



DEPARTMENT OF CITY PLANNING

SUPPLEMENTAL RECOMMENDATION REPORT

CITY PLANNING COMMISSION

Date: August 27, 2020
Time: After 8:30 am
Place: In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>]. The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting cpc@lacity.org

Case No.: CPC-2019-6203-CA
Council Files: 14-0366-S4; 14-0366-S5
CEQA No.: ENV-2019-6204-SE
Location: Citywide
Council District: All
Plan Areas: All

Public Hearing:
November 13, 2019

SUMMARY

A proposed ordinance (Exhibit AA) amending Sections 105.01, 105.02, and 105.03 of the Los Angeles Municipal Code to modify definitions, location restrictions, and sensitive site dating provisions relating to commercial cannabis activity and provisions governing the continuing operation of existing medical marijuana dispensaries.

RECOMMENDED ACTIONS:

1. Recommend that the City Council determine that based on the whole of the administrative record, the project is exempt from CEQA pursuant to California Business and Professions Code Section 26055(h) on the basis that the project will adopt ordinances, rules and/or regulations, that will require discretionary review under CEQA to approve licenses to engage in commercial cannabis activity in the City (ENV-2019-6204-SE; Exhibit C);
2. Recommend that the City Council adopt the proposed ordinance (Exhibit AA);
3. Adopt the staff report as the Commission's report on the subject; and
4. Adopt the attached Findings (Exhibit B).

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Summary

The Amendment to Cannabis Location Restrictions (CPC-2019-6203-CA) is a proposed ordinance amending the Los Angeles Municipal Code to modify certain provisions of the City's existing zone and sensitive use restrictions for commercial cannabis activity, adopted by the City Council in 2017. At the direction of the City Council, the Department of City Planning prepared the proposed ordinance with assistance from the Department of Cannabis Regulation (DCR) and the Office of the City Attorney and presented it for the consideration of the City Planning Commission on February 13, 2020.

Based on discussion heard at the February 13 meeting, City Planning, in consultation with DCR, has prepared this supplemental report with updated recommendations on sensitive site dating thresholds, details of sensitive site definitions, sequencing of the proposed ordinance in relation to other anticipated amendments to cannabis location restrictions, and eligible zones for cannabis retailers.

City Planning and DCR have considered these topics in the context of the existing licensure process of cannabis applicants, specifically those from the Social Equity Program which have experienced a six to 12 month waiting period for approval with holding costs that threaten the intent of the Program. In summary, City Planning has identified earlier dating thresholds for certain categories of sensitive sites and included revised recommendations. With respect to remaining items highlighted during the Commission's February 13 meeting, City Planning has provided updated discussion, but recommends no change to the initial version of the proposed ordinance. Additionally, City Planning has identified two further changes to the definition of Public Park that are recommended for technical reasons.

These recommendations have been incorporated into a revised version of the proposed ordinance, which is attached to this report as Exhibit AA.

Background

On February 13, 2020, the City Planning Commission considered the Amendment to Cannabis Location Restrictions (CPC-2019-6203-CA), a proposed ordinance amending the Los Angeles Municipal Code (LAMC) to modify definitions, dating provisions and sensitive sites from which commercial cannabis businesses must maintain minimum distances, in addition to provisions governing the continuing operation of Existing Medical Marijuana Dispensaries (EMMDs) that formerly operated under Proposition D.

At the direction of the City Council, the initial version of the proposed ordinance was prepared by the Department of City Planning with assistance from the Office of the City Attorney and from the Department of Cannabis Regulation (DCR), which administers commercial cannabis licensing in the City and reviews license applications for compliance with the location restrictions.

The proposed ordinance (Exhibit AA of this report) addresses a number of provisions in the 2017 location restrictions that pose undue barriers to the licensing of new cannabis businesses under the Social Equity Program, as well as to the continued operation of EMMDs, as follows:

- It excludes non-recreational OS-zoned properties from consideration as sensitive sites, increasing the range of available sites for both Social Equity Program applicants and relocated EMMDs while continuing to protect bona fide recreational facilities from negative impacts.
- It establishes the date of application as the cutoff date for complying with minimum distance buffers, ensuring that sensitive sites that come online while an application is awaiting DCR processing do not affect the application — consistent with the way minimum distance buffers are enforced in other regulatory frameworks.
- It removes the requirement for EMMDs to relocate by 2022 if they do not comply with the 2017 minimum distance buffers, which reflect sensitive sites that may have come online long after the EMMDs began operating in their current locations.
- It removes the requirement for EMMDs to comply with a provision of Prop D restricting access to an EMMD's premises in a way that, combined with subsequently adopted regulations, potentially places unworkable constraints on when and how operators can accept deliveries.

The change in the dating cutoff for minimum distance buffers is especially important in the context of DCR's phased licensing rollout. Currently, DCR has approximately 130 pending applications for retail licenses. All of these pending applications have come from participants in the Social Equity Program (SEP), which grants priority processing to individuals who are low-income and either have been convicted for a past cannabis-related offense or who reside in an area disproportionately affected by past drug enforcement.

DCR estimates a minimum of three months are needed to process an application and issue a Temporary Approval (a form of licensure available to applicants prior to annual licensure), with 6-12 months being more common for SEP applicants, who tend to have limited access to capital. DCR's licensing procedures were amended by the City Council in July 2020 (Ordinance [No. 186703](#)) to create a pre-application review process allowing for the completion of DCR's land use review at the beginning of the overall application review process, consistent with the changes contained in the proposed ordinance.

