

RESOLUTION NO. 31-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO, CALIFORNIA, RESOLVING THAT THE MAXIMUM NUMBER OF RETAILER-STOREFRONT COMMERCIAL CANNABIS BUSINESS PERMITS ALLOWED CITYWIDE AS SET FORTH IN SECTION 5.42.110 OF THE CITY OF CHICO MUNICIPAL CODE WILL BE REDUCED FROM A MAXIMUM NUMBER OF FOUR TO THREE

WHEREAS, pursuant to Sections 5 and 7 of Article XI of the California Constitution, the provisions of MAUCRSA, any subsequent state legislation and/or regulations regarding same, the City of Chico is authorized to adopt ordinances and local resolutions that establish local standards, requirements and regulations for the licensing and permitting of commercial cannabis businesses;

WHEREAS, pursuant to Section 5.42.110 “Number of commercial cannabis businesses authorized” of the City of Chico Municipal Code (“CMC”), the number of retailer-storefront commercial cannabis permits is determined by population density of the City of Chico (City);

WHEREAS, pursuant to Section 5.42.110 of the CMC, for every 25,000 residents of the City, the City Council may authorize up to one retailer-storefront permit;

WHEREAS, Section 5.42.110 of the CMC currently allows for a maximum of four (4) Retailer-Storefront commercial cannabis businesses citywide as set forth in the CMC;

WHEREAS, the United States Census of 2010 reported that the population for the City of Chico was 86,187;

WHEREAS, the City Council, at its meeting on May 4, 2021, discussed the desire to reduce the maximum number of allowed retailer-storefront permits citywide from four (4) to three (3);

WHEREAS, pursuant to Section 5.42.110 of the CMC, the City Council may at its sole and absolute discretion, establish by resolution the number of retailer-storefront permits authorized for commercial cannabis businesses based on the above-referenced population-based formula.

1 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHICO,**
2 **CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER**
3 **AS FOLLOWS:**

- 4 1. That the City Council finds and determines that the above recitals are true and
5 correct.
- 6 2. That based on the City population of 86,187 reported in the United States Census
7 of 2010, the City Council discussion at its May 4, 2021 meeting and pursuant to
8 Section 5.42.110 of the City of Chico Municipal Code, which states that for every
9 25,000 residents of the City, the City Council may authorize up to one retailer-
10 storefront commercial cannabis business permit and that the City Council may at
11 its sole and absolute discretion, establish by resolution the number of retailer-
12 storefront permits authorized citywide based on the population of the City, the City
13 Council hereby orders that the maximum number of retailer-storefront commercial
14 cannabis business permits allowed citywide be reduced from four (4) to three (3).
- 15 3. That the City Clerk shall certify to the passage and adoption of this Resolution and
16 enter it into the book of original Resolutions and is directed to transmit a certified
17 copy of this Resolution to the Board of Supervisors and the County Clerk of the
18 County of Butte.

19
20 **THE FOREGOING RESOLUTION WAS ADOPTED** at a regular meeting of the City
21 Council of the City of Chico held on the 1st day of June, 2021 by the following vote:

22 **AYES: Brown, Huber, Reynolds, Tandon**

23 **NOES: Denlay, Morgan, Coolidge**

24 **ABSENT: None**

25 **ABSTAIN: None**

26 **DISQUALIFIED: None**

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ATTEST:



Deborah R. Presson, City Clerk

APPROVED AS TO FORM:



Vincent C. Ewing, City Attorney*

*Pursuant to The Charter of the City of Chico, Section 906(E)