



City Seeks Public Comment on Cannabis Legislation

Governing Body to Hear “Petitions from the Floor” on July 28

July 26, 2021 -- The State of New Mexico’s Cannabis Regulation Act went into effect on June 29, 2021, allowing local municipalities to adopt reasonable zoning and land use ordinances, which will be limited where state authority supersedes. As the City of Santa Fe moves forward to adopt ordinances, there are opportunities for community participation to influence the City’s direction on these policy questions and amendments to Chapter 14 of the Land Use code.

During “Petitions from the Floor,” which are scheduled to begin at 7 p.m. on the July 28th Governing Body meeting, the Governing Body will ask for public comment regarding cannabis. Residents can join live via Zoom or submit written comments.

"Petitions from the Floor" are made under a two-minute time limit. No presentation will be provided on this topic, this session is only for input.

Zoom link:

<https://santafenm.zoom.us/j/94939062218?pwd=YzdXR2xKdmx5TzQzclJ3OVI0SEcwUT09>

Passcode: 547739.

Or call: (346) 248-7799, (669) 900-6833, (253) 215-8782

Webinar ID: 949 3906 2218

Passcode: 547739

Zoom attendees should use the “Raise Hand” function to be recognized by the Mayor. Phone attendees should press *9 to use the “Raise Hand” function and be recognized by the Mayor.

For written comments go to: santafe.primegov.com/public/portal, click on the comment button, and type in your message by 1 p.m. Wednesday, the day of the meeting.

The City must make decisions about the permitted density and operating hours of cannabis establishments; permitting of recreational cannabis consumption areas; the use of tax revenues; and other matters relevant to the City’s ability to regulate or benefit from recreational cannabis.

Public input from the July 28 session and from additional committee meetings will help shape changes to the Land Use Code; future community engagement; and generate an understanding of residents’ concerns. Upcoming committee meetings where people can hear and participate in on the evolving dialogue will be posted at: www.santafenm.gov/weekly_meeting_list_agendas.

Staff recommends the City consider the following questions for input:

- Should the density of cannabis establishments be limited, in all or part of the City?
- Should the City adopt operating times for cannabis establishments?
- Should cannabis uses be located a minimum distance from schools, daycare centers, religious institutions, and/or residential neighborhoods?
- Should a special use permit be required to operate a cannabis establishment in certain areas, e.g., within a certain minimum distance of an existing school, daycare center, religious institution, and/or residential neighborhood?

- Should the City adopt regulations to allow recreational cannabis consumption areas?
- Should the Table of Permitted Uses be revised to clarify or amend the zoning districts in which the various types of cannabis establishments may be located? E.g., should certain zoning districts be reserved for uses other than cannabis establishments to prevent unintended consequences, such as a proliferation of cannabis establishments that could drive other businesses out or cause rent and property prices to go up?
- Should the definitions in Chapter 14 be amended to include new definitions for various types of cannabis establishments?
- Are Chapter 14 amendments needed to address issues related to historic preservation; safety and security; or odors and ventilation?
- What should the process be for conducting stakeholder outreach and community conversations, prior to the adoption of new land use regulations for cannabis?
- And additional concerns from residents.

The City intends to adopt State definitions regarding retail, production, and manufacturing to enhance alignment between its code and the State's statute. The State has prohibited local jurisdictions from adopting legislation for the following:

- Preventing anyone properly licensed from transporting cannabis products on public roads;
- Completely prohibiting the operation of a cannabis licensee;
- Prohibiting or limiting signage identifying a business as a cannabis establishment if it's attached to or located on the business premises;
- Requiring a cannabis establishment or a cannabis consumption area be located more than 300 feet from a school or daycare center that existed when the cannabis establishment or consumption was licensed;
- Requiring an existing cannabis licensee to relocate to a new premises; or
- Prohibiting an adult New Mexican from producing homegrown cannabis.

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