City of Long Beach
Working Together to Serve

Memorandum

Date: September 11, 2017

To: Mayor and Members of the City Council

From: Patrick H. West, City Manager

Subject: **Response to Medical Marijuana Questions from the August 22, 2017, City Council Meeting**

This memorandum provides responses to questions posed by the City Council at its August 22, 2017 meeting.

Request for City staff to prepare buffer maps showing where medical marijuana businesses may locate after January 1, 2018, when the recommended 600-foot daycare center buffers will take effect.

See Attachment A. These maps will be made available for the public on the City's medical marijuana business license website: www.longbeach.gov/marijuana.

Request for City staff to prepare maps showing where medical marijuana businesses are locating in the City.

See Attachment B. At this time, there are no licensed and operating medical marijuana businesses in Long Beach. However, a number of Priority Dispensary, Cultivation and Manufacturing applications have reached the Department Review Phase of the application process. Applicants that reach the Department Review Phase have had their locations approved by the Planning Bureau, and may submit their building plans to begin construction. Applications in the Department Review Phase have been included in Attachment B and are designated as "Pending." Most Pending locations shown in Attachment B will require significantly more time to complete facility construction, and will likely not obtain a business license to begin operating until the end of 2017.

However, two Priority Dispensaries are nearing construction completion, and are expected to open this month. These Priority Dispensaries are:

- LB Green Room – 1735 E 7th Street, Long Beach CA 90813
- Connected Belmont Shore – 5227 E 2nd Street, Long Beach CA 90803

The LB Green Room could open as early as September 16, 2017, while Connected Belmont Shore will likely open by the end of the month. Staff will notify City Council Offices and Departments prior to the issuance of each medical marijuana business license to provide advanced notice of business openings.

This map will also be made available for the public on the medical marijuana business license website: www.longbeach.gov/marijana. The map will be updated periodically as more applications are received and businesses begin to open.

Request for City staff to report back to City Council on the process staff selected to measure medical marijuana buffer distances.

Staff studied and selected Geographic Information System (GIS) technology to measure distances between medical marijuana businesses and other sensitive uses. The measurements are necessary to determine compliance with Chapter 5.90 of the Long Beach Municipal Code (LBMC), which established minimum buffer distances between marijuana businesses and schools, beaches, parks, and libraries.

GIS was selected as the preferred method of measurement due to its ability to measure distances efficiently and accurately across hundreds of properties, allowing staff to meet the aggressive timelines for licensing medical marijuana businesses set forth in Chapter 5.90 of the LBMC. Staff estimates that GIS technology has a standard deviation of approximately 1 to 2 feet. Most distance measurements of marijuana business buffers fall well outside the 1- to 2-foot range of anticipated GIS error. GIS distance measurement determinations have been upheld by independent hearing officers during City appeal hearings regarding buffer measurements.

City Council requested that staff report back on using land surveys for the medical marijuana buffer review process. Land surveys potentially offer a precise tool for measurement. However, land surveys also require substantially more time and resources to conduct, and the accuracy of land surveys may still be subject to challenge.

Based upon existing contracts the City maintains with third party survey companies, each survey to measure the distance between properties would cost an estimated $1,000 and take two weeks to complete. However, the process would take substantially longer if the boundaries of a parcel are not clearly delineated, as is often the case in Long Beach. Unmarked parcels will require an additional property boundary survey to ensure accuracy at an estimated cost of $5,000 to $10,000 per survey.

A property boundary survey is necessary if either the proposed marijuana property *or* the buffer property has an unmarked boundary. Property boundary surveys must also be filed with the County Surveyor. Filing a record of survey with the County is usually an administrative exercise with little bearing on the outcome of the survey. However, the County Surveyor maintains the right to comment on, and request changes to, a property boundary survey and this process can take anywhere from two to three months. Should the County Surveyor request changes to the method of survey, the timeline to complete the survey would be delayed for an undetermined amount of time.

If the City implements a survey requirement, applicants who undergo a land survey must be granted the ability to appeal any determination resulting in ineligibility or failure to receive a point under the Priority Point System. Marijuana applicants that are rejected for buffer violations, or for receiving too few points to participate in the Public Lottery, currently have the right to file an appeal with the City. For most applicants, their window to file an appeal has expired. By implementing a survey requirement, the City would be required to grant an opportunity to appeal for all applicants previously approved for a location or for participation in the Public Lottery who subsequently received a rejection

due to the new survey process. Depending on the type of appeal filed, this additional appeal process could take a month or longer to complete.

The Non-Priority Dispensary applicants have already been notified of their GIS distance measurement determinations and their Priority Point assessment for purposes of the Public Lottery. The window to submit appeals for both the GIS distance measurement and the point awarded to each business has now expired. The Public Lottery for Non-Priority Dispensary applicants has been scheduled for September 28, 2017. If the City implemented a new system utilizing land surveys, the Public Lottery would need to be delayed until the end of 2017 at the earliest, but could be delayed well into 2018, depending on the outcome of a number of variables identified herein in order to account for extensive time needed to survey and allow for appeals of effected applicants.

At this time, it is unclear what the one-time General Fund cost will be to implement a land survey program. Staff estimates the one-time cost could range from $25,000 to $100,000, depending on the distance threshold selected (e.g., 10 or 50 feet), and the characteristics of the properties being surveyed. For example, a preliminary review of medical marijuana applications received to date found that four proposed locations fall within ten feet of a buffer. Public Works survey staff visited these sites and found that none of the locations had clearly defined boundaries. Thus, each property would require a boundary survey to ensure accuracy, at an estimated cost of $5,000 to $10,000 per survey. Conversely, approximately 20 proposed medical marijuana business locations fall within 50 feet of a buffer. It is unclear how many of these locations would require a boundary survey to define property borders. Additionally, it is unclear what the ongoing costs to a land survey program would be for future medical marijuana applicants.

City staff maintains its preference for using GIS to measure buffer distances. Should City Council instead decide that land surveys will be used, staff requests that this decision be made by the September 19, 2017 City Council meeting. A decision by the requested date will provide staff the opportunity to publicly notify Non-Priority Dispensary applicants of the new land survey process and the indefinite delay in the Public Lottery before its scheduled date of September 28, 2017.

Should you have any questions, please contact Ajay Kolluri, Assistant to the City Manager, at (562) 570-6406 or via email at Ajay.Kolluri@longbeach.gov.

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CC: CHARLES PARKIN, CITY ATTORNEY
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DOUG HAUBERT, CITY PROSECUTOR
TOM MODICA, ASSISTANT CITY MANAGER
KEVIN JACKSON, DEPUTY CITY MANAGER
REBECCA JIMENEZ, ASSISTANT TO THE CITY MANAGER
DEPARTMENT HEADS
LEA ERIKSEN, ASSISTANT FINANCE DIRECTOR

