



# Cannabis Regulations Public Hearing

Town of Mammoth Lakes

Planning & Economic Development Commission

February 28, 2018

## Process Overview

- ▶ November 2016 - February 2018 - Draft cannabis regulatory framework
- ▶ February 6<sup>th</sup> - Workshop with the Town Council to review the draft cannabis regulatory framework
- ▶ February 7<sup>th</sup> & 21<sup>st</sup> - Town Council review and consideration of the cannabis tax ballot measure
- ▶ February 28<sup>th</sup> - PEDC consideration of the cannabis regulations
- ▶ March 13<sup>th</sup> (5:30pm) - Town Council consideration of the cannabis regulations

# CA Cannabis Licensing Authorities



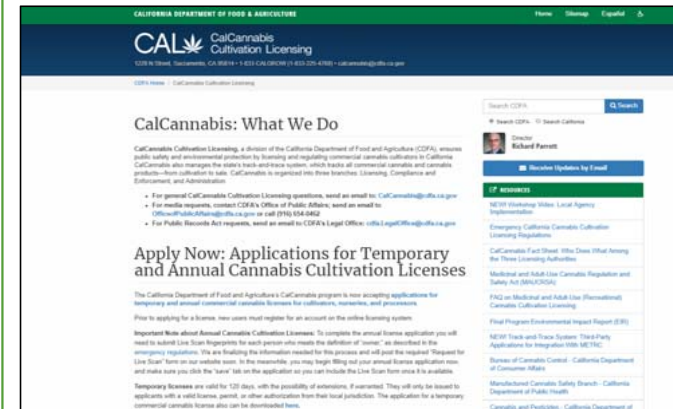
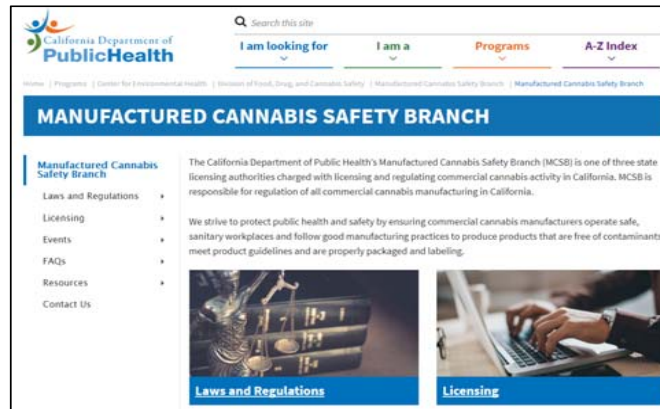
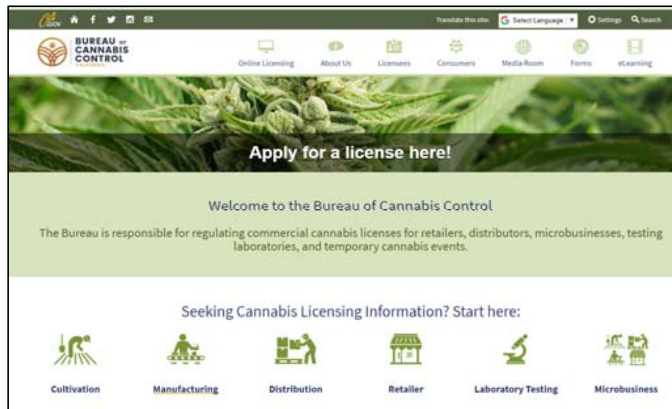
Bureau of Cannabis Control (BCC)



CA Dept. of Public Health  
Manufactured Cannabis Safety Branch



CA Dept. of Food & Agriculture  
Cannabis Cultivation Licensing



<http://www.bcc.ca.gov/>

<https://www.cdph.ca.gov/Programs/CEH/DFDCS/MCSB/Pages/MCSB.aspx>

<https://www.cdfa.ca.gov/is/mccp/>

Responsible For:

- Retailers
- Distributors
- Microbusiness
- Testing Laboratories

Responsible For:

