

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SECTIONS 5.92.765;
AND BY ADDING CHAPTER 8.13, ALL RELATING TO
CANNABIS BUSINESSES AND PERSONAL
CULTIVATION

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 5.92.765 of the Long Beach Municipal Code is amended to read as follows:

5.92.765 Building Design.

The nature and operations of Adult Use Cannabis Businesses have the potential to result in building design changes that represent a departure from typical building appearances. The following criteria is intended to minimize impacts to neighborhood character caused by building design changes resulting from remodeled and new premises for Adult-Use Cannabis Business and commercial cannabis activities:

A. Building Design must meet any applicable criteria in Title 21 of this Code, Specific Plans, or Planned Developments.

B. Any blank building facade on an existing industrial or commercial building over twenty-five feet (25') visible from the street shall be prohibited and must incorporate architectural features, such as building plane breaks, three-dimensional elements, transparent windows, doors, changes in color and materials and landscaping that result in a building with articulation.

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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C. Windows.

1. On any new commercial or industrial building elevation fronting the street, windows shall comprise at least thirty percent (30%) of the ground floor building elevation. On all other ground floor elevations visible from the street, windows shall comprise at least twenty-five percent (25%) of the building elevation.

2. Existing buildings located on public right of ways classified as neighborhood connectors or greater, with elevations visible from the public right of way, shall maintain a minimum window area of at least twenty-five percent (25%) of said building elevation when incorporated with other architectural features and treatments.

3. An identifiable entrance to the cannabis facility shall be visible from the street.

4. Windows along the street-facing frontage shall be transparent. Such glass should be clear with an exterior daylight reflectance of not more than eight percent (8%).

5. Where feasible, the storefront window shall provide visibility to the tenant space. Where visibility to the tenant space by means of the storefront window is not feasible due to security needs of the permittee's operation, the creation of a storefront window display may be permitted. Alternatively, storefront windows may be constructed of bullet-resistant glass.

6. Window display areas shall have a minimum depth of at least forty-two inches (42"), not including walls. Display windows shall be permitted for up to one-hundred percent (100%) of the building storefront window area. The window display area shall be maintained with a creative attractive window display including but not limited to display of artwork, non-cannabis plants, and the like.

1 Section 2. The Long Beach Municipal Code is amended by adding
2 Chapter 8.13 to read as follows:

3 Chapter 8.13

4 Personal Cultivation of Cannabis

5
6 8.13.010 Purpose.

7 The purpose of this Chapter is to establish parameters, consistent
8 with State Law, regarding the personal cultivation of cannabis.

9 8.13.020 Definitions.

10 “Private Residence” means a house, an apartment unit, a mobile
11 home or other similar dwelling.

12 “Public Place” or “Public” means any real property owned, leased, or
13 used by a public entity and any place on private property open to the
14 public, common areas of buildings, private clubs, vehicles, those portions
15 of any private property upon which the public has an express or implied
16 license to enter or remain, and any place visible from such places. “Place
17 open to the public” does not mean any fenced area or a private residence
18 regardless of whether it can be seen from a place open to the public.

19 8.13.030 Restrictions on Cultivation of Cannabis for Personal Use.

20 Maximum Number of Plants for Adult Use.

21 A. Not more than six (6) living plants may be planted, cultivated,
22 harvested, dried or processed within a single private residence, or upon the
23 grounds of a private residence at one time.

24 B. The living plants and any cannabis produced by the plants in
25 excess of 28.5 grams shall be kept within the individual’s private residence,
26 or upon the grounds of that private residence (e.g., an outdoor garden),
27 shall be kept in a locked space, and shall not be visible by normal unaided
28 vision from the public space.

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Section 3. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 20____, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor