



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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April 4, 2019

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE19-021 and approve a Conditional Use Permit (CUP19-005) to operate an agriculture-related use (crop cultivator) in conjunction with cultivation for an adult-use cannabis cultivation business within an existing 7,220 square-foot building located at 5885 Paramount Boulevard in the General Industrial (IG) District. (District 9)

APPLICANT: Kayce Downen
C-Guy Industries, Inc.
5885 N Paramount Blvd
Long Beach, CA 90805
(Application No. 1901-18)

DISCUSSION

The project site is located on the west side of Paramount Boulevard between South Street and Artesia Boulevard. (Exhibit A – Location Map). The site is approximately 18,030 square-feet in area and developed with a 7,220 square-foot industrial building. The site is within the General Industrial (IG) District and has a General Plan Designation of LUD #9G for General Industry. It is flanked by industrial uses to the north, south, east and west. Currently, the applicant has been issued permits to establish a medical-use cannabis cultivation facility at this site. The applicant proposes to establish an adult-use cannabis cultivation facility in conjunction with the approved medical-use cultivation.

On January 1, 2016, the Medical Cannabis Regulation and Safety Act (MCRSA) took effect, creating a statewide regulatory and licensing system for medical cannabis businesses in California. On November 8, 2016, California voters approved Proposition 64, the Adult Use of Marijuana Act (AUMA). AUMA serves as the equivalent of MCRSA, from the standpoint of adult-use cannabis businesses. The following year, on June 27, 2017, Governor Jerry Brown signed into law the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), which merged state regulations for medicinal and adult-use commercial cannabis activity into a single framework. MAUCRSA has given local governments the ability to regulate and/or prohibit adult cannabis activity within their jurisdictions.

Subsequently, in 2018, the City of Long Beach adopted changes to portions of Long Beach Municipal Code (LBMC) Title 21 – Zoning and Title 5 – Regulation of Businesses, Trades, and Professions, all pertaining to the regulation of adult-use cannabis.

LBMC Title 21 does not include specific special development standards for adult-use cannabis facilities. Cannabis uses are regulated through LBMC Title 5, specifically newly adopted Chapter 5.92 – Adult-Use Cannabis Businesses and Activities. Chapter 5.92 consists of general operating conditions such as building design, location requirements, and security. Title 5 building design standards are implemented to minimize impacts associated with remodeled or new adult-use cannabis facilities. Title 5 conditions addressing the security of adult-use cannabis facilities cover a wide range of requirements from digital surveillance and alarm systems to security records, barriers, and secure transportation areas. Additionally, California Building Code and Fire Code regulate the storage and handling of chemicals associated with crop cultivation.

Positive findings are required in order to approve the requested CUP for the proposed cannabis cultivation facility (Exhibit C – Findings & Conditions). These findings include the requirement that the use is not detrimental to the surrounding community and that it carries out the intent of the General Plan.

The project site is located within a heavily industrialized area in which intense industrial uses are allowed. The cultivation components of the proposed business constitute a less intense use than surrounding properties and less intense than allowed in the IG zone. Staff does not anticipate any detrimental impacts resulting from the approval of this adult-use cannabis facility.

The site is located within General Plan LUD #9G, for General Industry. The intent of LUD #9G is to provide areas for any business to conduct legitimate industrial activities, indoors or outdoors, provided such business conducts its operations in a manner consistent with all applicable safety, environmental and zoning regulations. LBMC Title 5 sets forth a comprehensive list of operational and safety standards with which the applicant will be required to comply. Furthermore, several Conditions of Approval will be incorporated to support the requirements of LBMC Title 5 including security measures, lighting, hours of operation, prohibition of loitering, and proper interior and exterior maintenance.

Other Conditions of Approval are included to require site improvement measures such as repaving for parking areas, incorporating landscaping along the front façade and parkway, repainting portions of the existing building, and the replacement of the existing fencing chain-link fencing.

The proposed adult-use cannabis facility offers the opportunity for the applicant to enhance the overall quality of the site, while also meeting the General Plan's intent of businesses conducting legitimate industrial activities inside the existing structure. Staff recommends that the Planning Commission approve the Conditional Use Permit, subject to Conditions of Approval.

