

December 5, 2019

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-19-182 and approve a Conditional Use Permit (CUP18-040) to allow the operation of an adult-use cannabis distribution use in conjunction with a cannabis manufacturing business within an existing 20,266-square-foot building located at 3245 E. 59th Street, within the Light Industrial (IL) zoning district. (District 9)

APPLICANT: Richard Gillis
35 High Bluff
Laguna Niguel, CA 92677
(Application 1906-13)

DISCUSSION

The site is located on the north side of 59th Street, between Obispo Avenue and Downey Avenue (Exhibit A - Location Map). The site is approximately 45,300 square feet in area and developed with a 20,266-square-foot industrial building and asphalt parking. The site is within the Light Industrial (IL) district and has a General Plan Designation of LUD #9R for Restricted Industry. The draft General Plan Land Use PlaceType is Neo Industrial, which is intended to allow for light industrial, clean manufacturing and supporting office uses. The project site is adjacent to industrial uses to the east, west, and south across 59th Street and single-family residences to the north. The applicant proposed to divide the existing building into two suites and operate an adult use cannabis distribution use, which requires the approval of a conditional use permit. The distribution will operate in conjunction with adult use cannabis manufacturing that is to be located within a separate tenant space.

On June 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.

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, pertaining to the regulation of adult-use cannabis.



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Cannabis facilities are regulated through LBMC Title 5, specifically newly adopted chapter 5.92 – Adult-Use Cannabis Business and Activities. LBMC chapter 5.92 consists of general operating conditions such as building design, location requirements, and security. LBMC Title 5 building design standards are implemented to minimize impacts associated with remodeled or new adult-use cannabis facilities. LBMC Title 5 conditions addressing the security of adult-use cannabis facilities cover a wide range of requirements such as digital surveillance and alarm systems, security records, barriers, and secure transportation areas. Additionally, California Building Code and Fire Code regulates the storage and handling of chemicals associated with crop cultivation.

Pursuant to LBMC Title 21, distribution facilities require the approval of a Conditional Use Permit (CUP) (Table 1).

Table 1: Planning Process Requirements for Adult-Use Cannabis Business

| Adult-Use Cannabis Businesses | | | Zone | | | | | | | |
|------------------------------------|----------------------|----------|--|---------------|------|------------|--------------------|---------------------|----------------------|-------------------|
| Business Type | Land Use Category | SIC Code | Residential | Institutional | Park | Commercial | Industrial (Light) | Industrial (Medium) | Industrial (General) | Industrial (Port) |
| Dispensary | Retail | 59 | N | N | N | Y | Y | C | C | N |
| Cultivation | Industrial | 072 | N | N | N | N | Y | Y | C | N |
| Manufacturing | Industrial | 283 | N | N | N | N | Y | Y | Y | N |
| Distribution | Industrial | 42 | N | N | N | N | C | C | C | N |
| Testing | Professional Service | 873 | N | N | N | Y | Y | AP | AP | N |
| N = Not Permitted Y = Permitted | | | C = Conditional Use Permit AP = Administrative Use Permit | | | | | | | |

Affirmative findings in support of the use at this location can be made; including the requirement that the use is not detrimental to the surrounding community. The use is sufficiently conditioned to ensure it operates in a manner compatible with the surrounding uses (Exhibit B - Findings and Exhibit C - Conditions). The project must comply with the requirements of LBMC Title 5 which sets forth a comprehensive list of operational and safety standards. The conditions of approval further support the requirements of LBMC Title 5 through the addition of conditions of approval that include: security measures, lighting, hours of operation, prohibition of loitering and proper interior, exterior maintenance, and odor control. In addition, the project has been conditioned to maintain a landscape buffer along the north property line adjacent to the single-family residences.

The proposed adult-use cannabis distribution facility is an opportunity for the applicant to enhance the overall quality of the site, while also meeting the General Plan's intent of the business's conduction industrial activities inside the existing structure. Staff recommends that the Planning Commission approve the CUP, subject to the Conditions of Approval.

PUBLIC HEARING NOTICE

A total of 294 Public Hearing Notices were distributed on November 20, 2019, in accordance with the provision of the Zoning Ordinance. At the time of writing this report, staff has received no inquiries on this project.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, the project is exempt per Section 15301 - Existing Facilities, as the project consists of the operation of a cannabis distribution facility within an existing building requiring only interior and exterior improvements (CE19-182).

Respectfully submitted,



ALEJANDRO SANCHEZ-LOPEZ
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



CHRISTOPHER KOONTZ, AICP
PLANNING BUREAU MANAGER



LINDA F. TATUM, FAICP
DIRECTOR OF DEVELOPMENT SERVICES

LT:CK:AO:asl

Attachments: Exhibit A - Location Map
Exhibit B - Findings
Exhibit C - Conditions