Manufacturers

Responsible For:

- Cultivators
- Track-and-Trace System

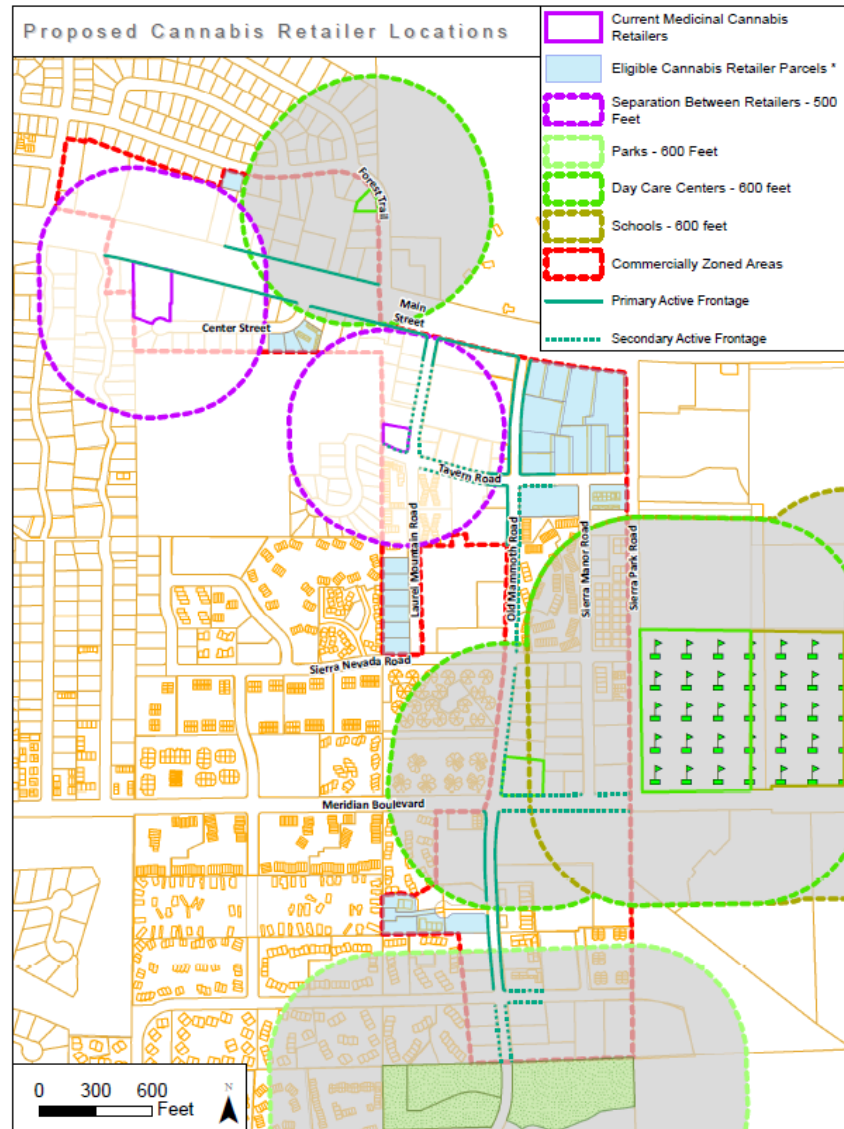
# Cannabis Retailers

## Buffers from other Uses

600 foot buffer from:

- Schools (K-12)
- Day Care Centers
- Youth Centers
- Parks

500 feet separation between retailers



\* Limited to no more than 75% of the ground floor when located along Primary and Secondary Active Frontages and are not permitted within the front 20 feet of the building frontage, unless an Administrative Permit is approved for the reduced depth.