ATTACHMENT A

DAYCARE CENTER BUFFER MAPS

MAP #1 – CITYWIDE – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

MAP #2 – DISTRICT 1 – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

MAP #3 – DISTRICT 2 – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

MAP #4 – DISTRICT 3 – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

MAP #5 – DISTRICT 4 – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

MAP #6 – DISTRICT 5 – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

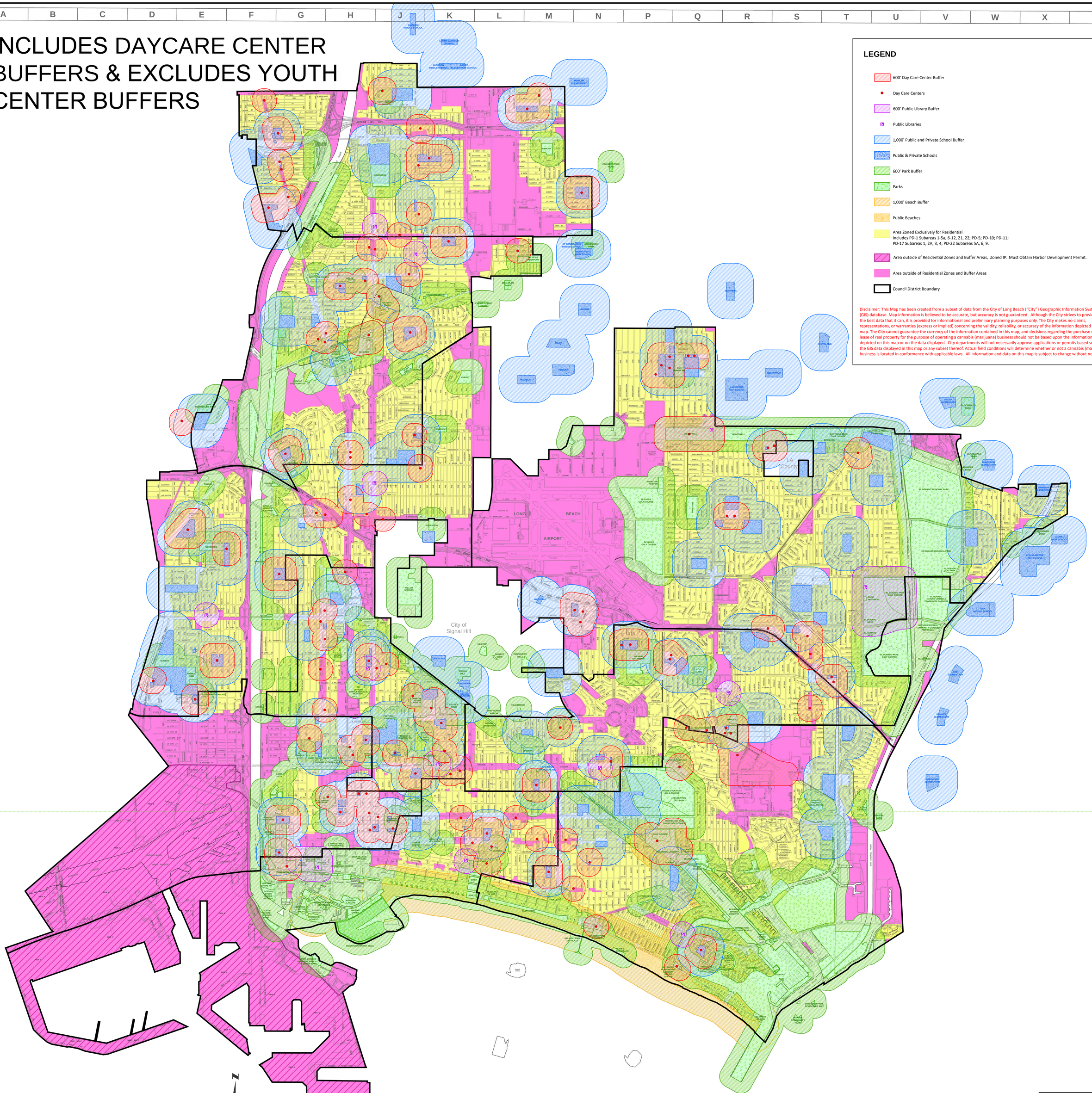
MAP #7 – DISTRICT 6 – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

MAP #8 – DISTRICT 7 – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

MAP #9 – DISTRICT 8 – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

MAP #10 – DISTRICT 9 – INCLUDES DAYCARE CENTER AND EXCLUDES YOUTH CENTER BUFFERS

INCLUDES DAYCARE CENTER BUFFERS & EXCLUDES YOUTH CENTER BUFFERS



Council District Boundaries Amended: 08-02-11
by ORDINANCE ORD-11-0015

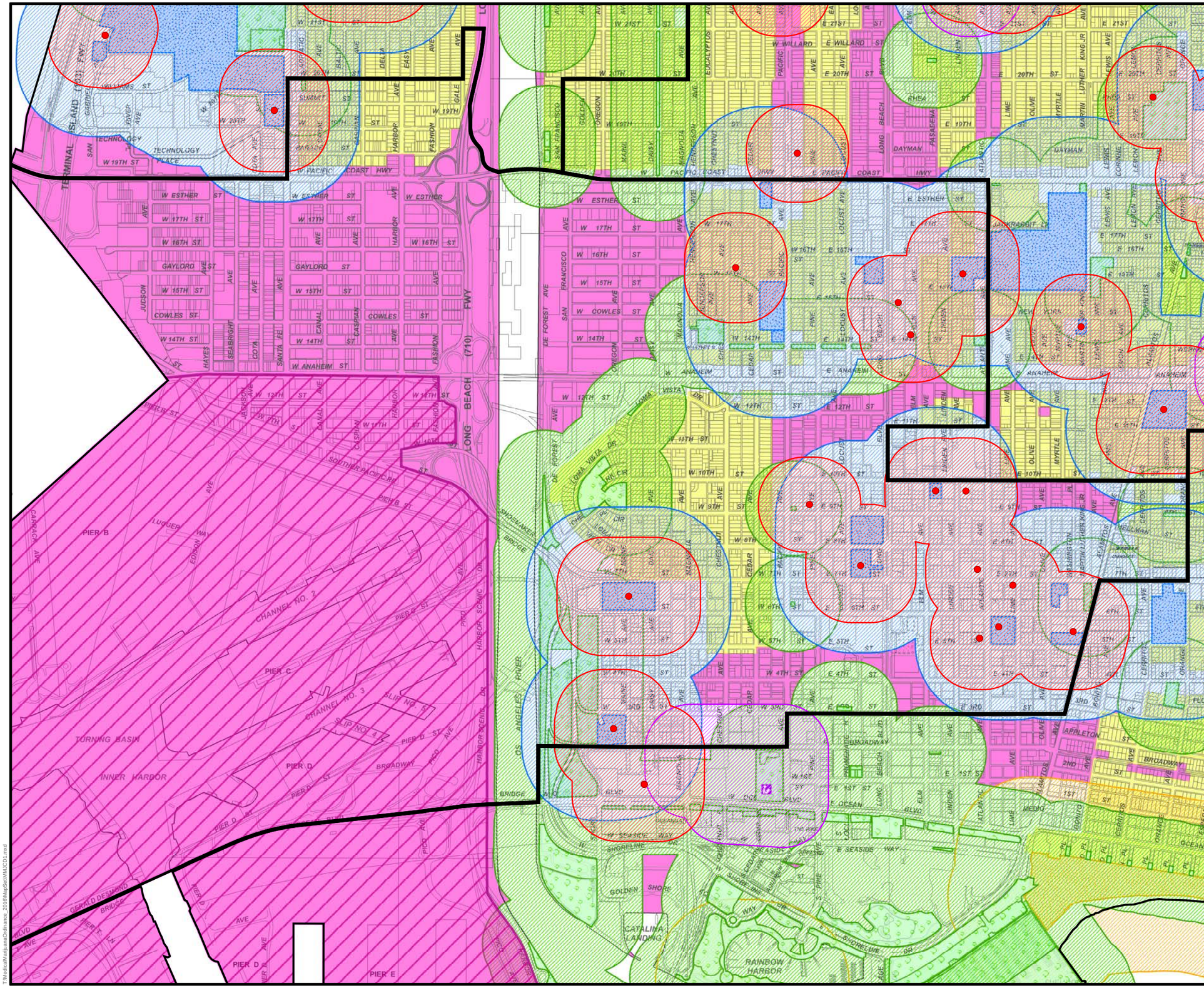
Disclaimer
This map from the City of Long Beach is intended for informational purposes only. While reasonable effort has been made to ensure the accuracy of the data, The City assumes no liability or damages arising from errors or omissions. This map is provided without warranty of any kind.

