



AGENCY:	City Council
MEETING DATE:	October 24, 2016
DEPARTMENT:	Community Development
PRESENTED BY:	S. Perkins

AGENDA ITEM SUMMARY

TITLE:

RECEIVE REPORT AND CONSIDER INTRODUCTION, BY TITLE ONLY, AND WAIVE FURTHER READING OF ORDINANCE 927-2016 ADDING CHAPTER 9.33 (CANNABIS MANUFACTURING) TO TITLE 9 (PUBLIC PEACE, SAFETY AND MORALS) OF THE FORT BRAGG MUNICIPAL CODE

ISSUE:

On September 12, 2016, City Council received a report regarding the proposed adoption of a Cannabis Manufacturing Ordinance that would regulate cannabis manufacturing uses in the City of Fort Bragg. The Public Safety Committee recommended various policies for the ordinance for City Council review. The Council provided explicit direction to staff and the City Attorney regarding the scope and content of such an ordinance. The ordinance is now brought forward for Council consideration and for introduction.

RECOMMENDED ACTION:

Introduce, by title only, and waive further reading of Ordinance 927-2016 adding Chapter 9.33 (Cannabis Manufacturing) to Title 9 (Public Peace, Safety and Morals) of the Fort Bragg Municipal Code.

ALTERNATIVE ACTION(S):

Provide direction to staff regarding further revisions to the Cannabis Manufacturing Ordinance.

ANALYSIS:

At the September 12, 2016 City Council meeting, staff presented a draft Cannabis Manufacturing Ordinance for Council review. The Cannabis Manufacturing Ordinance relied on Council's direction at their August 22, 2016 meeting, where Council discussed the various policy options that would frame the ordinance.

After reviewing the draft ordinance, Council recommended one change: modifying the definition of "cannabis" to exclude reference to specific California Health and Safety Codes. At the recommendation of Council and the City Attorney, the cannabis definition now reads:

CANNABIS. Shall have the same definition as defined by State law.

In addition to this revision, the term "cannabis manufacturing use" replaces the term "dispensary" in Section 19.33.120(D) and (F). The term "dispensary" is inaccurate in these instances, and the correct term is now in place. Otherwise, the ordinance introduced for adoption is identical to the draft that Council reviewed on September 12, 2016.

This ordinance also requires an update to the Inland Land Use and Development Code (ILUDC) to allow cannabis manufacturing in the Heavy Industrial and Light Industrial zoning districts with an approved Use Permit. The City recently received an application to amend the ILUDC for this specific purpose. As a result, staff will prepare an ILUDC amendment and associated environmental review to update the Land Use Tables (Article 2), Standards for Specific Land Uses

(Article 4) and Definitions (Article 10) allowing and regulating cannabis manufacturing uses for Council's review.

FISCAL IMPACT:

If Council adopts the Cannabis Manufacturing Ordinance, Council will then need to establish appropriate fees to offset costs associated with the permitting process and any subsequent inspections or enforcement activities. Additionally, Council may choose to discuss options for taxation of cannabis manufacturing uses at some future date. If permitted, cannabis manufacturing would create new jobs. As a point of reference, RootOne Botanicals' business plan anticipates hiring as many as 20 employees once running at full capacity.

IMPLEMENTATION/TIMEFRAMES:

If the ordinance is introduced on October 24, 2016 and adopted on November 14, 2016, it would become effective on December 14, 2016.

ATTACHMENTS:

1. Ordinance 927-2016, Cannabis Manufacturing Ordinance

NOTIFICATION:

1. Jon McColley, RootOne Botanicals

City Clerk's Office Use Only

Agency Action	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Approved as Amended
Resolution No.:	_____ Ordinance No.: _____		
Moved by:	_____	Seconded by:	_____
Vote:	_____		
<input type="checkbox"/> Deferred/Continued to meeting of:	_____		
<input type="checkbox"/> Referred to:	_____		