Many SEP applicants have incurred significant financial risks — including acquiring property, signing leases, and securing fixtures and equipment — that may be jeopardized if the business premises becomes non-compliant as a result of a sensitive site that began operating during the months-long period when the application was awaiting action by DCR. Changing the evaluation threshold from date of licensing to date of application would benefit SEP applicants by giving them added certainty regarding the sensitive sites DCR considers in its land use review.

At the February 13, 2020 meeting, the Commission continued the item and asked staff to report back with more information on several topics, including the following:

1. Identify the threshold for facilities that are in the planning/permitting/construction process to be considered as sensitive sites.
2. Revisit inclusion of bicycle and pedestrian trails as sensitive sites.
3. Reexamine the inclusion of parks in neighboring jurisdictions as sensitive sites.
4. Examine equity issues surrounding the inclusion of parks as sensitive sites (lower-income areas tend to have less park land per resident, potentially resulting in greater concentrations of cannabis retailers in these neighborhoods).
5. Consider whether this ordinance should be considered after the ordinance containing more substantive policy amendments including social consumption, temporary events, and mixed-light cultivation.
6. Consider whether cannabis cultivation and cannabis retail should be eligible to operate in the MR1 and MR2 Zones.

In response to the Commission's request, this supplemental report has been prepared with analysis responding to discussion heard at the February 13, 2020 Commission meeting. The analysis includes recommended changes to the proposed ordinance for the Commission to consider based on discussion during the prior Commission meeting and further staff review. This report also discusses two additional changes to the definition of Public Park that are recommended for technical reasons.

A revised version of the proposed ordinance reflecting staff's updated recommendations is attached to this supplemental report as Exhibit AA (as distinct from the initial version of the proposed ordinance presented at the February 13, 2020 Commission meeting, which is attached to City Planning's [initial recommendation report](#) as Exhibit A).

Analysis

Dating thresholds for facilities in planning, permitting, or construction process

At the February 13, 2020 meeting, the Commission asked staff to identify the threshold at which different categories of sensitive sites become active, and to examine ways to capture sites that have not yet begun operations (i.e., those in the planning, permitting or construction stages), but can be reasonably anticipated to begin operating as sensitive sites at some point in the future. The Commission's request echoed concerns raised by Council District 4 that the ordinance as proposed at that time would not adequately capture sites that are in active permitting or construction and could experience impacts from nearby cannabis businesses.

The existing location restrictions in the LAMC establish dating thresholds for: (1) the date as of which a cannabis business premises must comply with the minimum specified distances from active sensitive sites, and (2) the date on which a particular sensitive site

becomes active. A cannabis business is in violation of the location restrictions if a sensitive site within the minimum specified radius becomes active prior to the cannabis business receiving its DCR license. The proposed ordinance — in both its initial and revised forms — modifies this provision to state that the cannabis business must observe the minimum distance from sensitive sites that became active by the date the business applies for, rather than receives, the DCR license. Additionally, the initial version of the proposed ordinance further modifies the criteria by which individual sensitive sites are determined to be active.

The following section provides a fuller explanation of the rationale behind the proposed change in the dating threshold for cannabis businesses, which is carried over into the revised proposed ordinance (Exhibit AA). Subsequent sections discuss City Planning's revised recommendations regarding the thresholds for individual sensitive site categories, which are also reflected in the revised proposed ordinance.

Business threshold

The proposed ordinance initially presented on February 13, 2020 changes the threshold date on which a cannabis business must observe minimum distance buffers from active sensitive sites. Whereas the existing LAMC sets this threshold as the date the business receives a City license, the February 13 proposed ordinance changes it to the date the business submits a license application to DCR. The reason for this change is to provide license applicants and DCR a past, fixed date to use during DCR's land use review, which evaluates an applicant's compliance with sensitive site distancing requirements based on a dated radius map prepared and submitted by the applicant.

The existing language in the LAMC creates administrative challenges for DCR, which currently must consider sensitive sites that become active up until the date the license is issued — a moving target that exists by definition in the future. Significant time can elapse between the date the application is submitted and the date it is processed and approved, and during this time it is possible that new sensitive sites can come into existence that were not known to DCR or the applicant at the time the radius map was submitted, potentially complicating DCR's land use review.

The challenges created by setting the threshold as the date of licensing are heightened by the circumstances of DCR's phased licensing rollout, which follows procedures adopted by the City Council in 2017 and subsequently amended — most recently in June 2020. Currently, all legally operating cannabis businesses in the City are operating with Temporary Approval, which is a form of licensure available to commercial cannabis applicants prior to annual licensure. At this time, several hundred Phase 1 (Existing Medical Marijuana Dispensaries) and Phase 2 (suppliers of Phase 1 businesses) commercial cannabis businesses have received Temporary Approval. In addition to Phase 1 and 2 businesses, DCR currently has approximately 130 pending applications for licenses under the initial round of Phase 3, which is open to the general public and provides the first opportunity for new businesses to obtain approval under the 2017 licensing procedures. These applications were received in September of 2019 and have been pending since then due to several factors.

DCR estimates a minimum of three months are needed to process an application and issue a Temporary Approval (a form of licensure available to applicants prior to annual licensure), with 6-12 months being more common for SEP applicants, who tend to have limited access to capital. DCR's licensing procedures were amended by the City Council in July 2020 ([Ordinance No. 186703](#)) to create a pre-application review process allowing for the completion of DCR's land use review at the beginning of the overall application review process, consistent with the changes contained in the proposed ordinance.

Due to the requirements of the licensing procedures, all Phase 3 applications so far have come from participants in the Social Equity Program, which provides priority processing to applicants who are considered to have been impacted by past cannabis policing and enforcement policies. Qualified applicants must be low-income and either have been convicted for a cannabis-related offense or reside in an area that has been identified as disproportionately impacted by past drug enforcement. Social Equity Applicants may lack access to technical resources and expertise needed to navigate the complicated location restrictions and licensing procedures, or commit a large proportion of their limited financial resources to obtaining third-party advice.

