

CPC 2017-2260-CA

Commercial Cannabis Location Restriction Ordinance

Citywide Draft Code Amendment

Staff Hearing

June 29, 2017



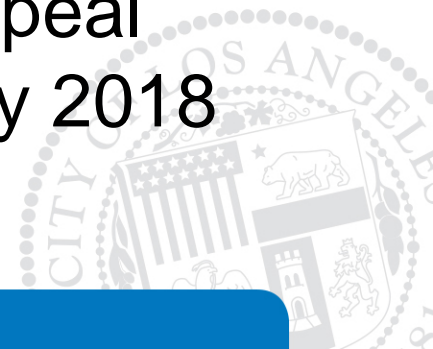
OUTLINE

- Background
- Draft ordinance provisions
- Process & timeline
- Q&A
- Public hearing



BACKGROUND

- State law:
 - 2015: Medical Cannabis Regulation & Safety Act (MCRSA)
 - 2016: Adult Use of Marijuana Act (Prop 64 / AUMA)
- City regulations:
 - 2013: Prop D – limited immunity for existing, compliant dispensaries
 - 2017: Prop M – City Council must repeal Prop D and adopt new regulations by 2018



CANNABIS COMMISSION

Creates Cannabis
Commission &
Department

BUSINESS REGULATIONS

Application process
and requirements

Cannabis Commission
authority

Social equity program

Operating standards

LOCATION RESTRICTIONS

Eligible zones

Distancing
requirements

Optional land use
review

**Subject of today's
hearing**



WHAT IS COMMERCIAL CANNABIS ACTIVITY?

- Business activity involving:
 - Cannabis plant or cannabis-derived products
 - Medical as well as nonmedical



WHAT IS COMMERCIAL CANNABIS ACTIVITY?

- Does not include:
 - Personal possession, purchase, transport, or use by persons 21 or older
 - Up to 28.5 g non-concentrated / 8 g concentrated
 - Giving away to another person 21 or older
 - Cultivating up to 6 cannabis plants indoors within a private residence



NOT IN ZONING CODE

- Commercial cannabis activity is:
 - Not an enumerated use in the Zoning Code
 - Not permitted in any zone
- However...



LIMITED IMMUNITY

- Certain activities may assert limited immunity from enforcement
 - Compliant with City's location restrictions and other regulations
 - City-issued compliance document
 - State-issued license



WHICH ACTIVITIES?

- Restrictions align w/ State license types:
 - Dispensary (medical)
 - Retail (nonmedical)
 - Cultivation – indoor only
 - Manufacturing – Level 1
 - Microbusiness (retail w/ limited cultivation, manufacturing and distribution)
 - Testing
 - Distribution



WHICH ACTIVITIES?

- Transport – not tied to location
- **Not eligible:**
 - Cultivation – outdoor or mixed-light
 - Manufacturing – Level 2



ELIGIBLE ZONES

- **Dispensary and retail** activity – primarily commercial and industrial zones: **CR, C1, C1.5, C2, C4, C5, CM, HI, M1, M2, M3**
- **Microbusiness** activity – primarily industrial zones: **M1, M2, M3**
- **Cultivation and manufacturing** activity – primarily industrial zones: **MR1, M1, MR2, M2, M3**
- **Testing and distribution** activity – primarily manufacturing zones: **CM, HI, MR1, M1, MR2, M2, M3**
- **Specific Plans:** subareas that most closely correspond with zones for each business type



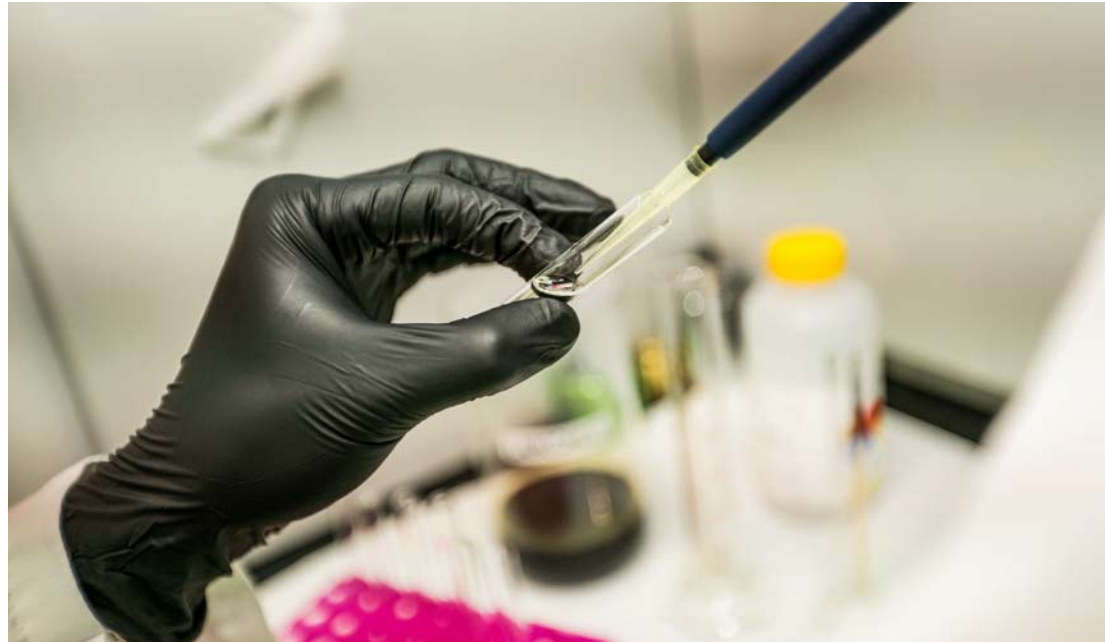
DISTANCING REQUIREMENTS

- **Apply only to** dispensary, retail & microbusiness
- **800 feet from:**
 - K-12 schools
 - Public parks
 - Public libraries
 - Alcoholism/drug rehab or recovery
 - Cannabis sales



DISTANCING REQUIREMENTS

- **Do not apply to:**
 - Dispensary, retail and microbusiness activity w/ no on-site sales (i.e., delivery-only)
 - Cultivation
 - Manufacturing
 - Distribution
 - Testing



OPTIONAL ORDINANCE SUPPLEMENT: LAND USE REVIEW PROCESS

- Would apply to anyone seeking a compliance document from Cannabis Commission
- Zoning Administrator is initial decision-maker
- Appeal to Area Planning Commission
- 2nd level appeal to City Council
- Requested by Planning & Land Use Management (PLUM) Committee



PROCESS & TIMELINE

- **June 8:** Draft ordinance released
- **June 29:** Staff-level public hearing
- **July 12:** Last day to submit comments for consideration in staff report
- **July/August 2017:** Revise draft ordinance and prepare staff report
- **September 14:** City Planning Commission (tentative)
- **Fall 2017:** City Council adoption



THANK YOU

Submit comments by July 12, 2017 to:

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More information:

<http://planning.lacity.org>

