

San José Cannabis Clubs/Businesses

Business Tax Number	Business Name	Owner Name	Business Address	Business Phone	Nature of Business	Start Date
3457180531	Westcoast Care		3399 Mt. Vista Dr San José, CA 95127	831-801-4104	Cannabis	10/18/10
2642753457	Yerba Buena	Tieu, Lan	1695 West San Carlos St San José, CA 95128	408-929-8177	Cannabis	12/14/10
7291558478	Yerba Buena Collective	Calcan Corp.	2365 Quimby Rd San José, CA, 95122	408-910-2991	Catalogue Sales/ Ancillary Retail	06/15/10
Out of Town - 4 Accounts						
0112172867	Medical Alternative Concept.	Gombos, Jeff	3183 Wilshire Blvd Ste 196A35 Los Angeles, CA 90010		Medical Marijuana Dispensary	08/01/10
No BT Certificate Known Cannabis Business	Northstone Organics				Delivery	
No BT Certificate Known Cannabis Business	The PineApple Express				Delivery	
0397733424	Herbal Light Collective	Herbal Light Collective	16171 Sunray Dr Los Gatos, CA 95032	408-656-9996	Non Profit Marijuana Collective	10/05/10