Because all license applicants are required to have site control of their premises before applying, many Phase 3 applicants have acquired property or signed leases — a significant investment that could be jeopardized if the business premises is found to be violating the minimum distance from a sensitive site that began operating during the months-long period when the application was awaiting action by DCR. Changing the evaluation threshold from date of licensing to date of application would benefit Social Equity Applicants by giving them added certainty regarding which sensitive sites are to be considered in DCR's land use review.

Specifying the evaluation threshold as the date of application would also be consistent with other land use review processes administered by the City, in which applicants are assured that the rules against which their projects are evaluated will not change after certain milestones are reached. The Zoning Code, for example, grants a vested right to a project to proceed in accordance with the regulations in effect on the date that a complete set of plans

and a plan check fee are submitted to the Department of Building and Safety, even though the plan check process can take weeks to months to complete. More complicated projects requiring discretionary entitlements from City Planning have the option in some cases of submitting a vesting application, with conditional use permits, zone changes, and subdivision maps being three such examples.

Additionally, City Planning processes entitlement applications under several area-specific regulations, such as Specific Plans and Community Plan Implementation Overlays, that restrict the ability of certain types of uses (for example, fast-food restaurants or liquor stores) to operate within a specified distance of existing establishments that fall under the same use. While it is rare for an applicant to come into conflict with another establishment that began operating while the application was waiting for processing, it has been City Planning's practice to rely on the information available to the applicant on the date their

entitlement application was either submitted or deemed complete, meaning that the newly-operating establishment would not affect the pending application. By setting a fixed date for the purpose of evaluating an application, these processes help to provide clarity and certainty to all actors involved and avoid surprises that can derail an application after significant time and money have already been expended.

Sensitive site thresholds

City Planning staff worked with DCR as well as other agencies, as appropriate, to respond to the Commission's request to identify earlier thresholds for when a sensitive site becomes active. In general, it was agreed that criteria for identifying sensitive sites in advance of when they actually begin operations should be clear, objective, and based on publicly available information. This will help to preserve transparency and predictability for staff, license applicants, and community members alike.

With the exception of the Schools buffer, which applies to all commercial cannabis businesses, the sensitive site buffers discussed below only apply to retail storefront commercial cannabis businesses.

The following discussion summarizes:

1. The current threshold for each sensitive site category in the existing LAMC.
2. The threshold for that site category contained in the proposed ordinance initially presented on February 13, 2020.
3. City Planning's updated recommendation in response to the concerns raised by the Commission at the February 13 meeting. Where applicable, DCR's response to City Planning is included in the discussion.

Each site category is identified in *italics*.

Public Parks

1. Existing LAMC threshold: Under the existing location restrictions, a facility exists as a Public Park either when the site first opens for use by its patrons or when it first receives a permit, authorization, or approval as a Public Park, whichever is earlier.
2. February 13 ordinance threshold: The initial proposed ordinance presented on February 13, 2020 proposed to modify this threshold to require that the facility both first receive a permit, authorization, or approval, and begin operations as a Public Park.
3. Recommendation: City Planning reached out to staff at the Department of Recreation and Parks (RAP) to identify earlier thresholds that could capture parks that are likely to begin operating in the near future. RAP staff confirmed that an appropriate threshold would be that RAP has acquired and/or assumed control of the site, as this is one of the final milestones in the process of preparing to construct a new park and requires the approval of the Board of Recreation and

Park Commissioners. Such an action, which by necessity would precede the start of operations at any Public Park site, would constitute the “permit, authorization, or approval” referred to in the current threshold in the LAMC. RAP stated that a list of such sites is published regularly on the City’s Open Data Portal.

Therefore, in the event that the City Planning Commission wishes to set a more forward-looking threshold to capture future Public Park sites than what was previously recommended, City Planning recommends amending the proposed ordinance to retain the existing threshold of either opening for use by patrons or receiving a permit, authorization, or approval, whichever is earlier. This reversion is reflected in the revised proposed ordinance.

Public Libraries

1. Existing LAMC threshold: Under the existing location restrictions, a facility exists as a Public Library either when the site first opens for use by its patrons or when it first receives a permit, authorization, or approval as a Public Library, whichever is earlier.
2. February 13 ordinance threshold: The initial proposed ordinance presented on February 13, 2020 proposed to modify this threshold to require that the facility both first receive a permit, authorization, or approval, and begin operations as a Public Library.
3. Recommendation: City Planning reached out to staff at the Los Angeles Public Library (LAPL) to identify potential earlier thresholds that could capture future library sites. LAPL responded that the development of new library branches or relocation of existing branches is rare, with no such facilities changes currently being considered. However, were LAPL to take ownership or control over a site for the purpose of creating a new facility, such action would need to be approved by the Board of Library Commissioners, which would require public noticing and be recorded in the Board’s minutes. Such an action, which by necessity would precede the start of operations at any Public Library site, would constitute the “permit, authorization, or approval” referred to in the existing threshold.

Therefore, in the event that the City Planning Commission wishes to set a more forward-looking threshold to capture future Public Library sites, City Planning recommends retaining the existing threshold in the LAMC of either opening for use by patrons or receiving a permit, authorization, or approval, whichever is earlier. This recommendation is reflected in the revised proposed ordinance.

Private Schools

1. Existing LAMC threshold: Under the existing location restrictions, a facility exists as a private School either when the site first opens for use by its students or when it first receives a permit, authorization, or approval as a private School, whichever is earlier.

