

LARA WEISIGER

From: Alan Teague <alan@alameda.morphdog.com>
Sent: Tuesday, November 28, 2017 8:18 AM
To: Trish Spencer; Jim Oddie; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese
Cc: LARA WEISIGER
Subject: Comment on Zoning Ordinance 30-10.1 Commercial Cannabis Uses

Dear Mayor, Vice Mayor and Council Members,

In this zoning ordinance, there is an addition to section h Separation Distances paragraph 1 which reads

1. Additionally, no two Cannabis Businesses engaging in Cannabis Retail shall be permitted to operate within one (1) mile of each other.

I would suggest you strike this 1-mile restriction for two reasons:

- 1) Given two or more permit applications in progress with none having been issued. Potentially all could go through the process of obtaining a Use Permit as there are none which are in operation. Or staff could make a arbitrary decision (in that it the method for making this decision is not defined in either ordinance) on which applications to put forward for Use Permits.
- 2) Increasing the number of retail permits will require changing both the regulatory and the zoning ordinances. When the Planning Board meet on this zoning ordinance, they requested that City Council consider moving this limitation into the regulatory ordinance for both of these reasons.

Alternatively, please define the method by which Staff should determine which application should be proposed for Use Permits. Leaving it as a subjective decision may open the City up to lawsuits by applicants which were not put forward for Use Permits.

Best regards,

Alan Teague
Alameda Resident