



County of Fresno

OFFICE OF THE COUNTY COUNSEL
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COUNTY COUNSEL

Staff Report January 10, 2017

SUBJECT: Report prepared pursuant to Government Code Section 65858, subdivision (d) describing the measures taken to alleviate the condition which led to the adoption of Interim Urgency Ordinance No. 16-017, prohibiting the possession, planting, cultivation harvesting, drying, or processing of nonmedical marijuana outdoors on the grounds of a private residence to the fullest extent permitted by State law, and the establishment or operation of a business engaged in commercial marijuana activity.

LOCATION: Countywide

STAFF CONTACT: Arthur G. Wille, Senior Deputy County Counsel
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DISCUSSION:

On December 6, 2016, the Board considered and adopted an Interim Urgency Ordinance prohibiting, in all Zone Districts of Fresno County, the possession, planting, cultivation, harvesting, drying, or processing of nonmedical marijuana outdoors on the grounds of a private residence to the fullest extent permitted by State law, and the establishment or operation of businesses engaged in commercial marijuana activity. The Interim Urgency Ordinance will expire on January 20, 2017, unless extended. On January 10, 2017, the Board will consider a request for extension in order to allow staff adequate time to continue researching and developing proposed revisions to the Ordinance Code of Fresno County to address the threat to public health, safety, and welfare posed by nonmedical marijuana.

Since the Board hearing of December 6, 2016, County Counsel has begun the process of identifying changes to the Ordinance Code, which may be appropriate to address the threats posed by nonmedical marijuana. County Counsel expects to circulate a draft of the proposed revisions to the Ordinance Code ("the "Proposed Ordinance") in the next 90 days for review and comment by County Departments. County Counsel will address any comments to the Proposed Ordinance received from Departments before finalizing the Proposed Ordinance. The Proposed Ordinance will then be submitted to the Department of Public Works and Planning for environmental review. The Department will conduct the appropriate level of environmental review and work with County Counsel to schedule the Proposed Ordinance for appropriate public hearings.