

By Amy Sylvestri

San Leandro Times

Medical marijuana dispensaries are one step closer to coming to San Leandro, despite years of city moratoriums and the fact that they are illegal under federal law.

At Monday night's meeting, the City Council reviewed a new ordinance that will allow the dispensaries in San Leandro and dictate how they are run.

Councilman Michael Gregory called the medical marijuana issue "a beast" and said the ordinance is "an attempt to bring some regulation, some discipline to how this is handled."

Since medical marijuana was legalized in California, the city has had a series of temporary

moratoriums on dispensaries within the city. But a lawsuit against the county of Los Angeles that prevented cities from outright banning dispensaries made the city attorney recommend that San Leandro make rules about the dispensaries rather than risk a lawsuit of its own.

Assistant City Attorney Richard Pio Roda outlined the ordinance for the council at Monday night's meeting.

There would only be two dispensaries allowed in San Leandro and anyone hoping to open one would have to apply for a conditional use permit, and have a hearing before the Board of Zoning Adjustments. A non-refundable fee would be required to apply and the city could also potentially create a higher business license fee and more taxes on the business.

Additionally, the dispensaries could only be in commercial areas at least 1,000 feet away from schools, libraries, and parks, and 500 feet away from any residence.

The list of medical marijuana patients would be kept confidential but available to officials including the police chief.

The ordinance would allow marijuana to be grown at the dispensary and edible products like brownies would be allowed to be sold.

San Leandro police captain Ed Tracy used to work in Oakland where dispensaries are already open and cautioned the council that burglaries, robberies, and people using pot in the parking lot are all concerns.

Councilman Tom Dlugosh is against the ordinance, saying that marijuana is still illegal federally, so it shouldn't be facilitated locally. He added that he is concerned that not everyone who gets a medical marijuana prescription is a legitimate patient.

"If my hair hurts and I go to a doctor that agrees with me can I get medical marijuana? There's plenty of them out there that will agree for the right price," said Dlugosh.

Councilmember Jim Prola has long been an advocate of medical marijuana and asked Pio Roda if San Leandro's plans weren't actually too strict, as other cities have allowed shorter distances between dispensaries and schools or residences.

City Council Might Allow Pot Shops

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The ordinance will next be discussed at a public work session in February before it goes back to the council for a vote.