2. February 13 ordinance threshold: The initial proposed ordinance presented on February 13, 2020 proposed to modify this threshold to require that the facility both first receive a permit, authorization, or approval, and begin operations as a private School.
3. Recommendation: The current threshold is the earlier of either the date the private School first received a permit, authorization, or approval or the date it first opened for use by students. The date of the permit, authorization, or approval can significantly precede the date that classroom instruction begins, and is verifiable using City Planning case information and/or Department of Building and Safety records.

Therefore, in the event that the Commission wishes to establish an earlier threshold for private schools, it is recommended that the current threshold be retained. However, it is recommended that the phrase “even if the [...] private School opened without a permit, authorization or approval” be deleted, as the phrase “whichever is earlier” is adequate to capture private Schools whose opening date precedes the permitting date.

This recommendation is reflected in the revised proposed ordinance. Because of the change in language identified above, the revised proposed ordinance no longer groups the threshold for private Schools with those for Public Parks and Public Libraries. Instead, the revised proposed ordinance includes a separate provision identifying the threshold for private Schools.

Public Schools

1. Existing LAMC threshold: Under the existing location restrictions, a facility exists as a public school either when the site first opens for use by its students or when it receives a permit, authorization, or approval from one of three State agencies as a public School, whichever is earlier.
2. February 13 ordinance threshold: The initial proposed ordinance presented on February 13, 2020 proposed to modify this threshold to require that the facility either receive a permit, authorization, or approval or begin providing instruction in kindergarten or in any grades 1 through 12, whichever is earlier. The reference to the beginning of instruction is incorporated to match the threshold established for schools in the California Bureau of Cannabis Control’s regulations [Cal. Code Regs. tit. 16 Sec. 5026 (a)].
3. Recommendation: Since public Schools are not regulated or licensed by the City and often do not require any land use entitlements or building permits to begin operating in an existing physical premises, there is limited information available to identify public Schools that are likely to become active in the near future. Therefore, it is recommended that the initial proposed ordinance’s threshold of receiving a permit, authorization, or approval or beginning K-12 instruction be retained. This recommendation is reflected in the revised proposed ordinance.

Day Care Centers

1. Existing LAMC threshold: Under the existing location restrictions, a facility exists as a Day Care Center on the date it receives a State license “as a Day Care Center.”
2. February 13 ordinance threshold: The initial proposed ordinance presented on February 13, 2020 proposed to retain this threshold, but delete the phrase “as a Day Care Center”.
3. Recommendation: Since Day Care Centers are not regulated or licensed by the City and often do not require any land use entitlements or building permits to begin operating in an existing physical premises, the City lacks objective, verifiable information to identify Day Care Centers that are likely to become active in the near future. Therefore, it is recommended that the proposed ordinance’s threshold of receiving a State license be retained.

DCR, however, supports amending the proposed ordinance’s threshold to specify that the facility exists as a Day Care Center on the date it receives a State license “for its location.” This would account for situations in which an existing licensed Day Care Center goes out of business and is backfilled by a different licensed Day Care Center that relocates from a different location. In these instances, the newly relocated facility would begin to exist as a Day Care Center on the date that it receives the State license for its new location. Any applicant for a DCR storefront retailer license with a premises within 700 feet of the Day Care Center location would not be in violation of the location restrictions if it submitted its application prior to the State licensing date for the relocated Day Care Center, regardless of the prior existence of a different licensed Day Care Center in the same location. City Planning recommends amending the ordinance as requested by DCR. This recommendation is reflected in the revised proposed ordinance.

Alcoholism or Drug Abuse Recovery or Treatment Facilities

1. Existing LAMC threshold: Under the existing location restrictions, a facility exists as an Alcoholism or Drug Abuse Recovery or Treatment Facility on the date it first opens for use by its patrons.
2. February 13 ordinance threshold: The initial proposed ordinance presented on February 13, 2020 proposed to change this threshold to the date the facility receives a license from the State and begins providing on-site nonmedical residential services.
3. Recommendation: City Planning recommends retaining the proposed ordinance’s threshold of the date the facility receives a license from the State and begins providing on-site nonmedical residential services. The date of licensing is clear, verifiable, and publicly available on the website of the California Department of Health Care Services (DHCS). DHCS, however, issues licenses for facilities that do not provide on-site nonmedical residential services — a key component of the definition of an Alcoholism or Drug Abuse Recovery or Treatment Facility under Section 11834.02 of the California Health and Safety Code, which is incorporated

by reference in the LAMC — and does not state on the license whether the facility provides such services.

Any facility — even one with a DHCS license — that has not yet begun providing on-site nonmedical residential services does not meet the LAMC’s definition of an Alcoholism or Drug Abuse Recovery or Treatment Facility. The lack of detailed licensing information means that there is no reliable way of verifying the facility’s intent to provide such services in the future. As such, DCR is unable to consistently enforce a minimum distance buffer between an Alcoholism or Drug Abuse Recovery or Treatment Facility and a cannabis retail premises unless and until the facility begins to actually provide on-site nonmedical residential services. For this reason, it is recommended that the proposed ordinance’s threshold of State licensure plus the actual provision of services be retained. This recommendation is reflected in the revised proposed ordinance.

Permanent Supportive Housing

1. Existing LAMC threshold: Under the existing location restrictions, a facility exists as a Permanent Supportive Housing (PSH) site on the date the site first appeared on a list, provided to DCR by the Housing and Community Investment Department (HCID), of PSH developments that “have received entitlement approvals or a building permit from the City.”
2. February 13 ordinance threshold: The initial proposed ordinance presented on February 13, 2020 proposed to change this threshold to either a) the date that HCID notified DCR of a PSH development on the site; b) one or more PSH units on the site were certified for occupancy; or c) the PSH development began to provide on-site Supportive Services, as defined in the Zoning Code.
3. Recommendation: The proposed ordinance (both initial and revised) updates and clarifies the definition of PSH to refer to the City’s adopted PSH Ordinance. All PSH developments that utilize the PSH Ordinance are required to file an entitlement application with City Planning. The date the decision-maker approves the application is publicly available on City Planning’s case tracking website and can be reported to DCR. This date necessarily precedes the issuance of building permits and the eventual opening of the PSH development.