City of Long Beach, CA

Proposed Medical Marijuana Buffer Zones

UPDATED 8/3/2017

Technology & Innovation Department - GIS



LONG BEACH

MEDICAL MARIJUANA BUFFER ZONES

COUNCIL DISTRICT 1

DRAFT

LEGEND

- 600' Day Care Center Buffer
- Day Care Centers
- 600' Public Library Buffer
- Public Libraries
- 1,000' Public and Private School Buffer
- Public & Private Schools
- 600' Park Buffer
- Parks
- 1,000' Beach Buffer
- Public Beaches
- Area Zoned Exclusively for Residential Includes PD-1 Subareas 1-5a, 6-12, 21, 22; PD-5; PD-10; PD-11; PD-17 Subareas 1, 2A, 3, 4; PD-22 Subareas 5A, 6, 9.
- Area outside of Residential Zones and Buffer Areas, Zoned IP. Must Obtain Harbor Development Permit.
- Area outside of Residential Zones and Buffer Areas
- Council District Boundary

1,000 500 0 1,000 Feet

INCLUDES DAYCARE CENTER BUFFERS & **EXCLUDES** YOUTH CENTER BUFFERS

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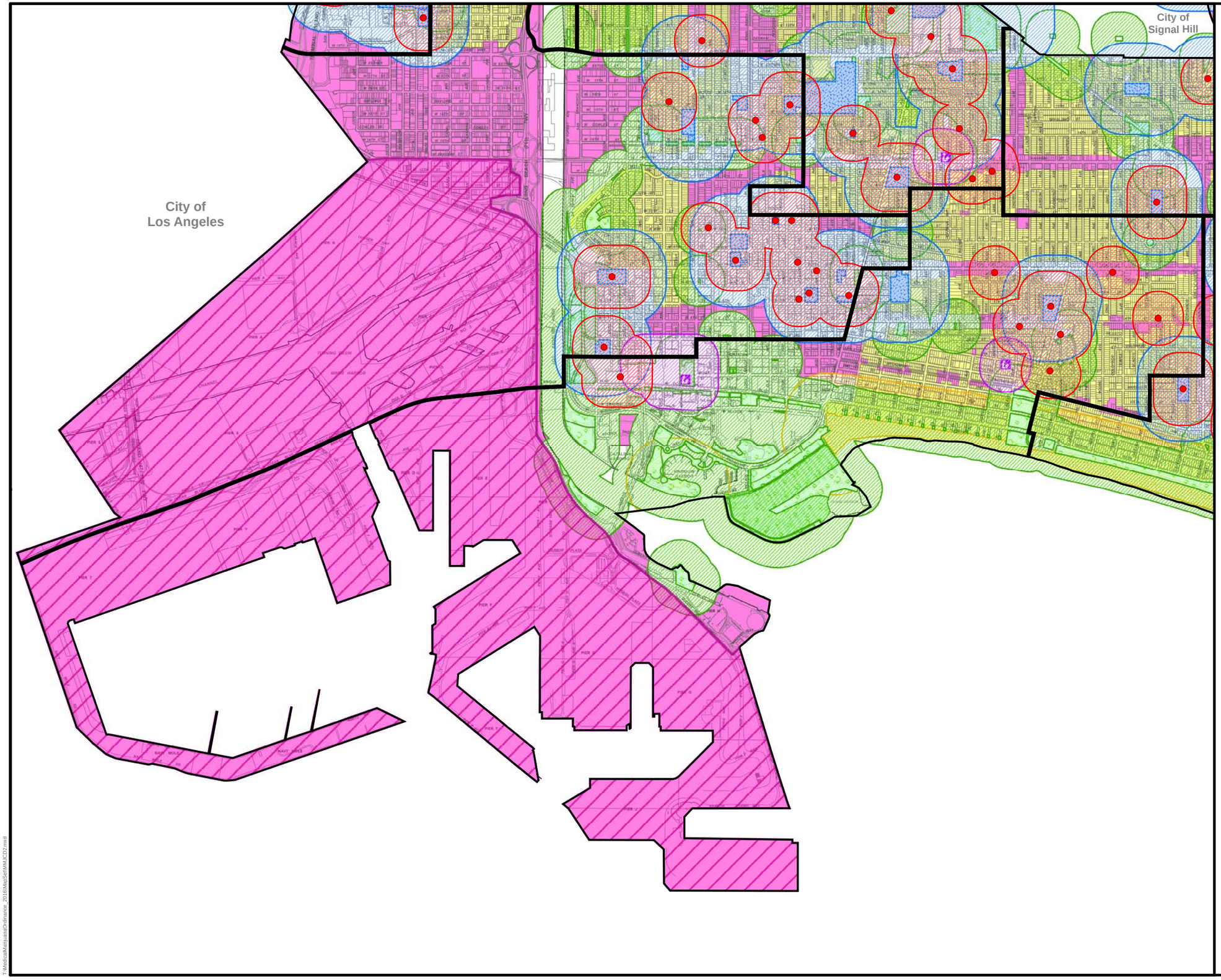

LONG BEACH

MEDICAL MARIJUANA BUFFER ZONES

COUNCIL DISTRICT 2

DRAFT

LEGEND

- 600' Day Care Center Buffer
- Day Care Centers
- 600' Public Library Buffer
- Public Libraries
- 1,000' Public and Private School Buffer
- Public & Private Schools
- 600' Park Buffer
- Parks
- 1,000' Beach Buffer
- Public Beaches
- Area Zoned Exclusively for Residential
  Includes PD-1 Subareas 1-5a, 6-12, 21, 22; PD-5; PD-10; PD-11; PD-17 Subareas 1, 2A, 3, 4; PD-22 Subareas 5A, 6, 9.
- Area outside of Residential Zones and Buffer Areas, Zoned IP. Must Obtain Harbor Development Permit.
- Area outside of Residential Zones and Buffer Areas
- Council District Boundary

INCLUDES DAYCARE CENTER BUFFERS & **EXCLUDES** YOUTH CENTER BUFFERS

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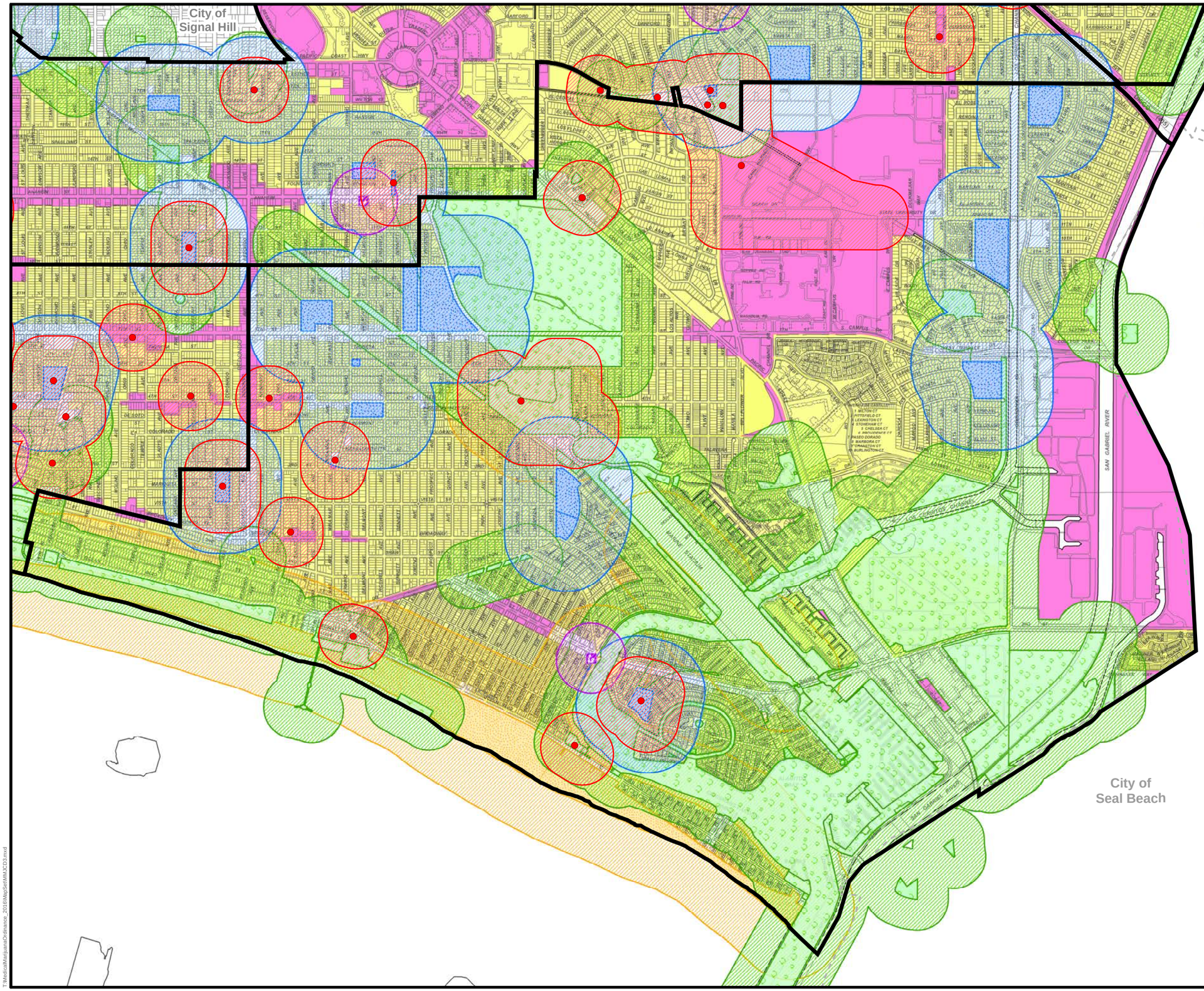

