

LA MESA

JEWEL OF THE HILLS

DRAFT Commercial Adult-Use Cannabis
Business Ordinance Workshop
August 15, 2019



**CITY OF
LA MESA**
JEWEL of the HILLS

Workshop Format



- Presentation of draft ordinance
- Not taking public testimony
- Written Statement cards
- Contact list
- Q&A to follow
- Provide any comments in writing:

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Purpose and Intent



- Implement provisions of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) to provide access to adult-use cannabis to persons 21 or older while protecting the health, safety, and welfare of the residents of the City
- Regulate:
 - Retail
 - Cultivation
 - Manufacturing
 - Testing
 - Distribution/Transportation
- Annual license – Commercial Adult-Use Cannabis Business License

Authorizes



- Co-location with any permitted Measure U medicinal facility of the same type
 - Application and fee required
 - Applicant in good standing with Measure U, State law, other local laws
 - Demonstrate compliance with adult-use ordinance
- Cultivation – Type 1A Specialty Indoor, small
 - Artificial lighting
 - 5,000 square feet canopy
 - Enclosed building

Authorizes



- Nursery
 - Artificial lighting
 - Enclosed building
- Distribution
- Testing Laboratory
- No additional retail other than co-location with Measure U medicinal retail facility

Licenses



- Not eligible to hold license
 - Operated in violation of Measure U or adult-use ordinance
 - Felony conviction
- Expiration
 - Two years
 - Co-location – concurrent with CUP expiration
 - May be renewed – application due at least 60 days prior to expiration
- Revocation
 - Felony conviction
 - State revocation or termination
 - State suspension suspends City license

Location



- Co-location with permitted Measure U medicinal facility
 - Measure U facility in good standing – State and local
 - Retail
 - Comply with adult-use ordinance separation requirements
 - C (General Commercial) Zone
 - CM (Light Industrial and Commercial Service) Zone
 - M (Industrial Service and Manufacturing) Zone
- Nonretail allowed in M (Industrial Service and Manufacturing) Zone
- Prohibited in residential zones

Retail Separation Distances



- 1,000-foot radius from retail site to school property line
 - Preschool
 - Transitional kindergarten
 - K-12
 - Public, private or charter
- 1,000 feet along property lines between “measuring points”
 - Daycare center
 - Youth center
 - Treatment center
 - Permitted adult-use or medicinal cannabis business, except co-location

Retail Separation Distances



- Measuring points
 - Property line
 - Public, private or charter preschool, transitional kindergarten, or K-12
 - Public or private parks
 - Center point of any public entrance
 - Daycare center
 - Youth center
 - Treatment center
 - Permitted adult-use or medicinal cannabis business, except co-location

Retail Separation Distances Differences from Measure U



- Preschools require 1,000-foot radius
- “Youth center” instead of “minor-oriented facility”
 - “Youth Center” means any public or private facility that is primarily used to host recreation or social activities for minors, including but not limited to, any after school program (officially designated by a school or school district), teen center, club for boys and/or girls, children’s theater, children’s museum, youth membership organizations or clubs, social service teen club facilities, or similar uses or facilities. It shall also include a park, playground or recreational area specifically designed to be used by children which has play equipment installed, including public or private grounds, designed for athletic activities such as baseball, softball, soccer or basketball. For purposes of this subsection, primarily means **serving or used by a majority of persons of minority age (less than 18 years old) on a routine basis.**

Retail Separation Distances Differences from Measure U



- Addition of “Treatment Center”
 - “Treatment Center” means a medical treatment or counseling facility licensed by the California Department of Health Care Services and located outside of a residential zone that treats persons with addictive disease or mental health conditions.
- Measurements follow property lines versus path of travel
- Likely that some permitted Measure U medicinal retail facilities will not be eligible for adult-use based on different separation requirements from Measure U
- Map
 - “Sensitive Uses”
 - Radii around schools
 - Measure U application sites

Regulatory Requirements



- Similar to Measure U regulatory framework
- Records and recordkeeping
- Security
 - Alarms
 - Lighting
 - Cameras
 - Restricted access
 - Window bars inside only
 - Armed security
 - 24-hour
 - Retail while open, verified response after hours

Regulatory Requirements



- Operating requirements consistent with Measure U regulatory framework
 - Hours 7:00 a.m. to 9:00 p.m.
 - No exterior graphics with cannabis or cannabis products
 - Emergency contact
 - No logos or product identification in signage
 - Provision for existing, permitted noncompliant signage to remain
 - No billboard advertising
 - Odor-control
 - Background check/fingerprinting for owners, managers, supervisors, employees
 - Specific requirements for cultivators, distributors, manufacturers, testing labs

Application process



- Process for new uses
 - Co-locations will have simplified process
 - City Manager, or designee, to develop framework and specific requirements for application process
- Two phase process
 - Phase one focuses on applicant and site qualification
 - Phase two evaluates site and operation
 - Approved phase one application proceeds to phase two
- Submittal requirements similar to Measure U requirements

Application process



- Experience requirements for managers and owners
 - Manager with at least 6 consecutive months of cannabis business in last 5 years
 - Owner
 - 6 consecutive months of cannabis business in last 5 years, OR
 - 36 consecutive months ownership (30% or more) in government-regulated alcohol or pharmaceutical business
 - 36 consecutive months ownership (30% or more) in lawful, licensed business with 10 or more employees in the City
- License is not a land-use entitlement
- Compliance inspection and review process to be developed

Questions?

Provide any comments in writing to:

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