Therefore, in the event that the Commission wishes to identify an earlier threshold for PSH sites than what was previously proposed, it is recommended that the proposed ordinance be amended to refer to the existing LAMC threshold of the date the PSH development receives entitlement approvals or a building permit. This recommendation is reflected in the revised proposed ordinance.

Inclusion of bicycle and pedestrian trails as sensitive sites

At the February 13, 2020 meeting, the Commission asked City Planning to reexamine the inclusion of OS-zoned properties having no recreational facilities beyond bicycle and pedestrian trails within the definition of Public Park. The Commission expressed concern that such properties are not appropriate for inclusion as sensitive sites because they do

not provide the same recreational benefit to children as full-fledged parks and therefore do not require buffering from cannabis retail activity.

As stated in the staff recommendation report, City Planning does not recommend excluding such properties from the amended Public Park definition. Many OS-zoned properties with limited recreational facilities still provide benefits to sensitive users. As one example, paths and trails are often the only safe, car-free environments available to children and adults who are learning to ride bicycles or who do not desire to ride bicycles in urban traffic.

Additionally, as stated in City Planning's recommendation report to the City Planning Commission concerning the 2017 location restrictions, the range of sensitive sites is not limited to locations where minors may be exposed to incidental cannabis use, and many groups other than children stand to benefit from being separated from cannabis retail locations. Requiring cannabis retailers to observe a minimum distance from OS-zoned parcels containing such facilities is consistent with the purpose of lessening the chances of sensitive users being exposed to incidental cannabis use near retail locations.

Furthermore, it is important to note that properties having these facilities qualify as sensitive sites only if they are zoned OS. Multi-use paths adjacent to above-ground transit corridors such as the G/Orange and E/Expo lines, being oriented more toward utilitarian travel, are predominantly zoned "PF" Public Facilities and thus are not included as sensitive sites. On-street bicycle lanes located in the public right-of-way are similarly not included. City Planning recommends no change related to this issue. This recommendation is reflected in the revised proposed ordinance.

Parks in neighboring jurisdictions

At the February 13, 2020 meeting, the Commission asked City Planning to reexamine a provision in the proposed ordinance that amends the definition of Public Park to include park sites operated by neighboring jurisdictions, requiring cannabis retailers to observe minimum distances from such sites. The Commission expressed concern that neighboring jurisdictions would not be required to reciprocate with similar restrictions in their own regulations concerning commercial cannabis activity.

The City of Los Angeles adjoins 29 city or county jurisdictions, some of which allow commercial cannabis retailers and some of which do not. For jurisdictions that allow cannabis retailers, the City lacks the authority to compel these jurisdictions to require minimum distances from Public Parks or any other sensitive sites within Los Angeles city limits. However, the City can establish criteria by which it requires minimum distances from sensitive sites in other jurisdictions.

Besides these practical limitations on the question of reciprocity, the Commission may also wish to consider the possibility that parks in neighboring jurisdictions may be sufficiently close to Los Angeles neighborhoods that those parks will be utilized by a significant number of Los Angeles residents. In the course of visiting these parks, Los Angeles residents may be at risk of exposure to incidental cannabis use connected to a

nearby cannabis retailer, such that a minimum distancing requirement for cannabis retailers from these parks would be appropriate. In particular, the County of Los Angeles owns or manages several parks in unincorporated areas that immediately adjoin the City of Los Angeles and serve as an important open-space resource for residents of relatively park-poor neighborhoods in South Los Angeles, with Kenneth Hahn State Recreation Area (owned by the State but managed by the County) and Ted Watkins Memorial Park being two notable examples.

At this time, City Planning continues to recommend adoption of the provision amending the definition of Public Park to include parks operated by neighboring jurisdictions. This recommendation is reflected in the revised proposed ordinance.

However, were the Commission to amend the revised proposed ordinance to require reciprocity with regard to parks in adjoining jurisdictions, City Planning's recommendation would be to state that cannabis retailers shall be required to observe a minimum distance from a park in an adjoining jurisdiction if the park in question is open for use by residents of the City of Los Angeles, with no additional fees or other requirements that do not apply to residents of the jurisdiction in question.

Equity issues surrounding park distancing

At the February 13, 2020 meeting, the Commission asked City Planning to examine the equity implications of using parks as sensitive site buffers, expressing concern that the relative lack of park land in lower-income areas could create greater concentrations of cannabis retailers in these neighborhoods, causing their residents to be less protected from public health and safety impacts than residents of higher-income neighborhoods.

There are protections against overconcentration of cannabis businesses written into the location restrictions and the regulations governing DCR licensing. The location restrictions require cannabis storefront retailers, as well as cannabis microbusinesses that engage in on-site sales, to observe a minimum 700-foot distance from one another, as well as from several other categories of sites including Public Libraries, public and private Schools, Day Care Centers, Permanent Supportive Housing sites, and Alcoholism/Drug Recovery and Treatment Facilities. These distancing requirements effectively limit the number of retailers that can locate in any one neighborhood or commercial corridor.

Additionally, DCR and the Cannabis Regulation Commission may not approve retailer or microbusiness licenses in excess of one license per 10,000 residents in any single Community Plan Area (CPA). Any CPA with a combined number of retailer and microbusiness licenses exceeding this ratio is considered to have an undue concentration of such licenses, and the license may be issued only if the City Council makes a finding of public convenience or necessity. The number of retailer licenses allowed in each CPA ranges from 4 to 29, depending on population.