LONG BEACH

MEDICAL MARIJUANA BUFFER ZONES

COUNCIL DISTRICT 3

DRAFT

LEGEND

- 600' Day Care Center Buffer
- Day Care Centers
- 600' Public Library Buffer
- Public Libraries
- 1,000' Public and Private School Buffer
- Public & Private Schools
- 600' Park Buffer
- Parks
- 1,000' Beach Buffer
- Public Beaches
- Area Zoned Exclusively for Residential
  Includes PD-1 Subareas 1-5a, 6-12, 21, 22; PD-5; PD-10; PD-11; PD-17 Subareas 1, 2A, 3, 4; PD-22 Subareas 5A, 6, 9.
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- Area outside of Residential Zones and Buffer Areas
- Council District Boundary

INCLUDES DAYCARE CENTER BUFFERS & **EXCLUDES** YOUTH CENTER BUFFERS

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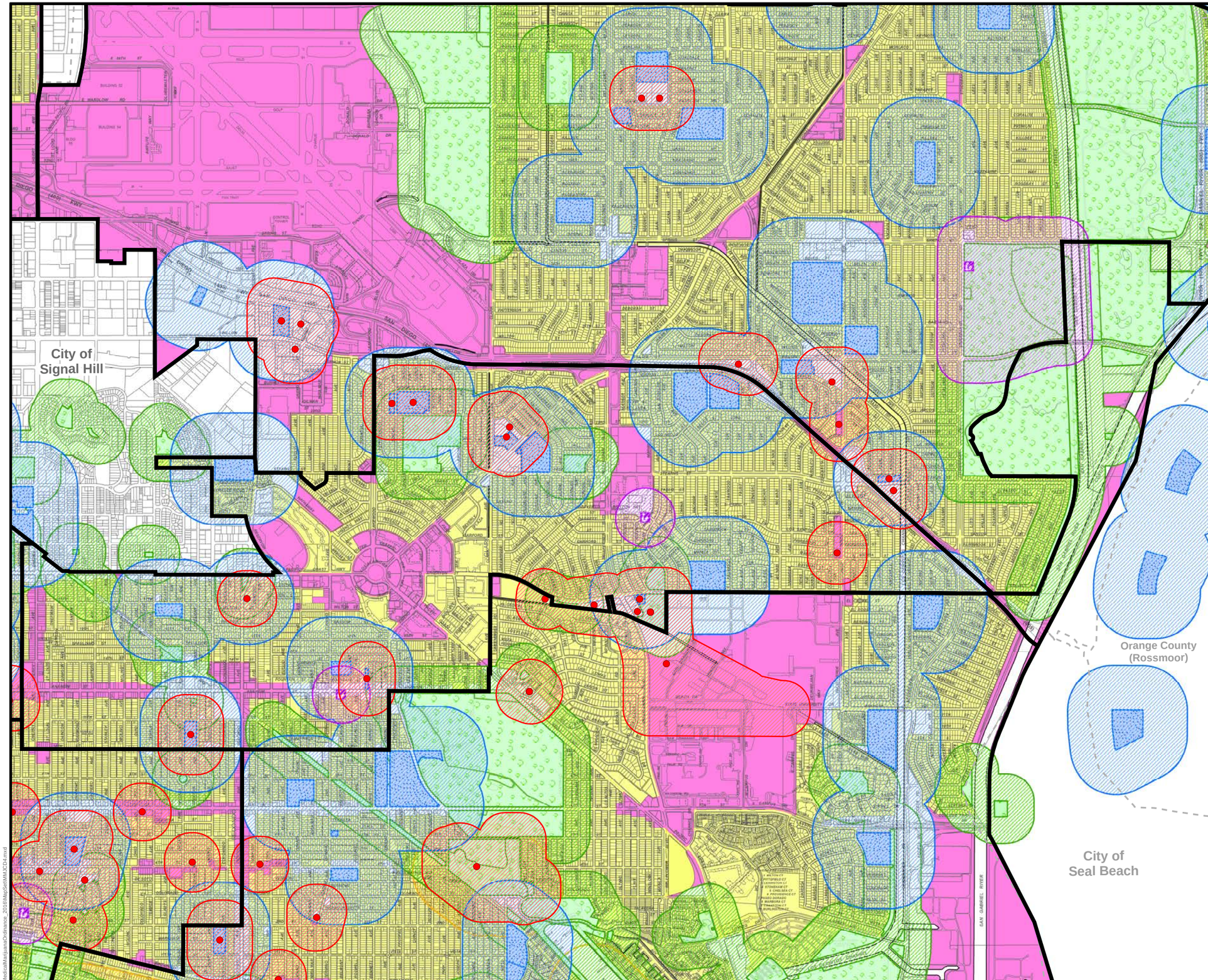

LONG BEACH

MEDICAL MARIJUANA BUFFER ZONES

COUNCIL DISTRICT 4

DRAFT

LEGEND

- 600' Day Care Center Buffer
- Day Care Centers
- 600' Public Library Buffer
- Public Libraries
- 1,000' Public and Private School Buffer
- Public & Private Schools
- 600' Park Buffer
- Parks
- 1,000' Beach Buffer
- Public Beaches
- Area Zoned Exclusively for Residential Includes PD-1 Subareas 1-5a, 6-12, 21, 22; PD-5; PD-10; PD-11; PD-17 Subareas 1, 2A, 3, 4; PD-22 Subareas 5A, 6, 9.
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- Area outside of Residential Zones and Buffer Areas
- Council District Boundary

