

NEGATIVE DECLARATION, EXEMPTION, and RULES, ELECTIONS, AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) establishing location restrictions for commercial cannabis activity.

Recommendations for Council action:

1. REQUEST the City Attorney, with the assistance of the Department of City Planning (DCP), the Department of Cannabis Regulation (DCR), and the Chair of the Rules, Elections, and Intergovernmental Relations (REIR) Committee, to make the following changes, additions, or deletions to the CPC-2017-2260-CA Proposed Ordinance relative to the Commercial Cannabis Location Restriction Ordinance as follows, and transmit a new draft Ordinance to the City Council by Wednesday November 22, 2017:
 - a. Delete Section 105.02 (A)(4) in its entirety relative to Mixed Light Commercial Cannabis Activity and list such licenses under Sec. 105.06 (B).
 - b. Delete Sections 105.02 (A)(1)(A)(5), 105.02 (A)(2)(A)(3), 105.02(A)(3)(A)(3), 105.02 (A)(5)(A)(3), 105.02 (A)(6)(A)(3), 105.02 (A)(7)(A)(5), 105.02 (A)(8)(A)(5) relative to the Alameda District Specific Plan Zone and any other references and prohibit all commercial cannabis activity in the Alameda District Specific Plan.
 - c. Delete Sections 105.02 (A)(1)(A)(7), 105.02 (A)(2)(A)(4), 105.02(A)(3)(A)(4), 105.02 (A)(5)(A)(4), 105.02 (A)(6)(A)(4), 105.02 (A)(7)(A)(6), 105.02 (A)(8)(A)(6) relative to the Los Angeles International Airport Specific Plan Zone and any other references and prohibit all commercial cannabis activity in the Los Angeles International Airport Specific Plan.
 - d. Modify Section 105.02 (A)(1)(A)(10) relative to the Paramount Pictures Specific Plan Zone to remove the main lot and delete Sections 105.02 (A)(2)(A)(5), 105.02(A)(3)(A)(5), 105.02 (A)(5)(A)(5), 105.02 (A)(6)(A)(5) relative to the main lot in their entirety.
 - e. Modify Sections 105.02 (A)(1)(B) and 105.02(A)(2)(B) relative to sensitive uses to change the buffer to a 750 foot radius. Furthermore, add language to these sections that will prohibit businesses with on-site sales to the public from abutting a day care center for children as defined by the State of California.
 - f. Add language to 105.02 (A)(1) relative to retailer commercial cannabis activity to include *Type 9- Non-Storefront Retailer* to the types of licenses for Retailers.
 - g. Add language to 105.02 (A)(2)(A)(1) relative to micro business commercial cannabis activity to include the MR1 Restricted Industrial Zone and the MR2 Restricted Industrial Zone and shall not include retail uses.
 - h. Add language to 105.02 (A)(3) relative to indoor commercial cannabis cultivation activity to include *Type 1 C - Specialty Cottage Small (Indoor Only)* and *Processor* to the types of licenses for indoor cultivation.

- i. Add language to 105.02 (A)(5) relative to Level 1 manufacturing commercial cannabis activity to include *Type N - Infusion* and *Type P - Packaging* to the types of licenses for manufacturing.
 - j. Add language that will prohibit all commercial cannabis activity in the Port of Los Angeles Community Plan in its entirety.
 - k. Add language that will require a 600 foot buffer from schools for all non-retail businesses conducting commercial cannabis activity, including non-retail delivery businesses.
 - l. Replace the language of Section 105.02 (B) with the following: The distance specified in this section between businesses shall be the horizontal distance measured in a straight line, without regard to intervening structures, from the closest exterior actual wall of each business. The distance between any business and any school, public park, public library, alcoholism or drug abuse recovery or treatment facility shall be the horizontal distance measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of the business to the closest property line of the school, public park, public library, alcoholism or drug abuse recovery or treatment facility.
 - m. Add language to Section 105.02 (A)(6) relative to Level 2 Manufacturing that would require a 200 foot sensitive use buffer from residential zones.
 - n. Modify Section 105.01 relative to the definition of *Alcoholism or Drug Abuse Recovery or Treatment Facility* to include in the definition permanent supportive housing developments where services are provided on site that has received entitlement approvals or a building permit from the City.
 - o. Replace the language of Section 105.03 (A)(2) and (B)(2) relative to Limited Grandfathering for Proposition D businesses to read: Limits on-site cultivation to not exceed the size of the EMMD's existing square footage of the building space on the Business Premises as documented by a lease entered into or Certificate of Occupancy issued prior to March 7, 2017, to be consistent with the language proposed under Section 104.07(G)(3).
2. INSTRUCT the Los Angeles Housing and Community Investment Department, with the assistance of the DCP and Los Angeles Department of Building and Safety, to report monthly beginning Tuesday January 2, 2018 and on the first business day of every month with a list of addresses and parcel numbers of permanent supportive housing developments where services are provided on site that has received entitlement approvals or a building permit from the City, including the date of such approvals.
 3. AUTHORIZE the City Attorney, with the assistance of the DCR and the Chair of the REIR Committee, to make any technical modifications and/or legal corrections to the draft Ordinances, draft Resolutions, draft Ordinance requests, and any other related actions listed above in order to further the objectives as described in these recommendations.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes.

Foothill Trails District Neighborhood Council
East Hollywood Neighborhood Council
Studio City Neighborhood Council (Communication)

SUMMARY

At a special meeting held on November 20, 2017, the REIR Committee considered Negative Declaration (ND), Exemption, and related California Environmental Quality Act (CEQA) findings, report from the Los Angeles City Planning Commission (LACPC) dated September 14, 2017, and proposed Ordinance relative to amending the Los Angeles Municipal Code establishing location restrictions for commercial cannabis activity consistent with Measure M, adopted by Los Angeles City voters on March 7, 2017, including recommendations and findings on related environmental clearances [ND No.ENV-2017-2261-ND and CEQA exemption pursuant to California Business and Professions Code Section 26055(h)], and additional recommendations from the LACPC noted by the communication from the Department of City Planning dated September 27, 2017.

The Executive Director of the DCR and representatives of the City Attorney and the DCP addressed the Committee and responded to related questions. During Committee consideration on the matter, the Committee Chair submitted recommendations into the record which were distributed to the public and attached to the Council file. The recommendations request the City Attorney, with the assistance of the DCP, DCR, and Chair of the REIR Committee, to make various changes, additions, and deletions to the proposed Ordinance and to prepare and present a new draft Ordinance to the Council by Wednesday, November 22, 2017.

After further consideration, and after providing an opportunity for public comment, the Committee recommended that Council approve the recommendations as submitted by the Chair and detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS, AND INTERGOVERNMENTAL RELATIONS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
WESSON:	YES
HUIZAR:	YES
HARRIS-DAWSON:	YES

REW 11/20/17 FILE NO. 14-0366-S4

-NOT OFFICIAL UNTIL COUNCIL ACTS-