



BUSINESS DEPARTMENT – Facilities Development & Planning
Office of the Executive Director
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January 15, 2020

VIA EMAIL

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RE: Application Number 1809-19 (CUP 18-027)
1445-149 West Cowles Street

Dear Planning Commission:

The Long Beach Unified School District (“District”) is in receipt of the Planning Commission’s Notice of the January 16, 2020 Public Hearing regarding Conditional Use Permit (“CUP”) APPLICATION NUMBER 1809-19 (CUP 18-027). (A copy of the Notice is included with this letter for your reference.) The Notice states that the applicant (“Applicant”) is requesting a Conditional Use Permit for 1445-149 West Cowles Street (“Site”) for adult-use cannabis distribution in conjunction with a cannabis manufacturing business (“Proposed Use”). The District submits this letter to notify the City of Long Beach (“City” or “Long Beach”) of its concerns and to request that the City deny the Applicant’s request for a CUP for the Site.

The District is the owner and operator of 46 elementary Schools (38 in Long Beach), 25 middle schools (20 in Long Beach), and 15 high schools (12 in Long Beach) that serve over 72,000 students within the City and its surrounding areas. As such, the District is one of the prime stakeholders within the City and has a significant interest in public safety and the well-being of its students and the larger community.

The National Institute of Health (“NIH”) has determined that the rate of marijuana use among teenagers is particularly high and is steadily increasing. According to the NIH, marijuana use compromises students’ school performance by impairing critical cognitive functions including learning, memory and problem solving, with marijuana users having an increased risk of dropping out of school. Research indicates that marijuana use is associated with a lower grade point average, less satisfaction with school, negative attitudes towards school and poor academic performance. Moreover, research shows that the use of marijuana produces harmful effects on brain development in adolescence, including impairment of memory, learning and judgment, and an increased likelihood of engaging in high risk behavior.

As a public school district, the District is responsible both for educating the City’s youth and providing them with a healthy and safe environment in which to learn. District students live, play and attend schools within the City and are susceptible to the adverse educational, social, health, safety and economic impacts resulting from marijuana in their community. The District goes to great lengths to eliminate its students’ exposure to unlawful elements that threaten their health and safety, as well as their ability to learn. Accordingly, the District objects to the above-referenced application for the following reasons:

1. Undue Concentration of Cannabis Businesses

Per the City's Interactive Buffer Map ("Buffer Map") (<http://longbeach.gov/finance/business-info/business-licenses/cannabis-business-information/cannabis-business-location-requirements/>), there are twelve other pending and/or active cannabis cultivation licenses, eight other pending and/or active distribution licenses, and ten pending and/or active manufacturing licenses within approximately one half-mile of the Site and one mile of George Washington Middle School.



Based on our review, it does not appear that the City limits the number of licenses that can be issued generally, or within a certain area. Broader geographical distribution of cannabis licenses would ensure that certain Long Beach residents, students, and areas are not unduly bombarded with cannabis. Further, the Buffer Map confirms that the majority of the licenses are within this southwestern portion of the City, while other portions of the City are largely left untouched. See Buffer Map below.



Other cities, such as the City of Los Angeles, have established concentration limits for certain retailer and cultivation licenses. (See City of Los Angeles Department of Cannabis Regulations Frequently Asked Questions available at: <https://cannabis.lacity.org/frequently-asked-questions/>.) Thus, the District recommends that the City reevaluate the number of licenses it issues within any particular area.

2. Sensitive Receptors

The following District schools are located within approximately one mile of the Site:

- Cabrillo High School located at 2001 Santa Fe Avenue Long Beach CA 90810 (.6 mi.);
- Cesar Chavez Elementary School located at 730 West 3rd Street Long Beach CA 90802 (.9 mi);
- Educational Partnership High School located at 1794 Cedar Avenue Long Beach CA 90813 (1 mi.)
- George Washington Middle School located at 1450 Cedar Avenue Long Beach CA 90813 (1 mi.);
- Elizabeth Hudson K-8 School located at 2335 Webster Ave, Long Beach CA 90810 (1.08 mi)

Long Beach Municipal Code (“Municipal Code”) section 5.92.420 requires a 1,000-foot buffer between cannabis businesses and public schools. It appears that the Site may meet the City’s buffer requirements, however, due to the sheer number of cannabis businesses in the area, as discussed above, the District believes this buffer requirement is inadequate. Thus, the District requests that the City reevaluate its buffer requirements, particularly in areas where the City is allowing an unlimited number of cannabis licenses.

3. Conditional Use Permit Application

The Applicant has applied for CUPs, which are discretionary decisions governed by Municipal Code section 21.25.201 et seq.. Municipal Code section 21.25.206 requires analysis of the following required findings before any action is taken to approve or deny the CUP:

- A. The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal program and all zoning regulations of the applicable district;
- B. The proposed use will not be detrimental to the surrounding community including public health, safety or general welfare, environmental quality or quality of life;
- C. The approval is in compliance with the special conditions for specific conditional uses, as listed in Chapter 21.52; and
- D. The related development approval, if applicable, is consistent with the green building standards for public and private development, as listed in Section 21.45.400.

The District does not believe the necessary findings in B have been made. The staff report (“Staff Report”) prepared for the CUP application states that staff does not anticipate any detrimental impacts resulting from the operation of the facilities because the Site is located within a heavily industrialized area in which intense industrial uses are common. (Staff Report, pg. 2.) However, the Staff Report does not analyze the combined effects of the Site and the nearby cannabis facilities. Without some analysis, it is possible that the proposed use, combined with the other nearby cannabis facilities, could have a detrimental impact on the surrounding community and the community just outside of the industrial zone.

The Staff Report also does not analyze the facilities’ effects on the community just outside the industrial zone. Per the staff report, the Site will include two separate tenant spaces (one for manufacturing, and one for distribution) within the 5,120 square foot building. So, these two licenses would be in addition to the pending and active licenses at nearby facilities. The large concentration of cannabis licenses within a small area could cause security issues to the surrounding community, including the nearby high school which is

approximately one-half mile away, and multiple other schools within approximately one mile. Thus, we request that the City consider the impacts these facilities will have on the nearby schools.

Moreover, the inundation of cannabis facilities within a specific area is of great concern to the District because of the potential health impacts on District students. As discussed above, there are reports of increasing cannabis use among teenagers, and cannabis use detrimentally affects teenagers in particular. Although these are not retail facilities, the mere presence of so many cannabis facilities nearby could easily influence teenagers and lead them to experiment.

Because this is a discretionary action, and although City staff is recommending approval of the CUP, we kindly ask that you can reconsider the number of cannabis facilities coming into the City, and within this area specifically, and the effects these facilities will have on District students.

The District appreciates the opportunity to present this information and would welcome an opportunity to discuss this matter with the City further and to work with the City on addressing these issues and concerns.

Please feel free to contact me at (562) 997-7550 or DMiranda@lbschools.net

Sincerely,



David Miranda
Executive Director
Facilities Development and Planning

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