

City Attorney's Impartial Analysis of the Second Ballot Measure
Measure _____

November 6, 2018 Election

[Submitted pursuant to Elections Code section 9280]

Ballot Question:

Should the City draft and adopt an ordinance to allow and regulate commercial, greenhouse cultivation of mature cannabis plants on existing greenhouse sites in the City's A-1 (Agricultural/Exclusive Floriculture) Zoning District?

Impartial Analysis:

This Measure is an advisory measure. It was placed on the ballot by the City Council for the City of Half Moon Bay to seek voter opinion on whether the City should allow and regulate the commercial cultivation of mature (flowering) cannabis plants within greenhouses at specified sites in the City. Specifically, at sites with existing greenhouses that are located in the City's A-1 (Agricultural/Exclusive Floriculture) Zoning District.

"Cannabis" is also known as "marijuana." An "ordinance" is a local law.

The Half Moon Bay Municipal Code currently prohibits cannabis businesses. This Measure would not change that prohibition. Instead, if it is approved, it would advise the City Council that a majority of voters support creating an exception to this ban to allow businesses to cultivate mature cannabis plants in greenhouses as described above.

Because this Measure is advisory only, the election results will in no manner be controlling the City Council. But the City Council may consider the results in determining whether to pursue drafting an ordinance to allow and regulate commercial cannabis cultivation as described above, and in determining whether to adopt the ordinance. Any proposed ordinance would be considered by the City Council at a noticed public meeting.

The Half Moon Bay Zoning Map shows the locations of the A-1 Zoning District. The Zoning Map is posted on the City's website, www.half-moon-bay.ca.us, and is available for inspection at City Hall. If the City allowed commercial cannabis cultivation in this zone, some specific locations may not be available for cannabis businesses depending on setback and buffer regulations that could be adopted.

A "Yes" vote means, in your opinion, the City should allow and regulate commercial, greenhouse cultivation of mature cannabis plants on existing greenhouse sites in the City's A-1 Zone.

A "No" vote means, in your opinion, the City should not allow and regulate commercial, greenhouse cultivation of mature cannabis plants on existing greenhouse sites in the City's A-1 Zone.

This Measure must receive a majority of "yes" votes to pass.

Submitted August 13, 2018

Catherine Engberg
City Attorney
City of Half Moon Bay