



FAQS

REGARDING THE CULTIVATION, POSSESSION, AND USE OF MARIJUANA IN THE CITY OF SAN MATEO

Are marijuana businesses permitted in the City of San Mateo? *No, the City of San Mateo prohibits the cultivation, storage, processing, manufacturing and sale of marijuana for adult recreational use.¹ Individuals with a medical need for marijuana and their caregivers may cultivate and process marijuana for the use of the patient. In addition, groups of individuals with a medical need or their caregivers may collectively cultivate marijuana for these individuals' medical use; however, the locations where this may occur are limited, and these facilities are subject to special licensing and security requirements. Collective cultivation of marijuana for medical uses may not be operated as a for profit business.²*

May an adult cultivate, process, possess, and use marijuana for their own personal use in the City of San Mateo? *Yes, an adult (defined as a person 21 years of age or older) may possess about an ounce of marijuana and may cultivate marijuana for their own personal use; however, all activities must occur indoors and no more than 6 plants may be cultivated at one time.³*

May an adult smoke marijuana they have cultivated for their personal use? *Yes, however, state and city law broadly restricts where an individual may smoke marijuana. Smoking marijuana is prohibited wherever smoking tobacco is prohibited. This includes public facilities and private businesses open to the public, as well as, multi-family housing complexes such as apartment houses and condominiums, including the grounds of these places.⁴ In general, marijuana may be smoked in a parked private vehicle and in a detached, single family home.*

NOTE: Even though state and city law allows the cultivation, possession, and use of marijuana as described above, marijuana possession and use remains unlawful under federal law.

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¹ San Mateo Municipal Code Section 7.45.020.

² See San Mateo Municipal Code Chapter 7.46.

³ California Health and Safety Code Section 11362.1; San Mateo Municipal Code Section 7.45.030

⁴ California Health and Safety Code Section 11362.3; San Mateo Municipal Code Chapter 7.40