Furthermore, there is reason to anticipate that cannabis retailers, when seeking out store locations, will place a higher value on high-visibility locations in more affluent

neighborhoods, even if these areas have less eligible land compared to lower-income neighborhoods. As one example, the actual number of authorized retailers or applicants for retailer licenses in the South Los Angeles and Southeast Los Angeles CPAs is significantly below these areas' undue concentration capacity, even after accounting for pending applications submitted during DCR's most recent application window. According to data provided by DCR, as of April 2020 the South Los Angeles CPA had used only 43 percent of available application slots, while the Southeast Los Angeles CPA had used 62 percent of its application slots. In contrast, the Venice CPA already has twice as many authorized retailers as available slots, the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass CPA has exceeded its available slots, and the Hollywood CPA will exceed its available slots if all pending applications are approved.

Together, these regulations and market factors may help guard against lower-income neighborhoods suffering public health and safety impacts due to an excessive concentration of cannabis businesses in park-poor communities. Accordingly, City Planning recommends no change in relation to this issue. This recommendation is reflected in the revised proposed ordinance.

Sequencing of ordinances

During the February 13, 2020 meeting, the Commission expressed concern that the proposed ordinance's modifications to sensitive site provisions were being put forth prematurely and that any such changes are more properly considered in tandem with, or following the adoption of, anticipated policy amendments to the 2017 location restrictions, including social consumption, temporary cannabis events, and mixed-light cultivation.

However, none of the changes contained in the proposed ordinance will necessarily constrain the City's ability to regulate the location of consumption lounges, temporary cannabis events, or other novel types of businesses. City Planning and DCR anticipate a more extensive public process surrounding these upcoming policy amendments, during which staff, decision-makers, and members of the public will be able to craft appropriate zone and sensitive site restrictions for the new business types. These restrictions can be similar to those currently applicable to cannabis retailers, or they can be substantially different. The proposal before the Commission is needed in the short term to address specific challenges in the DCR licensing/authorization process. Adoption of the proposed ordinance would give applicants added clarity on whether they are eligible and can move forward with obtaining other required permits and approvals.

Achieving this added clarity is especially important in light of the large number of pending license applications from participants in the Social Equity Program, who are low-income and may have made significant financial commitments associated with their businesses. Each new business will need to make significant premises improvements costing anywhere from \$250,000 - \$1 million, requiring multiple approvals from other City agencies and potentially taking several additional months to obtain. An SEP program applicant with limited access to capital could suffer severe financial impacts as a result of their business premises suddenly becoming ineligible as a result of a sensitive site coming online after their application has already been submitted.

Accordingly, City Planning continues to recommend adoption of the proposed ordinance, with the expectation that it will not constrain the City's control over the drafting of future regulations applicable to new business types.

Cannabis cultivation and retail activity in MR1 and MR2 zones

At the February 13, 2020 meeting, the Commission asked City Planning to report on the possibility of adding the "MR1" Restricted Industrial and "MR2" Restricted Light Industrial zones as eligible zones for cannabis retailers.

The regulations for both the MR1 and MR2 zones contain intent statements laying out the primary purpose of each zone as "[t]o protect industrial land for industrial use, and prohibit unrelated commercial and other non-industrial uses" [LAMC Sections 12.17.5 A.1 and 12.18 A.1]. The regulations further state that uses first permitted in the C2 Zone are permitted in the MR1 and MR2 zones, but that retail uses, specifically, must be either incidental to "manufacturing of products, or assembling, compounding, processing or treating of materials," or be conducted only as an accessory use providing services to people employed on the premises [LAMC Sections 12.17.5 B.2 and 12.18 B.1].

Even if DCR were able to issue licenses to cannabis retailers in the MR1 and MR2 zones, such businesses would be required under the Zoning Code to conduct retail sales either as an incidental use to the industrial uses listed above, or as an accessory use open only to people employed on the same premises. It is conceivable that a cannabis microbusiness, which can include a substantial manufacturing and processing component, could conduct retail sales to the general public in the MR1 or MR2 Zone under the incidental-use provision.

Adding to the range of eligible zones for microbusinesses, however, would be a significant policy amendment and would benefit from additional analysis and public process in tandem with the future amendments being contemplated to address social consumption and other new business types. Accordingly, at this time City Planning recommends no change to the range of eligible zones for cannabis retailers or other types of cannabis businesses.

Additional recommendations

Upon further analysis, staff recommends making two technical changes to the proposed ordinance. The definition of Public Park begins with "Public Park means an open space, park, playground, swimming pool, beach, pier, reservoir, golf course, or similar athletic field..." Staff recommends amending "or similar athletic field" to "or similar recreational area" for accuracy. Staff also recommends amending the definition of Public Park to include land owned by the U.S. National Park Service that is used for recreational purposes.

Public Communications

Comments on the proposed ordinance received prior to the February 13, 2020 Commission meeting are summarized in City Planning's initial recommendation report.

Subsequent to the February 13 meeting, City Planning received one piece of correspondence with comments on the proposed ordinance, from the law firm Clark Howell LLP ("Clark Howell") on behalf of several clients engaged in commercial cannabis activity in the City, including EMMDs. Clark Howell's comments request that City Planning consider establishing the MR1 and MR2 Zones as eligible zones for cannabis microbusinesses, which under State law are businesses that can include a substantial cultivation, processing, and manufacturing component in addition to distribution and retail activity. The letter cites provisions of the relevant sections of the Zoning Code that allow retail in MR zones as a use incidental to "the manufacturing of products, or assembling, compounding, processing or treating of materials."

