



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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May 16, 2019

## CHAIR AND PLANNING COMMISSIONERS

City of Long Beach  
California

### RECOMMENDATION:

Accept Categorical Exemption CE19-061 and approve a Conditional Use Permit (CUP19-008) for adult-use cannabis distribution, in conjunction with manufacturing and cultivation, within an existing 10,780 square-foot building located at 3850 E. Gilman St. in the Long Beach Business Center Planned Development District. (PD-7) (District 5)

APPLICANT: Eric Liwski  
SynArc Studio  
2400 Main St. Suite 203  
Irvine CA 92614  
(Application No. 1902-29)

### DISCUSSION

The project site is located on Gilman St. at Grand Ave. (Exhibit A – Location Map), and is approximately 35,720 square-feet in area developed with a 10,780 square-foot industrial building. The site is within Subarea 2 of the Long Beach Business Center Planned Development District (PD-7) and has a General Plan Designation of LUD #7 for Mixed Uses. It is adjacent to commercial uses consistent with PD-7 to the north and west, a post office to the northwest, and residential (R-2-N) to the south. The applicant proposes to establish adult-use cannabis distribution in conjunction with adult-use cannabis manufacturing and cultivation operations within this existing building.

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. In 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, all pertaining to the regulation of adult-use cannabis.

Cannabis facilities 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.

Pursuant to Title 21, the uses permitted in PD-7 are the same as those allowed in the Light Industrial District, and distribution facilities require the approval of a Conditional Use Permit (Table 1). The manufacturing and cultivation portions of the business for adult-use cannabis are allowed by right. However, positive findings are required in order to approve the requested CUP for the proposed cannabis distribution 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.

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

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							

The project site is located within an area intended for business and light industrial uses. The site is located within General Plan LUD #7, for Mixed Uses. The intent of LUD #7 is to provide areas for a combination of land uses in large, vital activity centers, provided such business do not have a detrimental effect on the ambiance, environment, or social well-being of the area. Areas may be assigned this district because they have as their base industrial/manufacturing/warehousing uses that support the working population within the district complex. LBMC Title 5 sets forth a comprehensive list of operational and safety standards with which the applicant will be required to comply. As LBMC Title 21 does not include special development standards specific to adult-use cannabis facilities, 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.

## PUBLIC HEARING NOTICE

## ENVIRONMENTAL REVIEW

**Attachments:**

- Exhibit A – Location Map
- Exhibit B – Plans & Photos
- Exhibit C – Findings & Conditions