

RESOLUTION NO. 5144-17

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
ESTABLISHING THE NUMBER AND TYPES OF COMMERCIAL CANNABIS
PERMITS PURSUANT TO UNION CITY MUNICIPAL CODE CHAPTER 5.44**

WHEREAS, on November 14, 2017, the City Council of the City of Union City adopted Ordinance No. 845-17 adding Chapter 5.44 “Cannabis” to the Union City Municipal Code (“UCMC”) (the “Cannabis Ordinance”); and

WHEREAS, the Cannabis Ordinance takes effect on December 14, 2017; and

WHEREAS, the Cannabis Ordinance allows the City Council to adopt a resolution to issue permits for certain types of commercial cannabis uses; and

WHEREAS, pursuant to UCMC Section 5.44.030(D)(1), the City Council may establish the number of permits issued for each type of commercial cannabis use by resolution, as may be adjusted from time to time; and

WHEREAS, the City Council desires, upon December 14, 2017, the effective date of the Cannabis Ordinance, to establish up to three permits for each of the following types of commercial cannabis uses, for up to twelve total permits: cultivation, manufacturing, testing and dispensary (medicinal); and

WHEREAS, the City Council does not desire or intend to establish permits for any other type of commercial cannabis uses not identified in this Resolution; and

WHEREAS, operators desiring to obtain a commercial cannabis permit within the City are still required to comply with the selection and award process identified in UCMC Chapter 5.44 prior to issuance of an established commercial cannabis permit type; and

WHEREAS, this Resolution does not require or obligate the City Council to award or issue any commercial cannabis permits.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Union City hereby establishes the following number and types of commercial cannabis permits consistent with the uses identified in UCMC Chapter 5.44:

1) Commercial cannabis cultivation uses proposing to operate pursuant to cannabis license Types, 1A, 1B, 1C, 2A, 2B, 3A, 3B, 4 or 12, pursuant to Business and Professions Code section 26050: Up to 3 permits total.

2) Cannabis distribution uses proposing to operate pursuant to cannabis license Types 11 or 12, pursuant to Business and Professions Code section 26050: Up to 3 permits total.

3) Cannabis manufacturing uses proposing to operate pursuant to cannabis license Types 6, 7 or 12, pursuant to Business and Professions Code section 26050: Up to 3 permits total.

4) Cannabis testing service or cannabis testing laboratory uses proposing to operate pursuant to cannabis license Type 8, pursuant to Business and Professions Code section 26050: Up to 3 permits total.

5) Cannabis dispensary/retail uses (medicinal only) proposing to operate pursuant to cannabis license Types 10 or 12, pursuant to Business and Professions Code section 26050: Up to 3 permits total. This does not establish a permit for adult use cannabis dispensaries/retail uses.

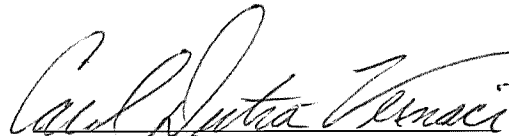
BE IT FURTHER RESOLVED that the City Council does not authorize the establishment of any other types of commercial cannabis permits not identified in this Resolution absent further resolution of the City Council.

BE IT FURTHER RESOLVED that, pursuant to UCMC Chapter 5.44, the City Council may adopt a further Resolution to revise the number and types of commercial cannabis permits established pursuant to UCMC Section 5.44.030(D)(1).


BE IT FURTHER RESOLVED that this Resolution shall not take effect until December 14, 2017, the effective date of the Cannabis Ordinance.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 14th day of November, 2017 by the following vote:

AYES:	Councilmembers Duncan, Ellis, Vice Mayor Gacoscos, Mayor Dutra-Vernaci
NOES:	Councilmember Singh
ABSENT:	None
ABSTAIN:	None


CAROL DUTRA-VERNACI
Mayor

ATTEST:


ANNA M. BROWN
City Clerk

APPROVED AS TO FORM:


KRISTOPHER J. KOKOTAYLO
City Attorney