



Legislation Details (With Text)

**File #:** ID18-1572    **Version:** 1    **Name:**

**Type:** Resolution    **Status:** Mayor's Office

**File created:** 12/7/2018    **In control:** City Council

**On agenda:** 12/13/2018    **Final action:** 12/13/2018

**Title:** \*\*\*BILL NO. B-66 - (Intro 12/6/18) (For adoption)- Adding Article 33 to Chapter 9 of the Fresno Municipal Code relating to Adult Use and Medicinal Cannabis Retail Business and Commercial Cannabis Business. (Subject to Mayor's veto)

**Sponsors:** Oliver L. Baines III, Paul Caprioglio, Clinton Olivier

**Indexes:**

**Code sections:**

**Attachments:** 1. Article 33 of Chapter 9 12.06.18.pdf, 2. Supplement - Amended Buffer Map.pdf, 3. Supplement - Amendments to FMC re Cannabis.pdf

Date	Ver.	Action By	Action	Result
12/13/2018	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**December 13, 2018**

**FROM:** Councilmember Clinton J. Olivier  
Councilmember Paul Caprioglio  
Councilmember Oliver L. Baines, III

**SUBJECT**

\*\*\*BILL NO. B-66 - (Intro 12/6/18) (For adoption)- Adding Article 33 to Chapter 9 of the Fresno Municipal Code relating to Adult Use and Medicinal Cannabis Retail Business and Commercial Cannabis Business. (Subject to Mayor's veto)

**RECOMMENDATION**

It is recommended that the City Council adopt Article 33 to Chapter 9 of the Fresno Municipal Code, which allows seven medicinal cannabis retail businesses the first year, and then seven more cannabis retail businesses after the first year, which may be adult use, as well as commercial cannabis businesses.

**EXECUTIVE SUMMARY**

The Cannabis Subcommittee brought forth Cannabis Regulatory Ordinances on December 6, 2018, for introduction. This ordinance has been updated to reflect Council direction.

No Commercial Cannabis Business Permits can be issued until a Text Amendment to the Zoning Code is adopted, the Cultivation Ordinance is amended, and these actions are environmentally assessed.

## **ENVIRONMENTAL FINDINGS**

This action is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 26055(h) of the California Business and Professions Code because it is the adoption of an ordinance by a local jurisdiction that requires discretionary review and approval of permits to engage in commercial cannabis activity. Commercial cannabis activity cannot be commenced under the proposed ordinances until a Cannabis CUP is obtained, which will require and environmental assessment.

## **FISCAL IMPACT**

Commercial Cannabis Business Permit fees will include the permittee's share of the cost of developing the regulations and the environmental review. Additionally, with the passage of Measure A and adoption of tax rates, these businesses will generate substantial revenue to the City, as much as \$10 million per year once dispensaries and cultivation, manufacturing, distribution and lab testing businesses are open.

Attachments:

Article 33 to Chapter 9 of the Fresno Municipal Code