

**CITY OF HUNTINGTON BEACH
LEGAL NOTICE**

**ORDINANCE NO. 4137
Adopted by the City Council on SEPTEMBER 5, 2017**

“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING TITLE 20 OF THE ZONING AND SUBDIVISION ORDINANCE BY AMENDING SECTION 204.18 AND ADDING SECTION 204.20 AND SECTION 204.22 TO THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE TO PROHIBIT COMMERCIAL/RECRATIONAL SALES AND DELIVERIES OF NON-MEDICAL MARIJUANA AS WELL AS ADOPT REGULATIONS REGARDING NON-MEDICAL MARIJUANA CULTIVATION”

SYNOPSIS:

The Zoning Text Amendment amends the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to expressly articulate the prohibition of any sale, distribution, and delivery of non-medical marijuana in the City and regulates the cultivation of non-medical marijuana.

The Zoning Text Amendment prohibits outdoor cultivation of non-medical marijuana and imposes reasonable regulations on indoor cultivation of non-medical marijuana when cultivation is authorized by California law. The Adult Use of Marijuana Act allows adults 21 years and older to cultivate up to six marijuana plants for non-medical use. Pursuant to Section 204.22 Non-Medical Marijuana Cultivation, the indoor cultivation of non-medical marijuana is permitted at residential properties and shall comply with the following criteria:

- within a fully enclosed or secure structure or within a residential structure
- not visible to the general public
- provide for the health, safety, and welfare of the public
- prevent odor created by non-medical marijuana plants from impacting adjacent properties

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held September 5, 2017 by the following roll call vote:

AYES: O’Connell, Semeta, Delgleize, Hardy, Brenden,

NOES: None

ABSTAIN: None

ABSENT: Posey, Peterson

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

This ordinance is effective 30 days after adoption.

**CITY OF HUNTINGTON BEACH
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HUNTINGTON BEACH, CA 92648
714-536-5227
ROBIN ESTANISLAU, CITY CLERK**