

Ballot Title

AN INITIATIVE MEASURE TO RESCIND THE CITY OF STOCKTON'S BAN ON MEDICAL MARIJUANA DISPENSARIES AND MEDICAL MARIJUANA CULTIVATION

Ballot Summary

This measure would rescind Stockton's ban on medical marijuana dispensaries and medical marijuana cultivation by allowing up to four Medical Cannabis Dispensaries ("dispensaries") and four Medical Cannabis Cultivators ("cultivators") to operate in the City. No more than two dispensaries or cultivators would be permitted within any Council District. Cultivators could only be operated by a permitted dispensary.

This measure would impose an additional business license tax on a dispensary or cultivator of between \$35 and \$50 per \$1,000 in gross receipts, as determined by the City Council. Tax proceeds would be available for any lawful purpose of the City and expenditures overseen by the Stockton Transaction and Use Tax Ordinance Citizen's Oversight Committee.

The measure would require a cultivator to obtain permits to operate pursuant to Stockton Municipal Code sections 5.100.040 through 5.100.250 and would prohibit a cultivator from providing cannabis to any person or entity other than a dispensary.

The measure would require onsite security guards and security cameras at dispensaries and prohibit mobile dispensaries and deliveries.

The measure would require issuance of permits for dispensaries that meet the requirements of amended sections 5.100.040 through 5.100.250 and that either hold a valid operator's permit and use permit; or hold a valid operator's permit and are located on property where operation of a dispensary is an authorized non-conforming use; or is an incorporated non-profit that has conducted business in Stockton for 18 months within the three years prior to the enactment of the measure, can demonstrate it has over 8,000 members with medical cannabis prescriptions who have signed on within three years of enactment of the measure, and has paid sales tax from a single location in Stockton for 18 months of the three years preceding enactment of the measure regardless of whether the non-profit had a valid operator or use permit.

The measure would require any currently licensed, or subsequently licensed, dispensary to obtain a new operator's permit and use permit to relocate or suffer forfeiture of its permit to operate.

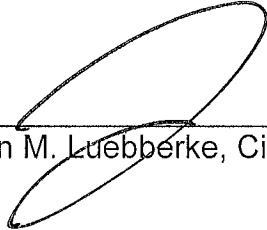
A dispensary that meets the requirements of new section 16.85.195(B)(2) would be issued an operator's permit and be allowed to apply for a use permit.

The measure would limit dispensaries to areas zoned for commercial and industrial uses and mandate compliance with all public safety requirements applicable to dispensaries, such as background checks for owners and employees, 1000 feet of separation from K-12 schools and parks, prohibition of minors on premises and requiring testing of cannabis.

The measure would also define "cannabis cultivation" and permit cultivation only in areas zoned for agricultural and industrial uses. Cultivation would only be permitted within an enclosed building, located no closer than 1000 feet from any school or 600 feet from any park and may not exceed 22,000 square feet on any parcel.

Certification

Dated: 4-4-16



John M. Luebberke, City Attorney

Attest:



Bonnie Paige, City Clerk