INCLUDES DAYCARE CENTER BUFFERS & **EXCLUDES** YOUTH CENTER BUFFERS

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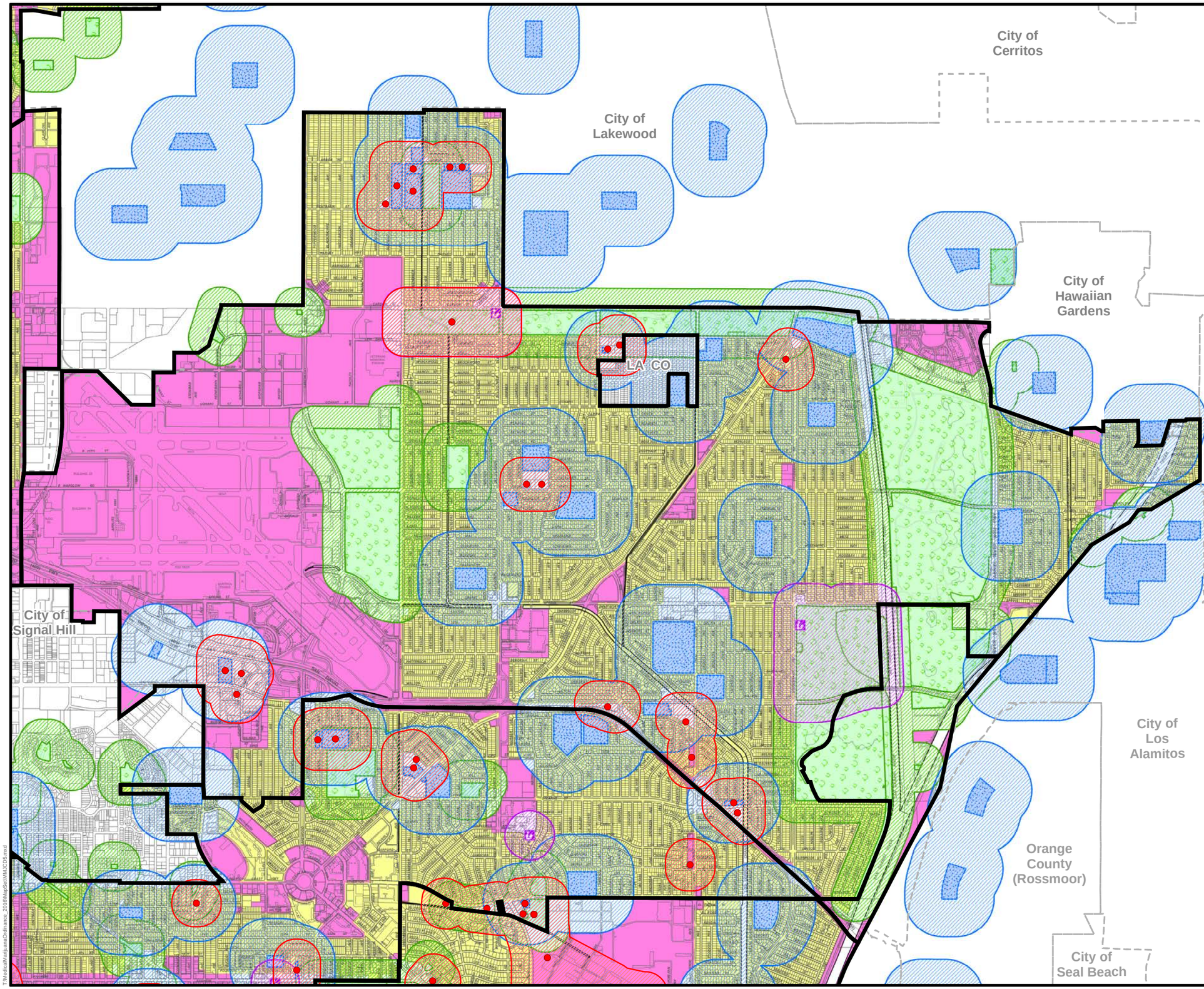

LONG BEACH

MEDICAL MARIJUANA BUFFER ZONES

COUNCIL DISTRICT 5

DRAFT

LEGEND

- 600' Day Care Center Buffer
- Day Care Centers
- 600' Public Library Buffer
- Public Libraries
- 1,000' Public and Private School Buffer
- Public & Private Schools
- 600' Park Buffer
- Parks
- 1,000' Beach Buffer
- Public Beaches
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LONG BEACH

MEDICAL MARIJUANA BUFFER ZONES

COUNCIL DISTRICT 6

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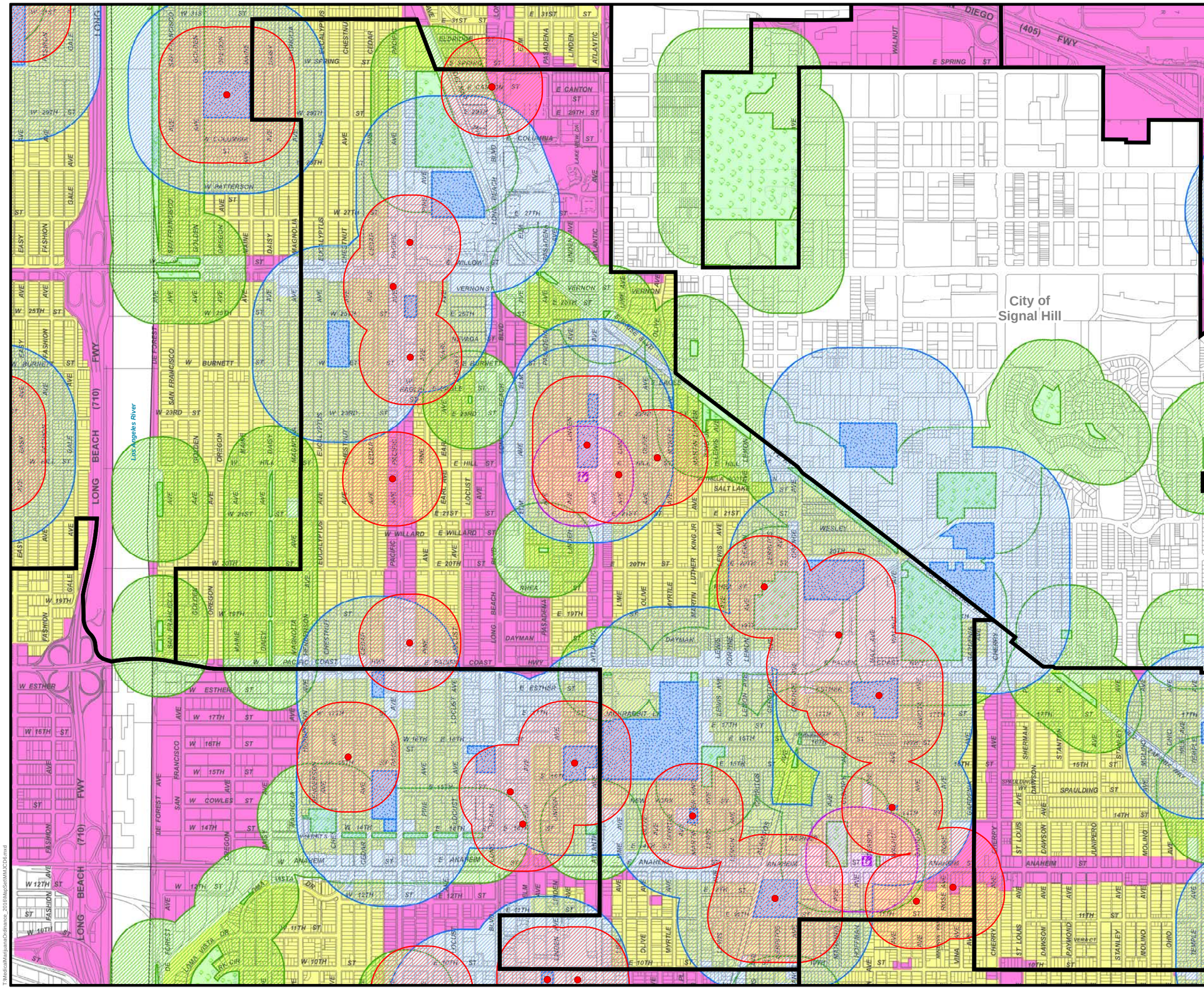

