

*"Placerville, a unique historical past forging into a golden future."*

**City Manager's Report**  
**October 9, 2018, City Council Meeting**  
**Prepared by: Cleve Morris, City Manager**  
**Item #: 10.1**



**Subject:** Adopt an Urgency Ordinance making findings and repealing Title 5, Chapter 25, Title 10 Chapter 10 Sections 1-5 of the Placerville Municipal Code and Ordinance 1683 and adopting Title 5 Chapter 28 relating to business regulation of Cannabis.

---

**Purpose:** The purpose of this ordinance is to regulate cannabis business activity in the City of Placerville. The ordinance would allow certain cannabis business activities to occur within the City limits. The ordinance is being adopted as an urgency ordinance to protect the public health and safety of the City due to unregulated cannabis activity.

**Background:**

At the City Council Meeting on September 11, 2018, the Council waived the first reading and introduced the attached ordinance regulating cannabis business activity in the City of Placerville. On September 25, 2018 the Council made minor clerical corrections and continued the item to the October 9, 2018 Council Meeting. The current ordinance prohibiting cannabis business activities will expire on October 27, 2018

**Discussion:**

The attached urgency ordinance mirrors the ordinance which has been discussed and introduced by the City Council at the meeting on September 11, 2018. Minor additions and changes were made at the meeting on September 11, 2018 prior to introduction and minor clerical corrections were made on September 25, 2018. In addition, staff has done final proof reading and corrected minor clerical errors since the last meeting.

At this meeting the Council is also being asked to adopt an ordinance meeting the required noticing and timeframes. That ordinance, if adopted, will take effect on November 9, 2018. The purpose of this urgency ordinance is to fill in the gap of time between October 27, 2018 and November 9, 2018, when potentially no local regulations would be in effect.

In order to adopt the ordinance, certain findings must be made. These are listed in the proposed ordinance.

On adoption, the ordinance will take effect immediately. Staff will then begin finalizing other items that are necessary to begin the application process. These are as follows:

## 10.1

1. Adopt a Cannabis Business Overlay Zone Ordinance to identify those areas where Cannabis Businesses may potentially operate. This is currently planned to go to the Planning Commission in October and will come back to the City Council in November or December.
2. Adopt by Resolution the number of Cannabis Businesses allowed in the City as required by this Ordinance Section 5.28.080. The Ad-Hoc Committee will review this item and make a recommendation to the Council in October.
3. Approve the application and application process. Staff will begin working with HdL on this process and application. It is anticipated the application process will start in January.

Staff is recommending waiving the reading of the ordinance and adopting the proposed ordinance.

### **Options:**

1. Adopt the ordinance as recommended.
2. Make amendments to the ordinance and adopt if minor.
3. Direct staff to make additional changes and bring back the ordinance for re-consideration. Note that this could put the City in jeopardy of having the State authorize a cannabis business prior to the City adopting regulations.
4. Do not adopt the ordinance at this time and provide further direction to staff.

**Cost:** There is only minimal cost at this time associated with preparing the ordinance.

**Budget Impact:** None. Any budget impacts will be discussed at mid-year if necessary after we begin the application process.

**Recommendation:** Adopt an Urgency Ordinance making findings and repealing Title 5, Chapter 25, Title 10 Chapter 10 Sections 1-5 of the Placerville Municipal Code and Ordinance 1683 and adopting Title 5 Chapter 28 relating to business regulation of Cannabis.



M. Cleve Morris, City Manager

### *Attachments:*

1. *Proposed Urgency Ordinance*