

**CITY OF HUNTINGTON BEACH  
LEGAL NOTICE**

**ORDINANCE NO. 4059  
Adopted by the City Council on MAY 4, 2015**

**“URGENCY MEASURE ADOPTING AN INTERIM ORDINANCE OF THE CITY OF HUNTINGTON BEACH, ADDING SECTION 204.18 TO CHAPTER 204 OF THE ZONING AND SUBDIVISION ORDINANCE TITLED USE CLASSIFICATIONS”**

**SYNOPSIS:**

In February 2005, the City enacted a moratorium on medical marijuana dispensaries. In March 2005, the City Council adopted Ordinance No. 3703 which specifically allowed medical marijuana dispensaries in the IG (General Industrial) and IL (Limited Industrial) zoning districts of the City subject to additional requirements. In November 2007, due to the City's concerns of public health, safety, and welfare of the residents and businesses, the City Council amended the HBZSO to eliminate medical marijuana dispensaries as a permitted (non-profit, for-profit, retail, commercial or otherwise) use within the City. Accordingly, medical marijuana dispensaries have not been listed as a permitted use in the City and are thereby prohibited anywhere in the City.

Recent legal challenges have drawn the attention of the medical marijuana industry and more medical marijuana dispensaries have attempted to establish businesses within the City in recent months. Allegations suggest that the HBZSO somehow allows medical marijuana as a use in the City.

In March 2015, the City Council directed staff to prepare an Ordinance amending the HBZSO by adding expressly articulated language to the HBZSO that medical marijuana dispensaries are a prohibited non-profit, for-profit, retail, commercial, or otherwise, use in the City. The Ordinance will specify that mobile medical marijuana dispensaries fall under the same prohibition. The amendment is not a change to the City's longstanding prohibition against medical marijuana dispensaries; the amendment is only to enhance the HBZSO to make the prohibition clearer to the public.

To make the City's current policy even more clear to the public, an urgency measure adopting an Interim Ordinance pursuant to Government Code Section 65858 was adopted to take effect immediately.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held May 4, 2015 by the following roll call vote:

**AYES:** Posey, O'Connell, Katapodis, Hardy, Sullivan, Delgleize, Peterson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**THE FULL TEXT OF THE ORDINANCE IS AVAILABLE IN THE CITY CLERK'S OFFICE.**

**This ordinance is effective immediately.**

**CITY OF HUNTINGTON BEACH  
2000 MAIN STREET  
HUNTINGTON BEACH, CA 92648  
714-536-5227  
JOAN L. FLYNN, CITY CLERK**