As discussed earlier in this report, neither the MR1 Zone nor the MR2 Zone permits retail as a primary use, and neither zone is listed as an eligible zone for cannabis microbusinesses. The retail component of a licensed microbusiness, however, would be supported by the regulations for the MR1 and MR2 Zones under the incidental-use provision. Nevertheless, City Planning does not recommend any change to the proposed ordinance at this time, as any change in eligible zones for microbusinesses would represent a significant policy shift that has not been vetted through any recent public process. Such a proposal could be evaluated in tandem with anticipated policy amendments addressing, among other topics, on-site consumption of cannabis and temporary cannabis events.

Conclusion

The Amendment to Cannabis Location Restrictions responds to the City Council's direction to address specific issues that pose challenges for the administration of the City's regulatory system for commercial cannabis activity. This supplemental recommendation report responds to specific questions raised by the Commission with respect to sensitive site dating, refining the definition of Public Park, sequencing of the proposed ordinance in relation to other legislation under development, and eligible zones for cannabis retailers. The proposed ordinance was developed with input from the public and will help residents access employment and business opportunities through this growing industry while maintaining needed protections for neighborhoods and vulnerable groups. City Planning recommends that the Commission approve and recommend that the City Council adopt the revised proposed ordinance (Exhibit AA), as well as the findings (Exhibit B) and environmental document (Exhibit C) originally presented to the Commission on February 13, 2020.

Exhibits

- AA. Revised Proposed Ordinance
- B. Findings (Originally Presented February 13, 2020)
- C. Environmental (Originally Presented February 13, 2020)

ORDINANCE NO. _____

An ordinance amending Sections 105.01, 105.02, and 105.03 of the Los Angeles Municipal Code to modify definitions, location restrictions and sensitive site dating provisions relating to commercial cannabis activity, and provisions governing the continuing operation of Existing Medical Marijuana Dispensaries.

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

Section 1. The following definition is added to Section 105.01 of the Los Angeles Municipal Code in proper alphabetical order as follows:

“Applicant” means an Applicant as defined in Section 104.01 of this Code.

Sec. 2. 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~~ recreational facility, 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; a community services district authorized under Division 3 of the California Government Code; or the National Park Service;~~ 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 maintained or operated 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 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. 3. 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 not be in violation of the distance restrictions in this article required from:

(1) An Alcoholism or Drug Abuse Recovery or Treatment Facility, if the date the Applicant applied for a City license for the Commercial Cannabis Activity to operate in the location identified in its application was prior to the date the Alcoholism or Drug Abuse Recovery or Treatment Facility first opened for use by its patrons received a license from the State and was providing on-site non-medical residential services prior to the date the Commercial Cannabis Activity received licenses by the State and City for its location;

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

(3) Permanent Supportive Housing (PSH), if the date the Applicant applied for a City license for the Commercial Cannabis Activity to operate in the location identified in its application was prior to the date 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 licenses by the State and City for its location;~~

(4) A Public Park, ~~or~~ Public Library, ~~or private School~~, if the date the Applicant applied for a City license for the Commercial Cannabis Activity to operate in the location identified by the Applicant in its application was prior to the date the Public Park, or 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, ~~or~~ Public Library, ~~or private School~~ opened without a permit, authorization or approval for a Public Park, ~~or~~ Public Library, ~~or School~~; or (b) first received a permit, authorization or approval

for a Public Park, or Public Library, or School before the Commercial Cannabis Activity received licenses by the State and City for its location; and

(5) A private School, if the date the Applicant applied for a City license for the Commercial Cannabis Activity to operate in the location identified by the Applicant in its application was prior to the date the private School: (a) first opened for use by its students; or (b) first received a permit, authorization or approval for a private School; and

(56) A public School, if the date the Applicant applied for a City license for the Commercial Cannabis Activity to operate in the location identified by the Applicant in its application was prior to the date the public School began providing instruction in kindergarten or any grades 1 through 12: (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 from the Office of Public School Construction or the California Department of Education or the Division of the State Architect, before the Commercial Cannabis Activity received licenses by the State and City for its location.

For the purpose of this Section 105.02, the date the Applicant applied for a City license for the Commercial Cannabis Activity shall mean the date that the Department of Cannabis Regulation deemed the application eligible for further processing and received full payment of all appurtenant license fees from the Applicant.

Sec. 4. 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, notwithstanding those restrictions would have been repealed, except that the EMMD need not comply with the prohibition on ingress or egress on a side of the premises that abuts; is across a street, alley, or walk from; or shares a common corner with Residentially Zoned Property so long as the ingress or egress is restricted to employees, vendors and contractors of the EMMD; 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, except that an EMMD shall not be required to be located outside of a 700-foot radius of the sites listed in Section 105.02(a)(1)(B) of this Code so long as it is located in one of the eligible zones listed in Section 105.02(a)(1)(A). After December 31, 2022, all EMMDs shall be required to be located on a Business Premises that ~~meets all the requirements of Article 5 of Chapter X~~ is located within one of the eligible zones listed in Section 105.02(a)(1)(A) of this Code. Any EMMD located on a Business Premises that ~~does not meet all the requirements of Article 5 of Chapter X~~ is not located within one of the eligible zones listed in Section 105.02(a)(1)(A) of this Code shall cease operating immediately after December 31, 2022.

Sec. 5. The City Clerk shall certify, etc.

Findings

Land Use Findings

The Department of City Planning recommends that the City Planning Commission find:

1. In accordance with **City Charter Section 556**, the proposed ordinance (Exhibit A) is in substantial conformance with the purposes, intent, and provisions of the General Plan. The proposed ordinance balances the objective of realizing the economic and other benefits of commercial cannabis activity with protecting public safety and neighborhood quality-of-life.

