

ORDINANCE NO. 10462 (N.S.)

AN ORDINANCE EXTENDING A MORATORIUM ON  
THE ESTABLISHMENT OF MEDICAL MARIJUANA COLLECTIVE FACILITIES  
AND DECLARING THE URGENCY THEREOF, TO TAKE EFFECT  
IMMEDIATELY

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Findings. The Board finds and declares as follows:

a. On April 27, 2016, this Board adopted its Ordinance No. 10426 (N.S.), AN ORDINANCE EXTENDING A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA COLLECTIVE FACILITIES, AND DECLARING THE URGENCY THEREOF, TO TAKE EFFECT IMMEDIATELY. In said Ordinance No. 10426 (N.S.), this Board declared its findings concerning the potential harmful effects that medical marijuana collective facilities may have on communities and the health of marijuana users, and directed the Chief Administrative Officer to develop options for consideration by the Board, regarding additional regulation and/or prohibitions of medical marijuana collective facilities so as to prevent such harmful effects on County of San Diego unincorporated areas.

b. Pursuant to Government Code Section 65858, Ordinance No. 10426 (N.S.) will be in effect for 10 months and 15 days from adoption. Section 65858 authorizes this Board, following notice and public hearing and by four-fifths vote, to extend that Ordinance for 1 year. County staff has issued its report to this Board on the actions being taken to of medical marijuana collective facilities, to alleviate the conditions which led to the adoption of the moratorium ordinance. Staff has indicated that more time is needed for staff to return zoning ordinance amendments to address direction provided by the Board with the siting of medical marijuana collective facilities. The Board directed the Chief Administrative Officer to return on March 15, 2017, with an Ordinance option to place a ban on all medical and non-medical marijuana facilities, collectives, dispensaries, and cultivation within the unincorporated areas of San Diego County.

c. The Board reaffirms the findings made in Ordinance No. 10426 (N.S.) and determines that it is necessary to extend that Ordinance for one (1) year in order to enable the preparation and processing of appropriate regulations of medical marijuana collective facilities.

Section 2. Extension of Ordinance No. 10426 (N.S.)

Ordinance No. 10462 (N.S.), "AN ORDINANCE EXTENDING A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA COLLECTIVE FACILITIES, AND DECLARING THE URGENCY THEREOF, TO TAKE EFFECT IMMEDIATELY", Sections 1 through 4, are hereby extended in full force and effect for 1 year from the adoption of that Ordinance.

Section 3. Report. The Chief Administrative Officer is directed to issue a written report describing the measures taken by the County to alleviate the conditions which have led to the adoption of this ordinance, at least 10 days prior to the expiration of this ordinance.

Section 4. Urgency, Duration and Publication. This ordinance is adopted by the Board of Supervisors pursuant to Government Code Section 65858 by a four-fifths or greater vote, as an urgency measure to protect the public health, safety and welfare, and shall take effect immediately. The reasons for such urgency are set forth in Section 1 above. This ordinance shall expire and be of no further force or effect 1 year after its adoption. Before the expiration of 15 days after the adoption of this ordinance, a summary hereof shall be published once, with the names of the members of this Board voting for and against the same in the Daily Transcript, a newspaper of general circulation published in the County of San Diego.

Approved as to form and legality  
County Counsel

By: Justin Crumley, Senior Deputy

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 15<sup>th</sup> day of March, 2017.



DIANNE JACOB  
Chairwoman, Board of Supervisors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Horn  
NOES: Roberts

ATTEST my hand and the seal of the Board of Supervisors this 15<sup>th</sup> of March, 2017.

DAVID HALL  
Clerk of the Board of Supervisors

By D. Lopez  
Diana Lopez, Deputy



Ordinance No.10462 (N.S.)

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