

1 [Committee of the Whole.]

2
3 **Motion for the Board of Supervisors to convene as a committee of the whole on March**
4 **29, 2005, at 5:00 p.m. to accept public testimony concerning the possible adoption of**
5 **an urgency ordinance approving an interim zoning moratorium throughout the City for**
6 **45 days on clubs or dispensaries where marijuana is grown, purchased or distributed**
7 **with a medical recommendation and making required findings, including findings of**
8 **consistency with the priority policies of Planning Code Section 101.1 and**
9 **environmental findings.**

10
11 WHEREAS, In November of 2002, the City's voters passed Proposition S, a declaration
12 of policy directing the City to "explore the possibility of establishing a program whereby the
13 City would grow medical cannabis and distribute it to patients attempting to exercise their
14 rights under Proposition 215."

15 WHEREAS, Since the passage of Proposition S, the City has witnessed a dramatic
16 increase of unregulated medical cannabis dispensaries.

17 WHEREAS, In 2002 there were approximately 2,200 individuals registered with the
18 Department of Public Health's Medical Cannabis Voluntary Identification Card Program and
19 there are now over 7,000 individuals enrolled.

20 WHEREAS, As of March 2005, there are approximately 35 medical cannabis
21 dispensaries in operation in the City, with approximately another 10 clubs scheduled to open
22 later this year.

23 WHEREAS, The proliferation of medical cannabis dispensaries has had attendant
24 health, safety and welfare consequences that were not anticipated at the time that zoning
25

1 determinations were made permitting medical cannabis dispensaries to operate subject to a
2 conditional use permit in some areas of the City, and as of right in others.

3 WHEREAS, There are currently no comprehensive City laws regulating or monitoring
4 medical cannabis dispensaries.

5 WHEREAS, The healthy coexistence of medical cannabis dispensaries and
6 surrounding neighborhoods is in the best interest of residents of the City.

7 WHEREAS, A moratorium will provide the City the time to draft and adopt laws,
8 consistent with the Compassionate Use Act of 1996 and SB 420, that will regulate the location
9 and operation of medical cannabis dispensaries, while still allowing for the operation of legally
10 existing medical cannabis dispensaries to guarantee that patients, their caregivers and
11 physicians have access medical cannabis; now, therefore, be it

12 MOVED, That the Board of Supervisors of the City and County of San Francisco shall
13 hereby convene as a committee of the whole on March 29, 2005, to accept public testimony
14 concerning the possible adoption of an urgency ordinance approving an interim zoning
15 moratorium throughout the City for 45 days on clubs or dispensaries where marijuana is
16 grown, purchased or distributed with a medical recommendation.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 050510

Date Passed: March 29, 2005

Motion for the Board of Supervisors to convene as a committee of the whole on March 29, 2005, at 5:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance approving an interim zoning moratorium throughout the City for 45 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.


March 29, 2005 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin

Excused: 2 - Daly, Sandoval

File No. 050510

I hereby certify that the foregoing Motion
was APPROVED on March 29, 2005 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board