The proposed ordinance refines and clarifies the range of sensitive sites in order to avoid conflicts between commercial cannabis activity and sensitive sites. This will help to ease unnecessary constraints on the siting of new cannabis retail businesses. Additionally, the proposed ordinance eases constraints that would otherwise prevent some existing cannabis retailers from continuing to operate in their existing locations, while retaining zone and minimum distance provisions that protect public safety and neighborhood quality-of-life and ensure compatibility with surrounding neighborhoods.

Finally, in refining the minimum distancing requirement between on-site cannabis retail sales and public parks, the proposed ordinance helps reduce exposure to health risks such as secondhand smoke, and helps reduce minors' exposure to cannabis and cannabis-derived products, all while enhancing opportunities for businesses to locate in areas where these risks either are not present or are significantly lower.

In doing these things, the ordinance supports the following General Plan goals, objectives, and policies:

Framework Element:

- **Goal 7B.** A City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base.
 - **Objective 7.2.** Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.
- **Goal 7D.** A City able to attract and maintain new land uses and businesses.

Housing Element:

- **Objective 2.1.** Promote safety and health within neighborhoods.
 - **Policy 2.1.2.** Establish development standards and other measures that promote and implement positive health outcomes.

2. In accordance with **City Charter Section 558(b)(2)**, the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice. The proposed ordinance addresses key challenges stemming from the 2017 location restrictions for commercial cannabis activity, namely the inclusion of sites with no recreational value in the definition of Public Park, the administrative challenge associated with the cutoff date for complying with minimum distancing requirements, and burdensome restrictions on access to cannabis retailers' premises. The proposed ordinance makes refinements and clarifications to these provisions that remove unnecessary barriers to new cannabis retailers and lessen unanticipated operational burdens on existing cannabis retailers. These refinements will, where appropriate, provide enhanced access to a category of business for which there is considerable public demand, while retaining zone and minimum distance provisions that protect public safety and neighborhood quality-of-life and ensure compatibility with surrounding neighborhoods.

Environmental Finding

The Department of City Planning recommends the following environmental finding:

Based on the whole of the administrative record, the lead agency finds that the project is exempt from CEQA pursuant to California Business and Professions Code Section 26055(h) on the basis that the project will adopt ordinances, rules and/or regulations, that will require discretionary review under CEQA to approve licenses to engage in commercial cannabis activity in the City (Exhibit C; ENV-2019-6204-SE).

COUNTY CLERK'S USE		CITY OF LOS ANGELES OFFICE OF THE CITY CLERK 200 NORTH SPRING STREET, ROOM 395 LOS ANGELES, CALIFORNIA 90012 CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION (PRC Section 21152; CEQA Guidelines Section 15062)	
Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.			
PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS CPC-2019-6203-CA			
LEAD CITY AGENCY City of Los Angeles (Department of City Planning)		CASE NUMBER ENV-2019-6204-SE	
PROJECT TITLE Technical Amendment to Cannabis Location Restrictions		COUNCIL DISTRICT All	
PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) Citywide		<input type="checkbox"/> Map attached.	
PROJECT DESCRIPTION: The proposed project is a proposed ordinance modifying location and related restrictions for commercial cannabis activity.		<input checked="" type="checkbox"/> Additional page(s) attached.	
NAME OF APPLICANT / OWNER: City of Los Angeles (Department of City Planning)			
CONTACT PERSON (If different from Applicant/Owner above) Niall Huffman		(AREA CODE) TELEPHONE NUMBER EXT. (213) 978-3405 N/A	
EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.) <div style="text-align: center; margin-top: 10px;">STATE CEQA STATUTE & GUIDELINES</div> <div style="margin-top: 10px;"><input checked="" type="checkbox"/> STATUTORY EXEMPTION(S) Business and Professions Code Section(s) <u>26055(h)</u></div> <div style="margin-top: 10px;"><input type="checkbox"/> CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33) CEQA Guideline Section(s) / Class(es) _____</div> <div style="margin-top: 10px;"><input type="checkbox"/> OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b)) _____</div>			
JUSTIFICATION FOR PROJECT EXEMPTION: <input type="checkbox"/> Additional page(s) attached The project is exempt from CEQA pursuant to Business and Professions Code Sec. 26055(h) on the basis that the project will adopt ordinances, rules and/or regulations, that will require discretionary review under CEQA to approve licenses to engage in commercial cannabis activity in the City of Los Angeles. <input type="checkbox"/> None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project. <input type="checkbox"/> The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.			
IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT. If different from the applicant, the identity of the person undertaking the project.			
CITY STAFF USE ONLY:			
CITY STAFF NAME AND SIGNATURE		STAFF TITLE	
ENTITLEMENTS APPROVED			

FEE:	RECEIPT NO.	REC'D. BY (DCP DSC STAFF NAME)
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DISTRIBUTION: County Clerk, Agency Record
Rev. 3-27-2019

PROJECT DESCRIPTION

The proposed project consists of a proposed ordinance which would modify the City of Los Angeles' location restrictions for commercial cannabis activity adopted in 2017. The ordinance would amend Article 5 of Chapter X of the Los Angeles Municipal Code to modify the definitions of certain sensitive sites used to establish distance buffer requirements and eligible locations for the issuance of commercial cannabis activity licenses; establish that distance buffer requirements are to be based on sensitive sites in existence at the time of application submittal for a commercial cannabis activity license; and modify rules relating to grandfathering of Existing Medical Marijuana Dispensaries. The proposed project, by itself, does not propose or authorize any development and would not authorize or expand any new or existing land uses.