

## Communication from Public

**Name:**

**Date Submitted:** 06/01/2021 12:05 PM

**Council File No:** 20-1125

**Comments for Public Posting:** UCBA Letter re: location restrictions



May 28, 2021

The Honorable Marqueece Harris-Dawson  
Chairman, Planning & Land Use Management Committee  
Los Angeles City Council  
200 North Spring Street, Room 450  
Los Angeles, CA 90012

**RE: Item 18 - Proposed Amendments to Cannabis Location Restrictions  
CF #20-1125**

Dear Councilmember Harris-Dawson,

The United Cannabis Business Association (UCBA) is the premier trade association representing the full supply chain of California’s licensed operators, cultivators, manufacturers, distributors, laboratories, and retailers. We are the leading voice for legal cannabis in the state working to protect and enhance the vitality of our industry.

We are writing in regard to the proposed amendments to the cannabis location restrictions that are scheduled for consideration by the Planning & Land Use Management Committee on June 1, 2021. We appreciate the time and effort both the Departments of Planning and Cannabis Regulation have dedicated to this issue; however, we would urge the committee to also consider the below changes to Attachment B that would further clarify the proposed ordinance:

1. **Definition of “EMMD”:** We recommend changing the definition of EMMD because in addition to retail licenses, EMMDs also hold cultivation, manufacturing, and distribution licenses. The definition as currently written defines EMMDs as only dispensaries.
2. **Definition of “Public Park”:** The definition of “public park” as currently written includes walking trails, nature trails, and bicycle trails. This is overly broad and will unduly restrict the number of available sites for Social Equity applicants as well as EMMDs. We would recommend the adoption of a more narrowly tailored definition.
3. **Sec. 7 Subsection (b) of Section 105.03 “Limited Grandfathering if the City Issues a License”:** As proposed, this section would require all EMMDs that are in locations that comply with Proposition D sensitive use requirements to relocate after December 31, 2025 since Proposition D only contains a 600-foot sensitive use buffer (versus the 700 foot buffer currently proposed). In addition, permanent supportive housing was not a sensitive use under Proposition D and it is unclear how many current EMMDs may be affected because they are located within 700 feet of this type of sensitive use. If EMMDs are forced to relocate in 2025 pursuant to this section, it will be almost impossible for EMMDs to find compliant locations and many EMMDs will be faced with the loss of

their entire business.

We propose amending the last sentence of this section such that relocation would only be required if zoning requirements are not met (i.e. manufacturing or distribution activity in a commercial zone). If an EMMD meets the zoning requirements, it should be grandfathered at its existing location. If an EMMD relocates, it will be subject to the provisions of Article 5 Chapter X. Our recommended language is as follows:

*“After December 31, 2025, all EMMDs shall conduct commercial cannabis activities at a Business Premises that is located in one of the eligible zones listed in Section 105.02 for the commercial cannabis activity that the EMMD is conducting on said Business Premises. An EMMD shall not be subject to the distance and Sensitive Use requirements set forth in Section 105.02 of this Article 5 Chapter X as long as it remains at the location identified in its Proposition M Priority Processing Application.”*

- 4. Subsection (a)2(A)(1) of Section 105.02 and Subsection (a)3(A)(1) of Section 105.02:** Although not reflected in Attachment B, these sections should be amended to allow retail activity in MR zones if such activity is incidental to another allowed use. The Zoning Code states that the MR zone allows any use allowed in the C2 zone if incidental to another allowed use such as manufacturing or cultivation. Thus, incidental retail cannabis should be allowed in these zones when limited in size to the larger manufacturing, distribution, or cultivation being performed on site.

Thank you for your consideration of our recommended amendments. As always, we look forward to partnering with you on this important issue.

Sincerely,



Jerred Kiloh  
President  
United Cannabis Business Association

CC: Council President Nury Martinez  
Councilmember Mark Ridley-Thomas  
Councilmember Gil Cedillo  
Councilmember Bob Blumenfield  
Councilmember John Lee