LEGEND

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- Day Care Centers
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- Public Libraries
- 1,000' Public and Private School Buffer
- Public & Private Schools
- 600' Park Buffer
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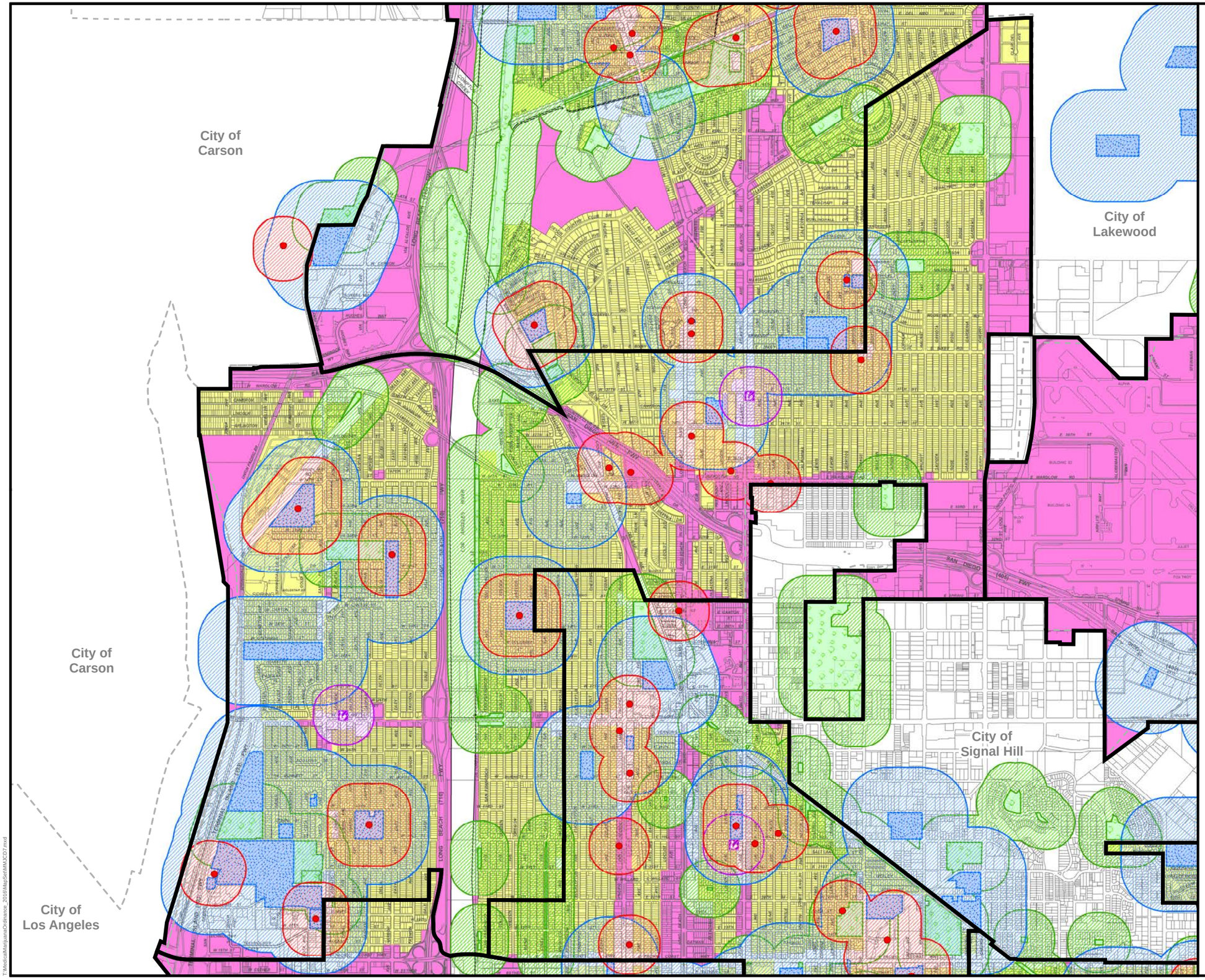

LONG BEACH

MEDICAL MARIJUANA BUFFER ZONES

COUNCIL DISTRICT 7

DRAFT

LEGEND

- 600' Day Care Center Buffer
- Day Care Centers
- 600' Public Library Buffer
- Public Libraries
- 1,000' Public and Private School Buffer
- Public & Private Schools
- 600' Park Buffer
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LONG BEACH

MEDICAL MARIJUANA BUFFER ZONES

COUNCIL DISTRICT 8

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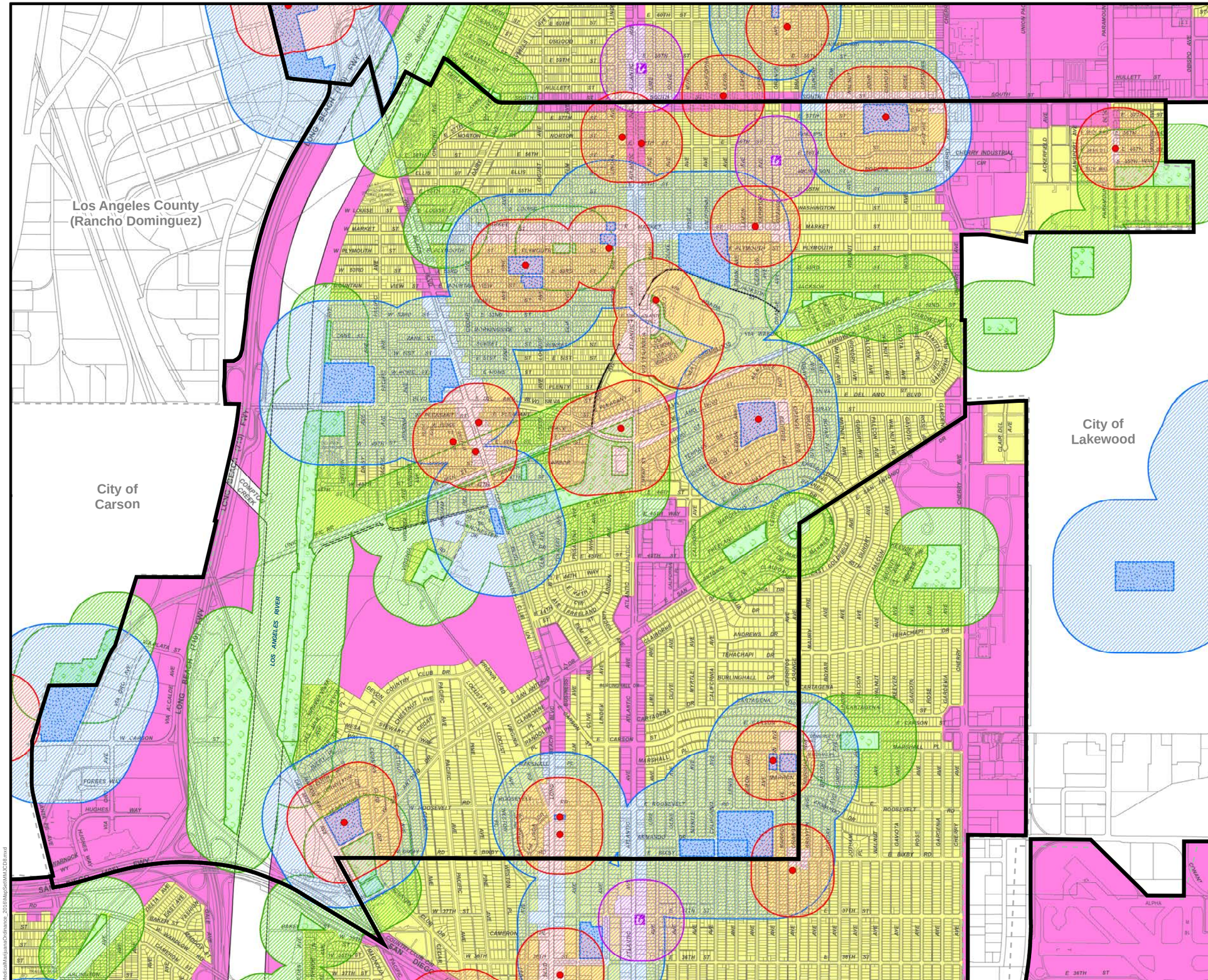

