

RESOLUTION NO. 2017-035

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF THOUSAND OAKS DECLARING  
INTENTION TO CONSIDER AN AMENDMENT TO  
THE THOUSAND OAKS MUNICIPAL CODE  
CONCERNING MEDICAL CANNABIS  
DISPENSARIES AND CANNABIS TESTING  
FACILITIES **(MCA 2017-70260)**

WHEREAS, the state of California approved the Medical Cannabis Regulation and Safety Act (MCRSA) on September 11, 2015, which established standards for the cultivation, transportation, manufacturing, distribution, testing, dispensing, and delivery of medical cannabis for persons receiving a doctor's recommendation; and

WHEREAS, in response to the passing of MCRSA, City Council adopted a Municipal Code Amendment prohibiting the establishment of any commercial cannabis activities in the City, and also prohibited any personal cultivation of cannabis; and

WHEREAS, on November 8, 2016, the voters of California passed the Adult Use of Marijuana Act (AUMA), which allows for the possession and a commercial licensing structure for the cultivation, transportation, manufacturing, distribution, testing, dispensing, delivery, and limited personal cultivation of non-medical cannabis throughout the State; and

WHEREAS, City Council on March 14, 2017, adopted a Municipal Code Amendment extending the commercial prohibition on commercial cannabis activities to both medical and non-medical cannabis, while also allowing limited personal cultivation in compliance with the requirements of AUMA; and

WHEREAS, on March 28, 2017, City Council conducted a Marijuana Policy Workshop, in which information was received from staff, the City's cannabis consultant, and the public regarding this subject matter; and

WHEREAS, the City conducted significant public outreach on the subject of medical and non-medical cannabis through Phase 1 and Phase 2 of the City's 2017 Community Attitude Survey, and an additional on-line survey allowing the community to express opinions on issues related to medical and non-medical cannabis; and

WHEREAS, City Council conducted a meeting on June 27, 2017, at which it received additional information from City staff and the public regarding policy options for commercial medical and non-medical cannabis, and directed staff to prepare a resolution for initiation of a Municipal Code Amendment to provide for the following:

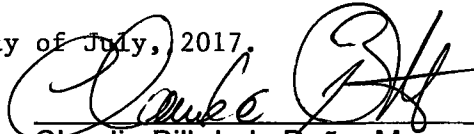
1. Zoning provisions and a regulatory structure for one medical cannabis dispensary subject to the following:
  - a. It shall be located within an industrial zone.
  - b. It shall be subject to an application submittal and approval process.
  - c. Operating hours are limited to between 10:00 a.m. and 7:00 p.m., seven days a week.
  - d. It shall operate by appointment only; "walk-in" retail sales without an appointment are not allowed.
  - e. All appropriate security provisions shall be implemented, including but not limited to on-site video, law enforcement access, and loitering control.
2. Zoning provisions and a regulatory structure for one testing facility to be located within an industrial zone. Testing may include medical or non-medical cannabis.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Thousand Oaks as follows:

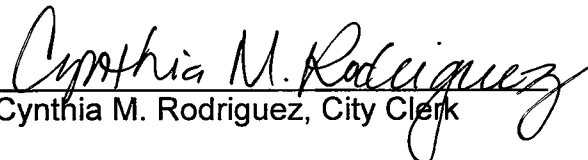
Section 1: It is the intention of City Council to consider an amendment to the Thousand Oaks Municipal Code to establish standards for zoning provisions and a regulatory structure for one medical cannabis dispensary, and one cannabis testing facility as described above.

Section 2: This amendment is hereby referred to staff for processing and to the Planning Commission for public hearing and recommendation back to the City Council.

PASSED AND ADOPTED this 11th day of July, 2017.

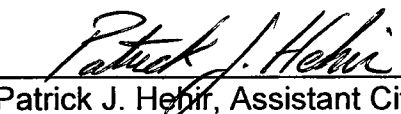
  
Claudia Bill-de la Peña, Mayor  
City of Thousand Oaks, California


ATTEST:

  
Cynthia M. Rodriguez, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

APPROVED AS TO ADMINISTRATION:

  
Patrick J. Hehir, Assistant City Attorney

  
Andrew D. Powers, City Manager

CERTIFICATION

STATE OF CALIFORNIA     )  
COUNTY OF VENTURA     ) SS.  
CITY OF THOUSAND OAKS    )

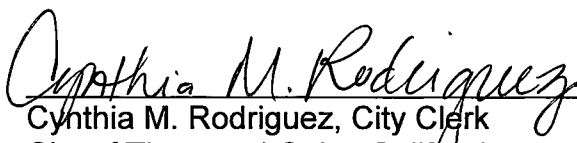
I, CYNTHIA M. RODRIGUEZ, City Clerk of the City of Thousand Oaks, DO  
HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Resolution  
No. 2017-035 which was duly and regularly passed and adopted by said City  
Council at a regular meeting held July 11, 2017 by the following vote:

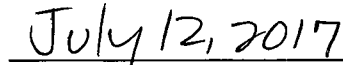
AYES:     Councilmembers Price, Adam, McCoy, Fox, and Mayor Bill-de la Peña

NOES:     None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the  
official seal of the City of Thousand Oaks, California.

  
Cynthia M. Rodriguez, City Clerk  
City of Thousand Oaks, California

  
Date Attested