

# City of Hesperia

## STAFF REPORT



**DATE:** December 19, 2017  
**TO:** Mayor and City Council members  
**FROM:** Nils Bentsen, City Manager  
**BY:** Tina Bulgarelli, Administrative Analyst  
**SUBJECT:** Amendment to Ordinance 2017-16 related to Regulation of Commercial Cannabis Activity

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt Ordinance No. 2017-22 amending Ordinance No. 2017-16, amending Title 5 of the Hesperia Municipal Code to allow M-Type 9, Non-Storefront Retailer Licenses, and prohibit all other types, within the City of Hesperia.

### **BACKGROUND**

On September 19, 2017, the City Council adopted Ordinance No. 2017-16, allowing for certain cannabis activities to occur within the City. At that time, the available license types included Type-M-10 Retailer, with the option to limit activities related to this license to non-storefront delivery only services. The City Council directed staff to prohibit all other license types within the City.

### **ISSUES/ANALYSIS**

On November 17, 2017, the State of California released emergency regulations related to cannabis activity in the state, and included in these activities a new license type. The new license type M-Type 9, Non-Storefront Retailer, mirrors the state regulations related to the M-Type 10, Retailer license, with the added regulation prohibiting these licensees from having customers at their stores. Staff believes that this new license type more closely aligns with the City Council's goals for cannabis activity within the City and so are proposing to allow M-Type-9 Non-Storefront Retailer licenses, and prohibit all others.

### **ALTERNATIVE(S)**

1. Provide alternative direction to staff.

### **ATTACHMENT(S)**

1. Ordinance No. 2017-22
2. Exhibit "C" (Amendment to Title 5)