LEGEND

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LONG BEACH

MEDICAL MARIJUANA BUFFER ZONES

COUNCIL DISTRICT 9

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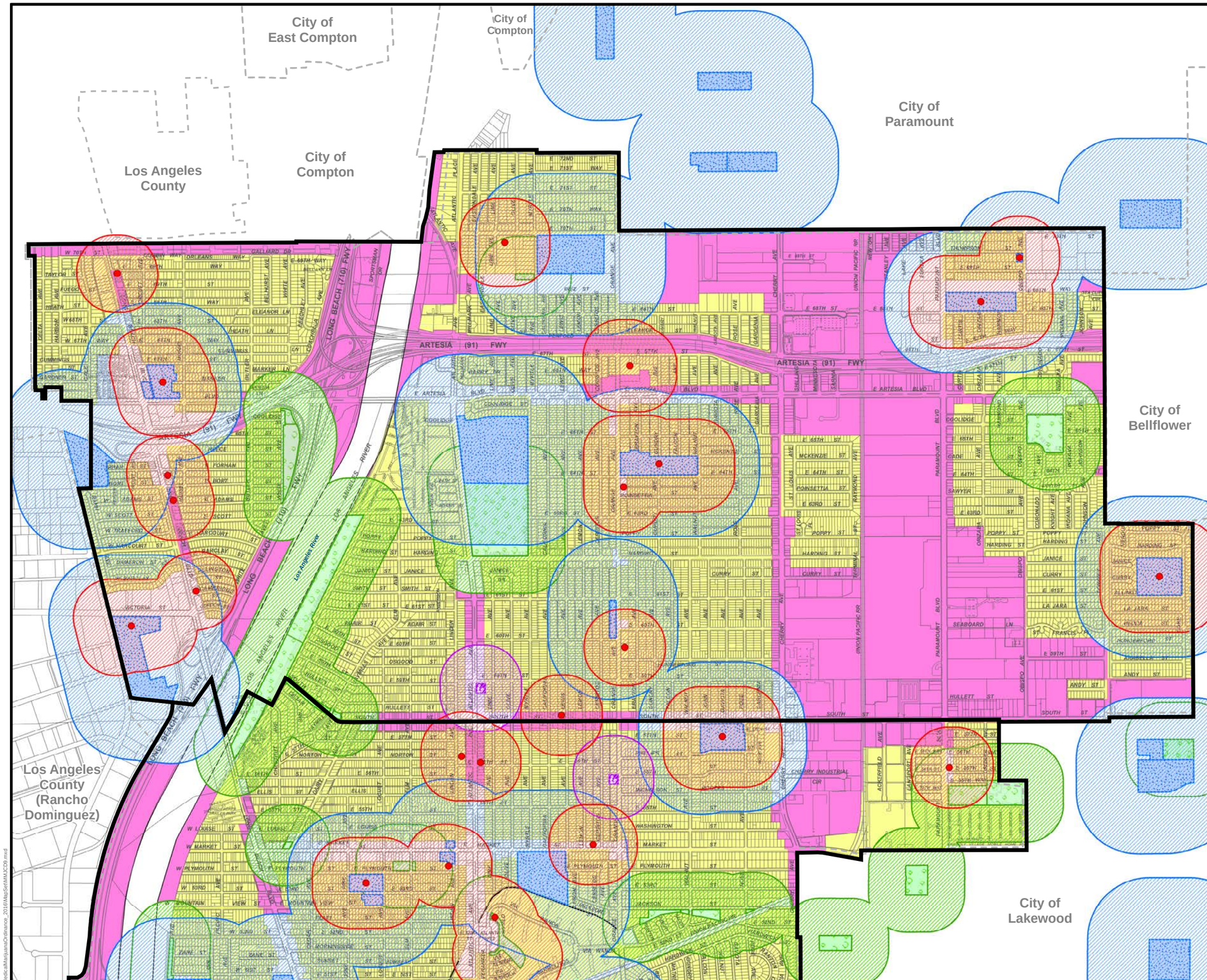

LEGEND

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ATTACHMENT B

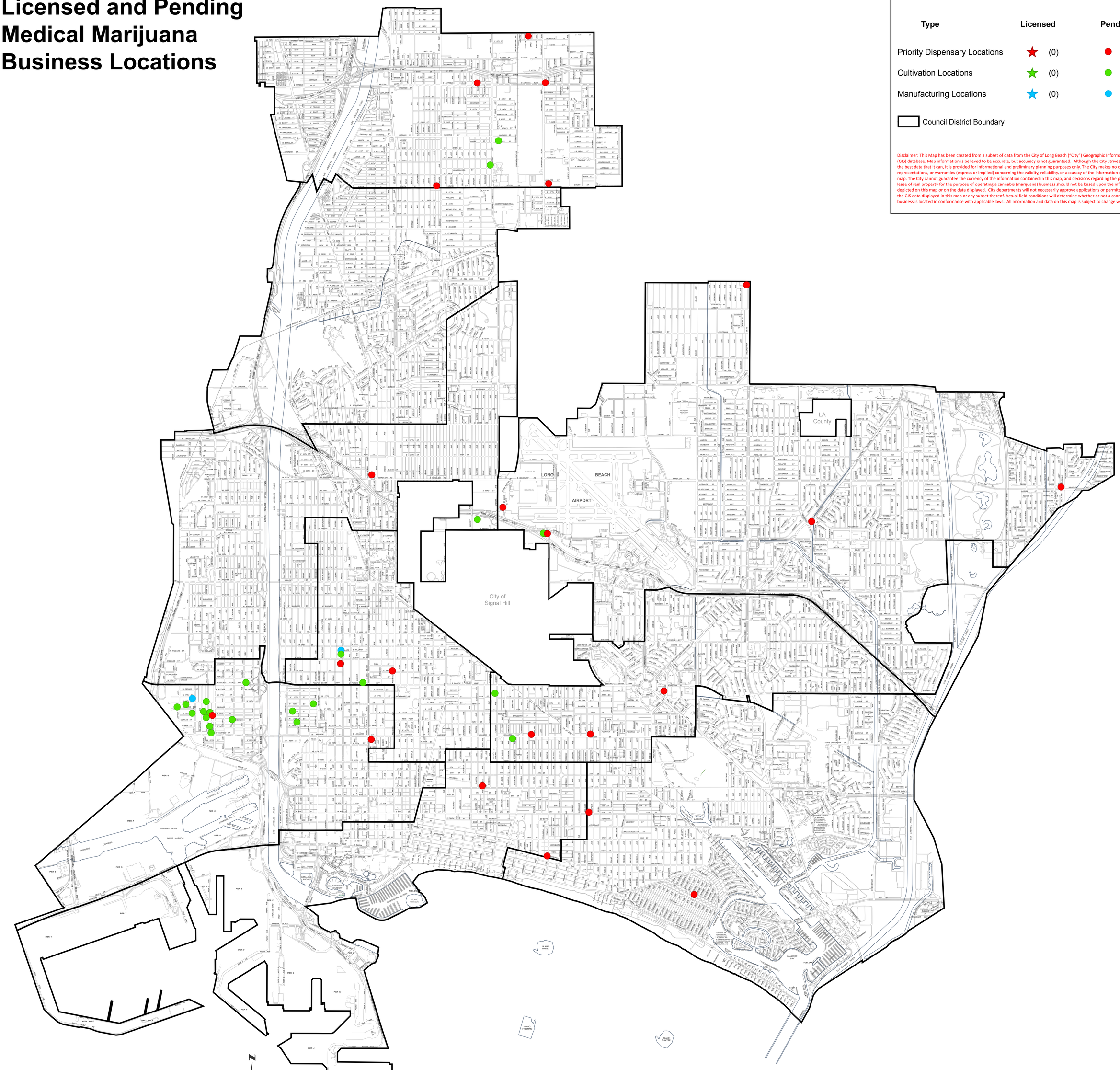
LICENSED AND PENDING MEDICAL MARIJUANA BUSINESS LOCATIONS IN LONG BEACH

MAP #1 – CITYWIDE – Licensed and Pending Medical Marijuana Business Locations*

List #1 – CITYWIDE – Licensed and Pending Medical Marijuana Business Locations

**Note: Currently, there are no licensed and operating medical marijuana businesses in Long Beach. However, a number of applications have reached the Department Review Phase of the application process. The locations associated with these applications have been included on the map and designated as "pending."*

Licensed and Pending Medical Marijuana Business Locations



LEGEND

Type	Licensed	Pending
Priority Dispensary Locations	(0)	(22)
Cultivation Locations	(0)	(25)
Manufacturing Locations	(0)	(6)

Council District Boundary

Disclaimer: This Map has been created from a subset of data from the City of Long Beach ("City") Geographic Information System (GIS) database. Map information is believed to be accurate, but accuracy is not guaranteed. Although the City strives to provide the best data that it can, it is provided for informational and preliminary planning purposes only. The City makes no claims, representations, or warranties (express or implied) concerning the validity, reliability, or accuracy of the information depicted on this map. The City cannot guarantee the currency of the information contained in this map, and decisions regarding the purchase or lease of real property for the purpose of operating a cannabis (marijuana) business should not be based upon the information depicted on this map or on the data displayed. City departments will not necessarily approve applications or permits based solely on the GIS data displayed in this map or any subset thereof. Actual field conditions will determine whether or not a cannabis (marijuana) business is located in conformance with applicable laws. All information and data on this map is subject to change without notice.

