



CITY OF FORT BRAGG

416 N. FRANKLIN, FORT BRAGG, CA 95437
PHONE 707/961-2823 FAX 707/961-2802

**REPORT ON MEASURES TAKEN TO ALLEVIATE THE CONDITIONS THAT LED TO
THE ADOPTION OF ORDINANCE NO. 972-2021 AND ORDINANCE NO. 975-2021,
AN UNCODIFIED URGENCY ORDINANCE ESTABLISHING A MORATORIUM ON
APPROVAL OF APPLICATIONS AND PERMITS FOR CANNABIS DISPENSARIES
IN THE INLAND ZONING AREA**

MEETING DATE: FEBRUARY 14, 2022
TO: GENERAL PUBLIC
**FROM: MAYOR AND CITY COUNCIL MEMBERS OF THE CITY
OF FORT BRAGG**

On September 27, 2021, the Fort Bragg City Council adopted Urgency Ordinance No. 972-2021 that placed a 45-day moratorium on the approval of applications and permits for cannabis dispensaries in the City's Inland Zoning Area. The moratorium was established to allow the City the opportunity to study and possibly revise the existing cannabis dispensary ordinance regulations in order to address the unique health, safety and welfare impacts of such businesses.

On October 25, 2021, Council received and filed a City Council Report of Actions and provided further direction on six (6) staff reports for various sections of the draft ordinance. Council provided recommendations to amend the Inland Land Use and Development Code regulations for Cannabis Dispensary Businesses regarding buffer zones, proximity to residences, limitation on permits, zoning tables, microbusinesses, and commercial cultivation of cannabis.

On November 8, 2021, the Fort Bragg City Council adopted Urgency Ordinance No. 975-2021, effectively extending Interim Ordinance No. 972-2021 for four months, or until March 8, 2022. Also on November 8, 2021, Council conducted a review of Article 4 of the Land Use Code and clarified direction on the proposed zoning for Cannabis Microbusinesses.

On December 13, 2021, the Fort Bragg City Council received a report on proposed updates to the Municipal Code Chapter 9.30 Cannabis Businesses and proposed updates to the Inland Land Use and Development Code to revise regulations for Retail Cannabis and Cannabis Microbusinesses. City Council provided direction to staff to move forward with an Initial Study under CEQA review with the proposed ordinance.

Ordinance No. 972-2021 and Ordinance No. 975-2021 were adopted pursuant to California Government Code Section 65858 and provide that the current moratorium shall expire on March 8, 2022, unless the ordinance is extended by the Fort Bragg City Council after additional notice and a public hearing.

The noticed public hearing will be held on February 28, 2022, and the Fort Bragg City Council will be asked to consider extending the interim moratorium by adopting a new ordinance, as authorized by Government Code Section 65858. Staff will recommend one final extension of the moratorium for a period of ten (10) months to one (1) year, as provided for in Government Code Section 65858. However, completion of and possible adoption of the revised Cannabis Dispensary Ordinance may take less time. In which case, staff will request that the City Council terminate the temporary moratorium prior to its expiration date.

California Government Code Section 65858(d) requires that at least ten (10) days prior to the expiration (March 8, 2022) of the moratorium or any extension, the City Council issue a written report describing the measures taken to alleviate the conditions which led to the adoption of the ordinance. This memo serves as the required report.

Since the adoption of the moratorium, the Community Development Department staff has researched options and possible revisions that can address the possible health, safety and welfare impacts of Cannabis Dispensaries on the City and will complete the draft Initial Study on or before February 18th. A Public Hearing by the Fort Bragg Planning Commission is scheduled for February 23, 2022, to review the proposed Cannabis Dispensary Ordinance and discuss possible revisions and/or additions. The Cannabis Dispensary Ordinance will be brought to City Council at a regularly scheduled meeting following Planning Commissions' recommendation for approval.

As set forth above, staff continues to work diligently on addressing the health, safety and welfare impacts of Cannabis Dispensaries' locations and operations but the work is not complete. Staff anticipates that the City Council will have an opportunity to review and consider revisions to the existing ordinance by March 31, 2022 and consider adoption in mid-April.

Respectfully submitted,

Mayor, Vice Mayor and City Council
Fort Bragg, California