



PD-30 – Public Hearing – Zoning Code Amendment

City Council Meeting - June 15, 2021

Requested Actions before City Council

Declare an Ordinance amending the Long Beach Municipal Code (ZCA20-015) to amend language within Title 5 of the Long Beach Municipal Code and within the Downtown Planned Development District (PD-30) to allow the operation of adult-use cannabis dispensaries within mixed-use buildings in Downtown by way of Conditional Use Permit approval.

Background of Cannabis Regulations

- January 2016 – The Medical Cannabis Regulation and Safety Act (MCRSA) takes effect, creating a statewide regulatory system for medical cannabis businesses
- November 2016 – Long Beach voters approve Measure MM, which established Chapter 5.90 – Medical Marijuana Businesses within the Long Beach Municipal Code
 - Created a regulatory system in Long Beach for medical cannabis businesses
 - Placed a limitation of 32 medical cannabis dispensaries on a citywide basis
- November 2016 – California voters approve Proposition 64 – The Adult Use of Marijuana Act (AUMA), creating a statewide regulatory system for adult-use cannabis businesses
- June 2017 – The Governor signs into law the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), merging state regulations for medicinal and adult use cannabis activity into one framework
- 2018 – The City adopts additional changes to Title 21 and Title 5 pertaining to adult-use cannabis

Background – 2018 Code Changes Related to Dispensaries

- Title 21 Changes

- Table 32-1 of Chapter 21.32

	Neighborhood			Community				Regional	Other
Retail Services	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS
Adult-Use Cannabis Dispensary	Y	Y	Y	Y	Y	Y	Y	Y	Y

- No changes were made to Planned Development Districts (PDs)
- Technically, adult-use dispensaries are not allowed in the PDs (including PD-30)

- Title 5 Changes

- Chapter 5.92 – Adult-Use Cannabis Businesses and Activities was added to LBMC
- The 32 licensed medical dispensaries would be required to co-locate
- The 32-dispensary cap would be applied to adult-use cannabis as well

Proposed PD-30 Amendments

Uses				
Key to Permit Requirements: Y = Permitted use N = Not permitted C = Conditional use permit AP = Administrative use permit A = Accessory Use M = Permitted on main and secondary streets S = Permitted on secondary streets T = Temporary use	Downtown Plan Area	Downtown-Neighborhood Overlay	Ground-Floor Pedestrian-Oriented Uses (b)	Notes and Exceptions
Restaurants & Ready-to-eat foods				
Restaurants & Ready-to-eat foods	Y*	AP*	M, S	*Drive-thru lanes prohibited.
Outdoor dining	A	A		
Vending cart – food items only	AP*	AP*	M, S	*Subject to 21.45.170.
Retail Sales				
Basic retail sales	Y	AP	M, S	
Building supply or hardware store with lumber, drywall, or masonry (hardware stores w/o lumber, drywall, or masonry are considered basic retail)	N	N		
Cannabis Dispensary (Adult-Use)	C	N	M,S	*Subject to Title 5 Standards
Flower stand or newsstand – not accessory to another use	Y*	Y*	M, S	*Subject to 21.45.135, except subsection (B.1).
Itinerant vendor	T	N		

- Table 3-1– Only change needed in PD-30 is the addition of a “Cannabis Dispensary (Adult-Use)” category to the Use Table, in the “Retail Sales” section

Proposed Title 5 Amendments

- Section 5.92.420 – Location Requirements – Amended to allow dispensaries to be allowed within mixed-use buildings (containing residential)
- Section 5.92.760 – Visibility – Amended to ensure that PD-30 window transparency standards supersede any language in 5.92.760 to the contrary
- Section 5.92.765 (C) – Also amended to ensure that PD-30 window transparency standards supersede any language in 5.92.765 (C) to the contrary
- Section 5.92.955 – Amended to reinforce PD-30 window transparency standards as they relate to window signage

Zoning Code Amendment Findings

- Proposed amendments should be consistent with the General Plan
- The proposed changes are consistent with the Downtown (DT) PlaceType. The DT PlaceType's goals are:
 - To encourage a mix of land uses, with a focus on providing active ground-floor shops, restaurants, or cafes and,
 - To promote a highly urbanized core featuring compact development composed of a mix of compatible uses, building types and styles.
- The proposed amendments support the DT PlaceType by formally introducing adult-use cannabis dispensaries as a recognized use category that falls within the definition of "Retail"



Thank you

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