

Ordinance Fact Sheet

TO: CITY COUNCIL **DATE:** November 6, 2017

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE AMENDING THE ZONING CODE TO CLARIFY BAN ON COMMERCIAL MARIJUANA ACTIVITY

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA TO PROTECT ITS RESIDENTS AND RESIDENTIAL NEIGHBORHOODS FROM UNREGULATED AND UNTAXED COMMERCIAL MARIJUANA ACTIVITY (AMENDING TITLE 17, THE ZONING CODE)

PURPOSE OF ORDINANCE

At its meeting of this same date, the City Council will be asked to direct the City Attorney's Office to prepare this Ordinance, and to conduct first reading thereof. The Ordinance clarifies and strengthens the existing ban on commercial marijuana activities throughout the City

REASON WHY LEGISLATION IS NEEDED

Title 17 (the Zoning Code) and Title 8 (Health and Safety) of the Pasadena Municipal Code currently operate to ban all commercial marijuana activity in the City. This legislation is needed to strengthen and clarify the Zoning Code ban on commercial marijuana activity as a land use in every zone in the City, but allows personal cultivation as required by the California Health and Safety Code. If the City wishes to allow and regulate commercial marijuana activity in the future, including taxation so as to fund City services generated by such activity, it may do so.

This legislation leaves regulation of deliveries originating from outside of the City to Title 8, as the City does not have regulatory authority over those land uses outside of the City;

11/13/2017

MEETING OF ~~11/06/2017~~

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however, if commercial marijuana uses are ever an allowed land use within the City, deliveries from such land uses will be regulated by the Zoning Code at that time

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning & Community Development Department will implement the proposed ordinance through continued code enforcement and other legal steps. The Police Department will provide support, as it currently does.

FISCAL IMPACT

There will not be an immediate fiscal impact as a result of this amendment to the Zoning Code. The City will continue to absorb enforcement costs as it has been. If this activity is ever allowed and regulated, taxation to fund City services generated by the activity will be proposed

ENVIRONMENTAL DETERMINATION

On this same date, the Council will be asked to find that the ordinance is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378, and that the proposed action is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.


Respectfully submitted,


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Concurred by:


Steve Mermell
City Manager