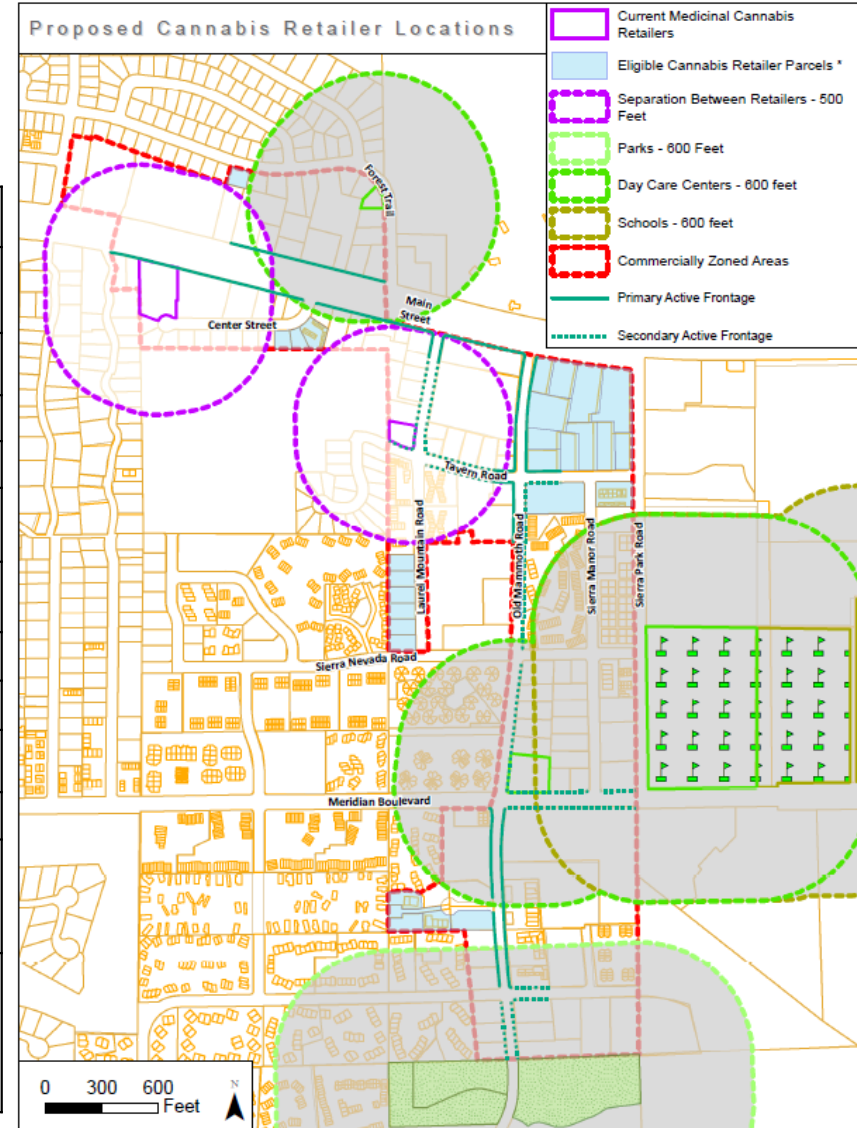
# Commercial Zoning Districts

TABLE 17.24.020: ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS

P: Permitted Use; U: Use Permit Required; A: Administrative Permit Required; - : Use Not Allowed; (#) Limitation Applies, See Footnote

Land Use	D	OMR	MLR	See Specific Use Regulations:
<b>Retail Use Classifications</b>				
<u>Commercial Cannabis Activity</u>	<u>See subclassifications below</u>			
<u>Adult-Use Cannabis Retailer</u>	U(1)	U(1)	-	<u>See 17.52.085 (Cannabis - Commercial Businesses)</u>
<u>Medicinal Cannabis Retailer</u>	U(1)	U(1)	-	<u>See 17.52.085 (Cannabis - Commercial Businesses)</u>
<u>Cannabis Delivery</u>	-	-	-	
<b>Service Use Classification</b>				
<del>Medical Marijuana Cooperatives</del>	<del>U(1)</del>	<del>U(1)</del>	<del>-</del>	<del>See 17.52.160 (Medical Marijuana Cooperatives)</del>
<b>Industry, Manufacturing, &amp; Processing Use Classifications</b>				
<del>Marijuana Cultivation</del> <u>Commercial Cannabis Cultivation, Manufacturing, Distribution, and/or Testing</u>	-	-	-	

1. Limited to no more than 75% of the ground floor area when located along Primary and Secondary Active Frontages. A minimum of 25% of the ground floor area shall be occupied by uses permitted by right or by Administrative Permit (i.e. active uses) and shall occupy the building or structure's frontage for a minimum depth of 20 feet (Administrative Permit required for depths less than 20 feet).



