



Agenda Item No. _____

File Code No. 520.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 28, 2009

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Request From Mayor Blum And Councilmember Francisco Regarding A Discussion Of The Medical Marijuana Permit Ordinance

RECOMMENDATION:

That Council consider the request of Mayor Blum and Councilmember Francisco to Refer the Medical Marijuana Permit Ordinance to the Ordinance Committee.

DISCUSSION:

Attached is a Memorandum received in the City Administrator's Office from Mayor Blum and Councilmember Francisco requesting that the Medical Marijuana Permit Ordinance be placed on the Council Agenda for discussion.

ATTACHMENT: Memorandum Dated July 17, 2009 From Mayor Blum and Councilmember Francisco

PREPARED BY: Linda Gunther, Administrator's Office Supervisor

SUBMITTED BY: Joan Kent, Assistant City Administrator

APPROVED BY: City Administrator's Office



City of Santa Barbara
Mayor and Council Office

Memorandum

DATE: July 17, 2009

TO: Jim Armstrong, City Administrator

FROM: Mayor Marty Blum
Councilmember Dale Francisco

SUBJECT: Medical Marijuana Permit Ordinance

Pursuant to Council Resolution 05-073 regarding the Conduct of City Council Meetings, we request that an item be placed on the Santa Barbara City Council Agenda regarding a revision of the Medical Marijuana Permit Ordinance.

- Summary of Information to be Presented and Background Information:

The Medical Marijuana Permit Ordinance was adopted on March 25, 2008, and took effect on April 24, 2008. This ordinance established regulations and procedures, and imposed a conditional use requirement on siting a dispensary.

Since that time, four dispensaries have gone through or are going through the City process: 331 North Milpas Street, 500 North Milpas Street (on appeal to the Planning Commission), 629 Olive Street, and 2 West Mission Street.

There are four other dispensaries which existed during the adoption of this ordinance and have been deemed non-conforming, and therefore, must be relocated by April 24, 2011.

There are reports of other possible dispensaries, but as far as the City is concerned, any others are not legal.

Many complaints have been received about the proliferation of the dispensaries near the other dispensaries.

- Statement of Specific Action:

We would like the Council to send the Medical Marijuana Permit Ordinance to the Ordinance Committee, with the direction to make recommendations to the Council regarding a revision of the ordinance and to address the concerns of the residents, including alternatives to limit proliferation of dispensaries, as well as re-examining siting requirements.

- Statement of the Reasons Why it is Appropriate and Within the Jurisdiction of the Council to Consider this Subject Matter and to Take the Requested Action:

This is appropriate and within the jurisdiction of the Council because the City adopted a Medical Marijuana Permit Ordinance on March 25, 2008. We are asking that this be a discussion item only, with the recommendation that the Council forward the Medical Marijuana Permit Ordinance to the Ordinance Committee for possible revisions.

cc: Mayor and Council
City Attorney
Community Development Director