

ORDINANCE NO. _____

An ordinance modifying regulations concerning Commercial Cannabis Activity in the City of Los Angeles.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The following definitions in Section 105.01 of the Los Angeles Municipal Code are amended to read:

“Public Park” means an open space, park, playground, swimming pool, beach, pier, reservoir, golf course, or similar athletic field ~~within the City of Los Angeles~~, which is under the control, operation or management of the City Board of Recreation and Park Commissioners, the Santa Monica Mountains Conservancy, the Mountains Recreation and Conservation Authority, the County of Los Angeles Department of Beaches and Harbors, the County of Los Angeles Department of Parks and Recreation, ~~or the California Department of Parks and Recreation~~, the parks and recreation agency of an adjacent city or county, a recreation and park district authorized under Chapter 4 of the California Public Resources Code, or a community services district authorized under Division 3 of the California Government Code, and shall further include any property in the City of Los Angeles zoned Open Space ("OS") as defined under Section 12.04.05 of the Los Angeles Municipal Code that is being used as a parks and recreation facility, including bicycle trails, equestrian trails, walking trails, nature trails, park land/lawn areas, children’s play areas, child care facilities, picnic facilities, and athletic fields (not to exceed 200 spectator seats) used for park and recreation purposes.

“Permanent Supportive Housing” means Supportive Housing as defined in ~~the Draft Permanent Supportive Housing Ordinance initiated August 30, 2017, CPC-2017-3136-CA, as may hereafter be adopted or amended~~ Section 12.03 of the Los Angeles Municipal Code, to include housing with no limit on length of stay that is occupied by persons with low incomes who have one or more disabilities and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people, but only to the extent such Permanent Supportive Housing provides on-site Supportive Services. As may hereafter be adopted or amended, Supportive Services means services that are provided on a voluntary basis to residents of Supportive Housing, including, but not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, benefits advocacy, and other services or service referrals necessary to obtain and maintain housing.

Sec. 2. Subsection (c) of Section 105.02 of the Los Angeles Municipal Code is amended to read:

(c) Commercial Cannabis Activity that has received licenses by the State of California and City for its location and otherwise meeting all other restrictions and requirements of this article shall be in violation of the distance restrictions in this article required from:

(1) An Alcoholism or Drug Abuse Recovery or Treatment Facility, if the Alcoholism or Drug Abuse Recovery or Treatment Facility first opened for use by its patrons prior to the date the Commercial Cannabis Activity ~~received~~ applied for a licenses ~~by from~~ the ~~State and~~ City for its location;

(2) A Day Care Center, if the Day Care Center first received a license from the State as a Day Care Center prior to the date the Commercial Cannabis Activity ~~received~~ applied for a licenses ~~by from~~ the ~~State and~~ City for its location;

(3) Permanent Supportive Housing, if the Permanent Supportive Housing first appeared on a list of addresses and parcel numbers of Permanent Supportive Housing developments that have received entitlement approvals or a building permit from the City, provided by the Housing and Community Investment Department to the Department of Cannabis Regulation, prior to the date the Commercial Cannabis Activity ~~received~~ applied for a licenses ~~by from~~ the ~~State and~~ City for its location;

(4) A Public Park, Public Library, or private School, if the Public Park, Public Library, or private School: (a) first opened for use by its patrons or students before the Commercial Cannabis Activity received licenses by the State and City for its location, even if the Public Park, Public Library, or private School opened without a permit, authorization or approval for a Public Park, Public Library, or School; or (b) first received a permit, authorization or approval for Public Park, Public Library, or School before the Commercial Cannabis Activity ~~received~~ applied for a licenses ~~by from~~ the ~~State and~~ City for its location; and

(5) A public School, if the public School: (a) first opened for use by students before the Commercial Cannabis Activity received licenses by the State and City for its location, even if the public School first opens without a permit, authorization or approval for a public School; or (b) first received a permit, authorization or approval by the Office of Public School Construction or California Department of Education or Division of the State Architect, before the Commercial Cannabis Activity ~~received~~ applied for a licenses ~~by from~~ the ~~State and~~ City for its location.

Sec. 3. Subsection (b) of Section 105.03 of the Los Angeles Municipal Code is amended to read:

(b) Limited Grandfathering if the City Issues a License. If the City issues the EMMD a City license for Commercial Cannabis Activity, the EMMD shall continue to operate at its location within the City in accordance with the rules and regulations set forth by the City. Such EMMD shall not be subject to the zone, distance and sensitive

use restrictions stated in Section 105.02 of this article until after December 31, 2022, on the condition that the EMMD: (1) operates and continues to operate in compliance with the distance and sensitive use restrictions (Los Angeles Municipal Code Section 45.19.6.3 L. and O. of Proposition D, except that the EMMD need not comply with the prohibition on ingress or egress on a side of the premises that is across an alley from Residentially Zoned Property so long as the ingress or egress is restricted to employees, vendors and contractors of the EMMD, notwithstanding those restrictions would have been repealed; ~~and~~ (2) limits on-site cultivation at the Business Premises to not exceed the size of the EMMD's existing square footage of building space as of March 7, 2017, as documented by dated photographs, building lease entered into on or before March 7, 2017, or comparable evidence. If the EMMD issued a License fails to operate in compliance with these provisions of Proposition D, the EMMD's License shall be subject to revocation. This limited grandfathering shall not create, confer, or convey ~~and any~~ vested right or nonconforming right or benefit regarding any activity conducted by the EMMD beyond the term and activities provided by the License. This limited grandfathering shall cease immediately after December 31, 2022. After December 31, 2022, all EMMDs shall be required to be located on a Business Premises that meets ~~all~~ the zone requirements of Article 5 of Chapter X of this Code. Any EMMD located on a Business Premises that does not meet ~~all~~ the zone requirements of Article 5 of Chapter X of this Code shall cease operating immediately after December 31, 2022.

Sec. 4. The City Clerk shall certify, etc.