


The seal of the City of Santa Clara, California, featuring a mission building, the year 1852, and the text "CITY OF SANTA CLARA CALIFORNIA" and "THE MISSION CITY".

Item #5K
RTC 20-476

**Amendment to Zoning
Code Chapter 18.102
Regulation of
Cannabis**

April 28, 2020

1



City of
Santa Clara
The Center of What's Possible

Background

- Council was considering a Cannabis tax to generate revenue for the City—roughly estimated to generate \$1.2 - \$2.4 million/annually
- Cannabis tax revenue has not met projections at State or local levels
- Significant resources required to implement cannabis program. (e.g. PD, Fire, Finance, CAO and CMO) - offset to revenues
- Costs from non-licensed activity cannot be recovered
- February 11, 2020 - Council opted to pursue other revenue strategies and directed staff to prepare a non-temporary ban on all commercial cannabis activity.
- Current temporary ban ends on June 30, 2020.

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POST MEETING MATERIAL

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Planning Commission Action 4/8/20

- Multiple comments expressed at meeting:
 - Concern over lost revenue opportunity
 - Access to cannabis by youth
 - Conflict w/ DARE program promoted by City
 - Suggested limiting commercial uses to 3 retail storefronts to reduce overhead and enforcement costs
- PC ultimately supported a commercial cannabis ban ordinance until 2/28/2021, at which point Council will need to revisit ban.

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Proposed Ordinance

- Amends two sections of Chapter 18.102 (“Regulation of Marijuana”) of Title 18 (“Zoning”) of “The Code of the City of Santa Clara, California.”
 - The proposed amendment to Section 18.102.010 (“Commercial Marijuana Activity Prohibited”) would prohibit all commercial cannabis activity in Santa Clara.
 - The proposed amendment to Section 18.102.030 (“Transport and Delivery of Marijuana”) would also prohibit marijuana delivery services originating in Santa Clara. The amendment would also modify references in these sections and the chapter to use the term “Cannabis” in place of “Marijuana”, consistent with current practices, and add a definition of “Cannabis” to Chapter 18.06 (“Definitions”)

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Alternatives

1. Approve introduction of Ordinance amending Chapters 18.06 (“Definitions”) and 18.102 (“Regulation of Marijuana”) of Title 18 (“Zoning”) of “The Code of the City of Santa Clara, California” to prohibit all commercial cannabis activity (Version 1);
2. Do not approve introduction Ordinance amending Chapters 18.06 (“Definitions”) and 18.102 (“Regulation of Marijuana”) of Title 18 (“Zoning”) of “The Code of the City of Santa Clara, California” to prohibit all commercial cannabis activity; or
3. Approve introduction of Ordinance amending Chapters 18.06 (“Definitions”) and 18.102 (“Regulation of Marijuana”) of Title 18 (“Zoning”) of “The Code of the City of Santa Clara, California” to prohibit all commercial cannabis activity with an added sunset clause that would cause the commercial cannabis ban to expire on February 28, 2021 (Version 2) as recommended by the Planning Commission.

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Recommendation

1. Approve introduction of Ordinance amending Chapters 18.06 (“Definitions”) and 18.102 (“Regulation of Marijuana”) of Title 18 (“Zoning”) of “The Code of the City of Santa Clara, California” to prohibit all commercial cannabis activity (Version 1)

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04-28-20

Item 5K

Simrat Dhadli

From: diane@dianesdreamdestinations.biz
Sent: Tuesday, April 28, 2020 12:11 AM
To: Public Comment
Subject: Item 5.K 20-476

While I personally do not currently use pot, the voters of this state, and probably of this county and this city voted to allow, first, medical marijuana, and second, recreational marijuana. I believe that Santa Clara should not take it upon themselves to obstruct the will of the voters by prohibiting the sale of cannabis.

Besides, we currently have a lot of aging Santa Clarans, many of whom probably have aches and pains. I've heard that marijuana is good for pain. And they don't want to have to travel far to get it. Personally, ibuprofen is working ok for me now, but it's good to know I have another option.

So, please reconsider this ban.

Sincerely,

Diane Harrison
3283 Benton St.
Santa Clara, CA 95051
408-246-8149
diane@dianesdreamdestinations.biz

POST MEETING MATERIAL