\* Limited to no more than 75% of the ground floor when located along Primary and Secondary Active Frontages and are not permitted within the front 20 feet of the building frontage, unless an Administrative Permit is approved for the reduced depth.

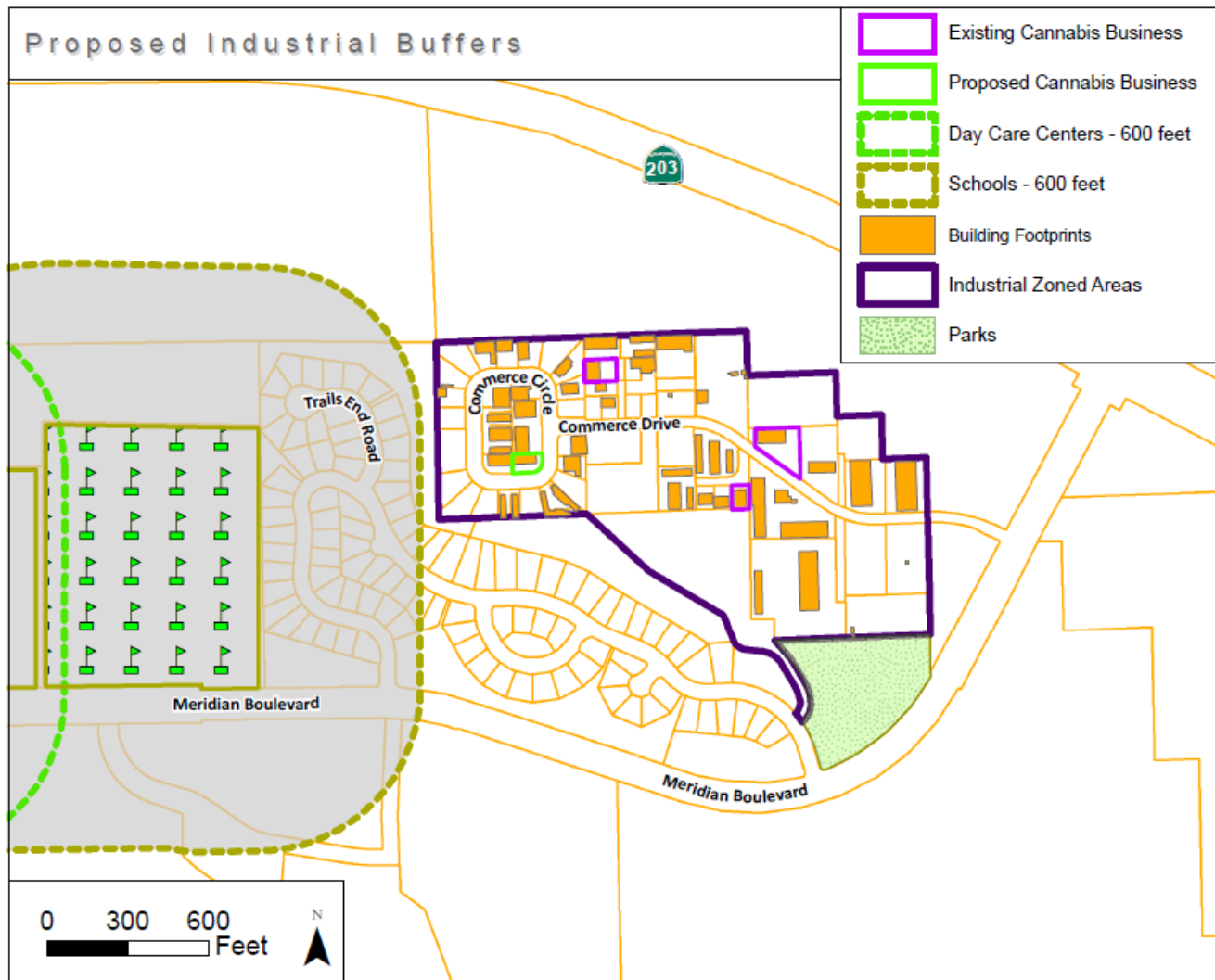
# Other Commercial Cannabis Uses

## Buffers from other Uses

600 foot buffer from:

