

Urgency Ordinance

Temporary Moratorium on the Eligibility of the Limited Light Industrial (-LIL) District for Medical Cannabis Commercial Cultivation

City Council

June 13, 2017

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Cannabis Regulation Development

Compassionate
Use Act (CUA)

- 1996

Medical
Cannabis
Regulation
and Safety
Act
(MCRSA)

- 2015

Santa Rosa
Local
Cannabis
Regulations

- 2016/2017

Medical
Marijuana
Program
Act
(MMPA)

- 2003

Adult Use
of
Marijuana
Act
(AUMA)

- 2016

Local Cannabis Regulations

- January 19, 2016 – Council initiated a comprehensive policy effort and reconvened the Cannabis Policy Subcommittee
- February 23, 2016 - Interim ordinance adopted, allowing commercial cultivation of medical cannabis with a use permit in the Light Industrial (IL), General Industrial (IG) zoning districts, and the Limited Light Industrial (-LIL) combining zoning district.
- May 25, 2017 - Subcommittee directed staff to bring an Urgency Ordinance to the Council to temporarily remove the LIL combining district as eligible.

Temporary Moratorium

- Community concern about the long term land use compatibility within a temporary LIL combining district – an area zoned for high density transit oriented residential uses
- City has been accepting use permit applications in all three eligible districts including one in LIL.



Temporary Moratorium

- Increased demand for properties in these zones; current vacancy rates for industrial property at 5%, adding to the pressure on potential business operators to move quickly to purchase or lease facilities that comply with the City's Interim Cannabis Regulations.
- City is in the process of developing land use regulations, anticipated to be considered by the Planning Commission and Council within the next several months.

Temporary Moratorium

- The Subcommittee has reviewed and provided direction to staff regarding the preparation of key components of the draft comprehensive ordinance
- Direction to date has been to remove LIL for cultivation.
- Community interest in avoiding potentially conflicting investments and the filing of new applications until such time as the issue can be fully studied

It is recommended by the Planning and Economic Development Department that the Council

- (1) adopt an urgency ordinance to impose a temporary moratorium on the eligibility of the Limited Light Industrial (-LIL) Combining District for medical cannabis commercial cultivation, and

Recommendation Cont.

- (2) direct staff to return to the Council on July 11, 2017 to present, for Council's consideration, a written report describing the measures taken to alleviate the condition leading to the adoption of the urgency ordinance and to provide Council an opportunity to determine whether to extend the temporary moratorium on the eligibility of the LIL Combining District for medical cannabis commercial cultivation for an additional 10 months and 15 days to allow additional time for study and finalization of appropriate regulations.