

J.1. PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCES AMENDING TITLE 6 BUSINESSES, PROFESSIONS, AND TRADES, TITLE 10, CHAPTER 2 ZONING AND LAND USE, AND TITLE 10, CHAPTER 5 COASTAL LAND USE PLAN IMPLEMENTING ORDINANCE OF THE REDONDO BEACH MUNICIPAL CODE PERTAINING TO CANNABIS REGULATIONS AND TO CONSIDER ADOPTION OF CATEGORICAL EXEMPTIONS FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

REDONDO BEACH PLANNING COMMISSION MEETING

MARCH 3, 2022

CANNABIS REGULATORY BACKGROUND

- California's history of cannabis law spans nearly 25 years
- Medical Marijuana Regulation and Safety Act - Effective January 1, 2016
 - Redondo Beach adopted Ordinance 3152 for local regulations regarding medical marijuana
- Proposition 64 for Adult Use of Marijuana Act - Approved November 8, 2016
 - Redondo Beach adopted Ordinances to regulate the personal use and cultivation of cannabis, as well as restrict commercial cannabis activities in the City of Redondo Beach. This was an interim measure to prohibit cannabis businesses until the City could better evaluate what types of businesses and what regulations to put in place.

REDONDO BEACH STRATEGIC PLANNING REGARDING CANNABIS

City Council's prior adopted Strategic Plan Objective:

- City Manager's appointment of a steering committee comprised of law enforcement, Redondo Beach Unified School District, Beach Cities Health District, and outside interest groups
- Purpose to review best practices for commercial use regulations of cannabis:
 - Storefront siting
 - Taxation
 - Delivery
 - Development agreement options
 - Conclude with a report for Planning Commission and City Council consideration.

City Council's current adopted Strategic Plan Objective:

- Finalize cannabis ordinance by July 1, 2022
- Ordinance to be based on policy direction confirmed by City Council on January 18, 2022

CANNABIS STEERING COMMITTEE CONSIDERATIONS

- The CSC met 12 times from November 13, 2018 through October 5, 2021, reviewing a variety of questions geared toward building an ordinance using best practices
- The CSC's recommendations intended to:
 - prioritize public health and safety
 - consider a wealth of challenges experienced by other jurisdictions
 - mitigate and limit potential liabilities against the City implementing a local ordinance
- The CSC finds that the most responsible approach to local regulations
 - first address the immediate concerns and needs of the community
 - allow the greatest flexibility and local control in regulating
 - only expanding after success in the initial implementation

- The recommendations to City Council on October 5, 2021 reflect this intent.

CANNABIS POLICY INCLUDED IN ORDINANCE

- **Personal Cultivation.** Continue to allow for outdoor personal cultivation as currently regulated.
- **License Types.** Allow only storefront retailer licenses (Type 10) and non-storefront retailer delivery licenses (Type 9) or a combination of the two on one site.
- **Zoning Provisions.** Limit cannabis license sites to commercial and industrial zones. Prohibit licenses in coastal commercial, residential, and public/institutional zones. Require discretionary Conditional Use Permit (CUP) approval.
- **Buffers.** Maintain a 600-foot radius from elementary schools, day cares, and youth centers (per State's mandate). Increase the buffer zone to a 1500-foot radius from high schools and middle schools. School buffers to include private schools. City Council requested that Planning Commission consider implications of buffer around residential.

CANNABIS POLICY INCLUDED IN ORDINANCE (Cont.)

- **Number and Location of Licenses.** Up to two (2) sites within the City, with a maximum of one site per district. Establish a 1000-foot buffer between cannabis licensed sites.
- **Hours of Operation.** The State allows retail activities between the hours of 6 a.m. and 10 p.m. Local jurisdictions can be more restrictive. Limit hours to the following:
 - Storefront Retail Sales - 9 a.m. to 10 p.m.
 - Non-storefront Delivery - 6 a.m. to 10 p.m.
- **Security.** In addition to State security requirements, the City added additional security measures.
- **Enforcement.** City Council to implement Cannabis Compliance and Enforcement Program.

CANNABIS POLICY INCLUDED IN ORDINANCE (Cont.)

- **Tax or Fees.** Establish a Developer Agreement with developer fees and consider sunseting it with an eventual tax measure. Revenue generated would go into the General Fund.
- **Tax or Fee Rate.** Set fee at 5%.
- **Tax or Fee Revenue Location.** General Fund.
- **Property Requirement.** Do not require applicant to secure property prior to application.
- **Selection Process.** City Council to determine the licensee solicitation and selection process at a future date separate from the Ordinance.
- **Transfer of Ownership.** Limit transferability of a developer agreement and/or license for a set period of time.
- **Adoption of Regulations.** Adopt ordinances to effectuate decisions.

RECOMMENDATION

Public hearing for Planning Commission to consider adoption of a resolution recommending that the City Council adopt ordinances amending Title 6 Businesses, Professions, and Trades, Title 10 Chapter 2 Zoning and Land Use, and Title 10 Chapter 5 Coastal Land Use Plan Implementing Ordinance of the Redondo Beach Municipal Code and consider adoption of categorical exemptions from the California Environmental Quality Act (CEQA).

Procedure:

1. Open public hearing, take testimony from staff and other interested parties, and deliberate.
2. Close public hearing.
3. Adopt a resolution by title only subject to the findings contained therein.