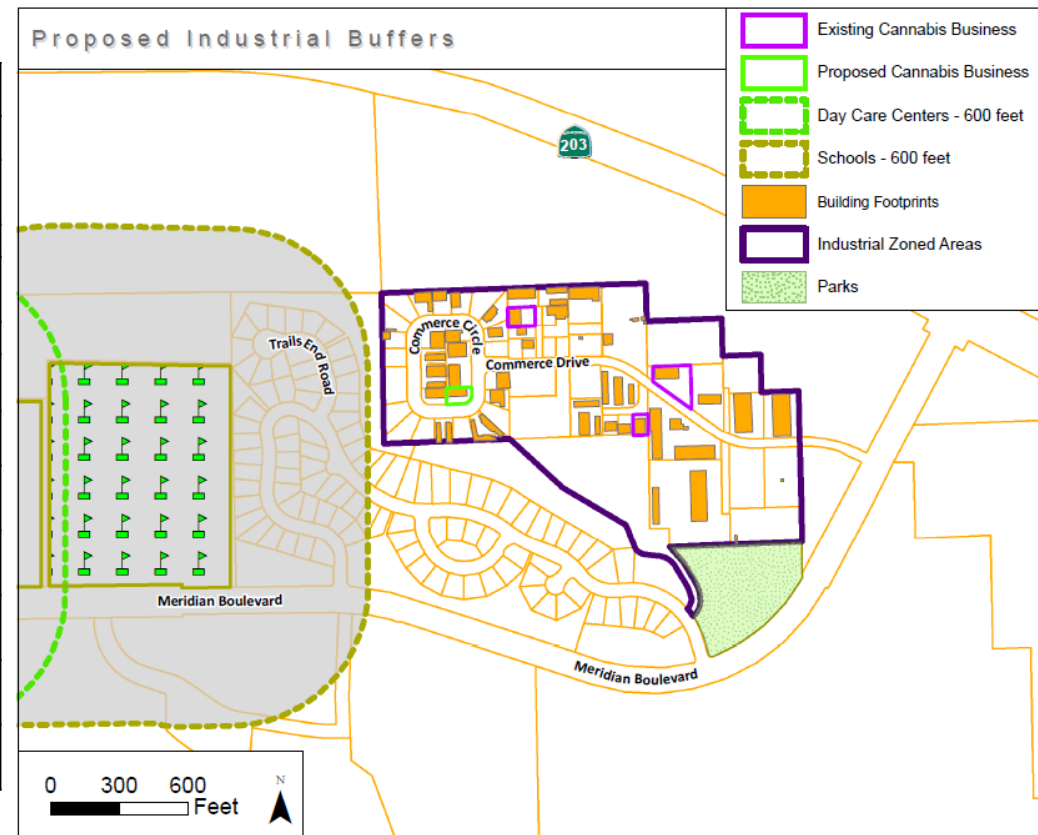
- Schools (K-12)
- Day Care Centers
- Youth Centers

Uses include:  
cultivation,  
manufacturing,  
distribution, & testing.



