

**City Attorney’s Impartial Analysis of the Fourth 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 manufacturing of cannabis products on sites in the City’s IND (Industrial) Zoning District and/or 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 commercial manufacturing of cannabis products at specified sites in the City. Specifically, at sites that are located in the City’s IND (Industrial) Zoning District and/or 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.” “Cannabis products” could include edible or topical products containing cannabis or concentrated cannabis. According to state cannabis laws, “manufacture” means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product.

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 and regulate commercial manufacturing of cannabis products at the locations described above.

Because this Measure is advisory only, the election results will in no manner be controlling on the City Council. But the City Council may consider the results in determining whether to pursue drafting an ordinance to allow and regulate commercial manufacturing of cannabis products, 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 and the Industrial 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 manufacturing of cannabis products in these zones, 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 manufacturing of cannabis products on sites in the City’ Industrial zone and/or at 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 manufacturing of cannabis products on sites in the City’ Industrial zone and/or at 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