Council District Boundaries Amended: 08-02-11
by ORDINANCE ORD-11-0015

0 0.25 0.5 1 1.5 2 Miles

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City of Long Beach, CA

Medical Marijuana Business Locations

8/30/2017

Technology & Innovation Department - GIS

Licensed and Pending Medical Marijuana Business Locations

License Number	Priority Applicant	Address	Type	Status	Council District
MJ21703790	4TH STREET COLLECTIVE INC	1248 LONG BEACH BLVD LONG BEACH CA 90813	Priority Dispensary	Pending	1
MJ21700700	CHRONIC PAIN RELEAF CENTER	1501 SANTA FE AVE LONG BEACH CA 90813	Priority Dispensary	Pending	1
MJ21700353	L B GREEN ROOM INC	1735 E 7TH ST LONG BEACH CA 90813	Priority Dispensary	Pending	2
MJ21701139	MATTNJEREMY INC	2767 E BROADWAY LONG BEACH CA 90803	Priority Dispensary	Pending	2
MJ21700385	562 DISCOUNT MED INC	5227 2ND ST LONG BEACH CA 90803	Priority Dispensary	Pending	3
MJ21704029	CLB COLLECTIVE	404 REDONDO AVE LONG BEACH CA 90814	Priority Dispensary	Pending	3
MJ21701498	AVALON WELLNESS COLLECTIVE	1755 XIMENO AVE LONG BEACH CA 90815	Priority Dispensary	Pending	4
MJ21700442	C & C WELLNESS CENTER	2515 E ANAHEIM ST LONG BEACH CA 90804	Priority Dispensary	Pending	4
MJ21705126	THE AIRPORT COLLECTIVE	3411 E ANAHEIM ST LONG BEACH CA 90804	Priority Dispensary	Pending	4
MJ21701247	ALTERNATIVE THERAPEUTIC SOLUTIONS	3170 CHERRY AVE LONG BEACH CA 90807	Priority Dispensary	Pending	5
MJ21704936	CANABIS EVALUATION CENTER INC	3120 LOS COYOTES DIA LONG BEACH CA 90808	Priority Dispensary	Pending	5
MJ21705058	NLB COLLECTIVE INC	4855 BELLFLOWER BLVD LONG BEACH CA 90808	Priority Dispensary	Pending	5
MJ21703792	RLB COLLECTIVE INC	3401 NORWALK BLVD LONG BEACH CA 90808	Priority Dispensary	Pending	5
MJ21702420	SAVIA INC	2760 E SPRING ST 120 LONG BEACH CA 90806	Priority Dispensary	Pending	5
MJ21700337	EMERALD BEACH CARE INC	1957 PACIFIC AVE LONG BEACH CA 90806	Priority Dispensary	Pending	6
MJ21701206	NHS COLLECTIVE	1901 ATLANTIC AVE LONG BEACH CA 90806	Priority Dispensary	Pending	6
MJ21700410	ALTERNATE HEALTH COLLECTIVE ASSOCIATION	3428 LONG BEACH BLVD LONG BEACH CA 90807	Priority Dispensary	Pending	7
MJ21703640	C.A.R.E. COLLECTIVE INC	2725 SOUTH ST LONG BEACH CA 90805	Priority Dispensary	Pending	9
MJ21704025	CORNERSTONE HEALTH AND WELLNESS	1147 SOUTH ST LONG BEACH CA 90805	Priority Dispensary	Pending	9
MJ21703867	HOLISTIC ALTERNATIVE HERBAL MEDICINE	6978 STANLEY AVE LONG BEACH CA 90805	Priority Dispensary	Pending	9
MJ21701446	LB COLLECTIVE INC	1731 E ARTESIA BLVD LONG BEACH CA 90805	Priority Dispensary	Pending	9
MJ21704932	THE AIRPORT COLLECTIVE	2801 E ARTESIA BLVD A LONG BEACH CA 90805	Priority Dispensary	Pending	9
MJ21705763	1715 W. ANAHEIM LLC	1715 W ANAHEIM ST LONG BEACH CA 90813	Manufacturing	Pending	1
MJ21705719	2020 LONG BEACH, LLC	2020 W 17TH ST LONG BEACH CA 90813	Manufacturing	Pending	1
MJ21705429	CASE FARMS COLLECTIVE	724 COWLES ST LONG BEACH CA 90813	Manufacturing	Pending	1
MJ21706052	PACIFIC COAST MANAGEMENT COMMPANY, LLC	2218 E ANAHEIM ST LONG BEACH CA 90804	Manufacturing	Pending	4
MJ21705767	MBIOTEQ, LLC	2740 E SPRING ST LONG BEACH CA 90806	Manufacturing	Pending	5
MJ21705356	THE BROCCOLI KING	2063 PACIFIC AVE LONG BEACH CA 90806	Manufacturing	Pending	6
MJ21705537	1715 W ANAHEIM LLC	1715 W ANAHEIM ST LONG BEACH CA 90813	Cultivation	Pending	1
MJ21704177	BRICK & MOTA INC	1655 COTA AVE LONG BEACH CA 90813	Cultivation	Pending	1
MJ21705427	CASE FARMS COLLECTIVE	724 COWLES ST LONG BEACH CA 90813	Cultivation	Pending	1
MJ21704138	DBO INVESTMENTS I LLC	1365 W PACIFIC COAST HWY LONG BEACH CA 90810	Cultivation	Pending	1
MJ21705047	FLY HYE LLC	1510 COTA AVE LONG BEACH CA 90813	Cultivation	Pending	1
MJ21705303	FUNKY BUDDHA, INC	2257 GAYLORD ST LONG BEACH CA 90813	Cultivation	Pending	1
MJ21704987	GREENMOUNT LLC	1475 COTA AVE LONG BEACH CA 90813	Cultivation	Pending	1
MJ21703838	HIGH-TECH INNOVATIONS INC	809 W 15TH ST LONG BEACH CA 90813	Cultivation	Pending	1
MJ21703880	LBC HOLISTIC HEALTH, INC.	1526 SEABRIGHT AVE LONG BEACH CA 90813	Cultivation	Pending	1
MJ21705128	LBCCG, INC	1410 COTA AVE LONG BEACH CA 90813	Cultivation	Pending	1
MJ21703901	NATURAL CURE SERVICES, INC	2124 W 16TH ST LONG BEACH CA 90813	Cultivation	Pending	1

License Number	Priority Applicant	Address	Type	Status	Council District
MJ21704357	NORTH CORD HOLDINGS LLC	1600 DAISY AVE LONG BEACH CA 90813	Cultivation	Pending	1
MJ21703344	ROBERT DAVID	1511 COWLES ST LONG BEACH CA 90813	Cultivation	Pending	1
MJ21704983	WEST 15TH STREET COLLECTIVE INC	2029 W 15TH ST LONG BEACH CA 90813	Cultivation	Pending	1
MJ21704886	L B GREEN ROOM INC	1735 E 7TH ST LONG BEACH CA 90813	Cultivation	Pending	2
MJ21705155	GOODS 4 LESS INC	1723 CHERRY AVE LONG BEACH CA 90813	Cultivation	Pending	4
MJ21704707	SURE GROW LLC	2220 E ANAHEIM ST LONG BEACH CA 90804	Cultivation	Pending	4
MJ21705655	GREENLEAF STRATEGIC CONSULTANTS	2642 E SPRING ST LONG BEACH CA 90806	Cultivation	Pending	5
MJ21705354	MBIOTEQ, LLC	2740 E SPRING ST LONG BEACH CA 90806	Cultivation	Pending	5
MJ21704409	ACEDAT, INC.	2035 PACIFIC AVE LONG BEACH CA 90806	Cultivation	Pending	6
MJ21703939	EMERALD BEACH CARE	1957 PACIFIC AVE LONG BEACH CA 90806	Cultivation	Pending	6
MJ21706038	PLANTONICS	235 E PACIFIC COAST HWY LONG BEACH CA 90806	Cultivation	Pending	6
MJ21704950	3030 WALNUT LLC	3030 WALNUT AVE LONG BEACH CA 90807	Cultivation	Pending	7
MJ21705525	DY WEED, LLC	2045 CURRY ST LONG BEACH CA 90805	Cultivation	Pending	9
MJ21704937	RANDOLPH REALTY LLC	5939 CHERRY AVE VACANT LOT LONG BEACH CA 90805	Cultivation	Pending	9