# Industrial Zoning Districts

TABLE 17.28.020: ALLOWED USES AND PERMIT REQUIREMENTS FOR THE INDUSTRIAL ZONING DISTRICT		
P: Permitted Use; U: Use Permit Required; A: Administrative Permit Required		
Land Use	Permit Requirements	See Specific Use Regulations:
Service Use Classifications		
Medical Marijuana Cooperatives	U	See 17.52.160 (Medical Marijuana Cooperatives)
Industry, Manufacturing, & Processing Use Classifications		
Marijuana Cultivation	U	See 17.68.100 (Marijuana Cultivation)
Commercial Cannabis Activity	See subclassifications below	
Commercial Cannabis Cultivation	U	See 17.52.085 (Cannabis - Commercial Businesses)
Commercial Cannabis Nonvolatile Manufacturing	U	See 17.52.085 (Cannabis - Commercial Businesses)
Commercial Cannabis Volatile Manufacturing	-	
Commercial Cannabis Distribution	U	See 17.52.085 (Cannabis - Commercial Businesses)
Commercial Cannabis Testing	U	See 17.52.085 (Cannabis - Commercial Businesses)



## Other Zoning Code Text Changes

1. Addition of the reference to the requirements for “Personal Cannabis Cultivation and Use” to the “Accessory Uses & Structures - Residential” code section.
2. Addition of Section(s):
  - a) 17.52.085 - Cannabis - Commercial Businesses
  - b) 17.52.086 - Cannabis - Personal Cultivation and Use
3. Deletion of Section 17.52.160 - Medical Marijuana Cooperatives
4. Changes to Section 17.68.100 to reference the use permit requirements for the various commercial cannabis activities.



# Section 17.52.085 Cannabis – Commercial Businesses

## Section A - Purpose

## Section B - Permits Required

- All commercial cannabis businesses are required to obtain and maintain:
  - Use permit (One time, runs with the land)
  - State licenses for all cannabis activities (Annual license)
  - Town commercial cannabis permit (Annual permit)
- Existing businesses allowed to obtain temporary adult-use licenses

## Section C - Prohibited Activities

- Delivery of cannabis to consumers
- Outdoor cultivation
- Manufacturing using volatile solvents
- Operating without all required permits or licenses

# Section 17.52.085 Cannabis – Commercial Businesses

## Section D – Cannabis Retailers

- Item 2 – Cultivation and manufacturing as accessory uses
- Item 3 – Location requirements
- Item 11 – Responsible Cannabis Retailing Education
- Item 19 – Advertising requirements
- Item 22 – Operating hours

# Section 17.52.085 Cannabis – Commercial Businesses

## Section E – Cannabis Cultivation

- Item 1 - Indoor cultivation only
- Item 19 - Parking requirements
- Item 21 - Operating hours

## Section F – Cannabis Manufacturing

- Item 14 - Parking requirements
- Item 19 - Operating hours

## Section G – Cannabis Distribution

- Item 18 - Parking requirements
- Item 19 - Operating hours

## Section H – Cannabis Testing

- Item 11 - Parking requirements
- Item 12 - Operating hours



# Section 17.52.085 Cannabis - Commercial Businesses

Section I - Findings and Conditions of Approval

Section J - Application Requirements

Section K - Grounds for Revocation or Modification

Section L - Procedure for Revocation or Modification

Section M - Enforcement



# Section 17.52.086 Cannabis – Personal Cultivation and Use

Who can use or cultivate Cannabis?

- a. Persons 21 years of age or older
- b. Qualified medical users including qualified patients and primary caregivers with a valid physician's recommendation

How much can adults 21 or over possess?

- a. Persons 21 years of age or older can possess up to 1 ounce of cannabis (28.5 grams), 8 ounces of concentrated cannabis, and up to 6 living cannabis plants within a single dwelling unit

Where can it be grown?

- a. Inside a dwelling unit or in an accessory structure if located on a parcel with one (1) single-family residence
- b. Outdoor cultivation is prohibited

Safety and Security Measures?

# Staff Recommendation

Adopt the Planning and Economic Development Commission Resolution, making the required CEQA and Municipal Code findings, and recommending to the Town Council approval of Zoning Code Amendment 17-001 as recommended by staff (or with modifications).

## Required Findings

- a. The proposed amendment is internally consistent with all over provisions of the General Plan and any applicable specific plan or master plan;
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the town;
- c. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA); and
- d. The proposed amendment is internally consistent with other applicable provisions of the Zoning Code.