



## MEMORANDUM

October 21, 2020

TO: Agricultural Advisory Committee

FROM: Cannabis Interdepartmental Work Group

DATE: October 27, 2020

SUBJECT: Proposed amendments to County Ordinance Code to allow the remaining unallocated West County cannabis retail permit to be made available in West or East County and, if in East County, to require a boutique operation

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### **BACKGROUND**

On October 5<sup>th</sup>, the Board of Supervisors' Transportation/Planning Committee directed staff to prepare ordinance amendments to amend the County Ordinance Code to allow the remaining unallocated cannabis retail store permit to be allowed in West or East County, and to be a boutique operation.

### **DISCUSSION/SUMMARY**

The Alameda County Ordinance Code currently allows a maximum of five permits for cannabis retail stores in unincorporated Alameda County. Two are allowed in East County, and those permits have been issued through a Request for Proposals (RFP) process. Three are allowed in West County, with a maximum of two allowed in Area 1 (Ashland and Cherryland) and Area 2 (Castro Valley). The two existing cannabis retail stores in unincorporated Alameda County – We Are Hemp and Garden of Eden – are both located in Area 1. Therefore, the remaining one unallocated permit would currently be available to be located only in Castro Valley. An RFP has not been conducted yet for this permit.

Chapter 6.108 and 6.109 of the County Ordinance Code would need to be amended to allow the fifth permit for a cannabis retail store to be allowed in East or West County and to require the operation to be a “boutique” operation if it is located in East County.

### **Draft ordinance amendments**

A summary of the proposed draft ordinance amendments to Chapter 6.108 and Chapter 6.109 is attached. The main changes are to:

- Amend Chapter 6.108.030D to specify that the total number of permits in West County and East County respectively shall not exceed three. The provision stating that the total number of permits shall not exceed five will remain unchanged;

- Include in Chapter 6.108.108.030D(2) which relates to retail operations in the East County the following provision:

“The permitted operation must be boutique. For example, the operation could include tours, educational or informational features or activities, or other features or activities designed to enhance customer experience or highlight attractions or characteristics of the local region.”

The draft ordinance amendments also include other minor related amendments to Chapter 6.108 and Chapter 6.109 to give effect to the proposed main changes.

### **NEXT STEPS**

Staff requests any comment from your committee in relation to the draft ordinance amendments. Staff will be taking the draft ordinance amendments to the Planning Commission, Board Transportation & Planning Committee and full Board Planning meeting for consideration.