

Measure MM: Medical Marijuana Businesses

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City of Long Beach

December 7, 2016

What is Measure MM?

- ▶ An initiative written by the citizens allowing the operation of medical marijuana businesses in the City of Long Beach
- ▶ Passed with a majority vote by the citizens on November 8th
- ▶ Creates a regulatory framework for the licensing, operation, and enforcement of medical marijuana businesses

Purpose and Intent of Measure MM

- ▶ “To regulate and restrict marijuana businesses, cultivation and other commercial cannabis activities to protect the neighborhoods, public health, safety, and welfare of the residents and patients of the City of Long Beach.”

Medical Marijuana Business Licenses

- ▶ Per Measure MM, the City of Long Beach will be issuing licenses for the following medical marijuana business types:
 - ▶ Dispensary (may incl. delivery)
 - ▶ Manufacturer
 - ▶ Cultivator (indoor only)
 - ▶ Testing Laboratory
 - ▶ Distributor

Business License Tax

- ▶ 6% of gross receipts
 - ▶ Dispensaries, Manufacturers, Distributors, Testers
- ▶ \$12/sq. ft. total canopy area
 - ▶ Cultivators only
- ▶ Reporting period is quarterly
- ▶ Tax payments can only be made in cash at City Hall cashier

Buffer Zones

- ▶ No Medical Marijuana Business may be operated in an area zoned exclusively for residential use
- ▶ No Medical Marijuana Business may be located within 1,000 foot radius of a public or private school
- ▶ No Medical Marijuana Business may be located within 1,000 foot radius of a public beach
- ▶ No Medical Marijuana Business may be located within a 600 foot radius of a public park or public library

Medical Marijuana Dispensaries

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Additional Restrictions

Dispensaries Only

- ▶ Number of licenses limited to no more than one Dispensary for every 15,000 residents, and no less than one Dispensary for every 18,000 residents
 - ▶ 27 to 32 Dispensaries based on current population levels.
- ▶ A Dispensary shall not be located within a 1,000 foot radius of any other Dispensary
- ▶ Priority based application process

Priority Applicants

Dispensaries Only

- ▶ Entity was a previous lottery winner in the September 2010 Lottery (LBMC 5.87)
- ▶ Entity was allowed by the City to operate after February 14, 2012 (LBMC 5.89.055)

Priority Group 1

- ▶ Entity applies with the city using the same location it had previously occupied in 2012

Priority Group 2

- ▶ Entity applies with the city using a different location than it had previously occupied in 2012

- ▶ All other applicants considered Non-Priority

Application Periods

Dispensaries Only

Priority Group 1 & 2 Applicants

January 23, 2017 - July 24, 2017

Non-Priority Applicants

January 23, 2017 - February 22, 2017

Application Process

Dispensaries Only

- ▶ Step 1: Submit a completed application to City Hall, 7th Floor
- ▶ Step 2: City staff will review the application for completeness and determine Priority status
 - ▶ *If the application is incomplete, you will be notified of the deficiencies by mail and email. You have until the end of your application period to resubmit a completed application.*
- ▶ Step 3: Planning Department will verify the location meets all required buffer zones
 - ▶ *If a non-priority is within 1,000 feet of a priority dispensary, the priority location will be allowed to move on in the process and the non-priority application will be denied.*
- ▶ Step 4: Priority Applicants will move directly to Department Reviews (inspections, permits, etc.)

Application Process

Dispensaries Only

- ▶ Step 5: Non-Priority Applicants will have their applications reviewed by city staff using the Priority Point System
- ▶ Step 6: Non-Priority Applicants are ranked and those with the highest points will be able to move on in the process
 - ▶ *If there are more applicants with the same point value than there are final spots in the application process, then those applicants will need to attend a Public Lottery*
- ▶ Step 7: Non-Priority Applicant Public Lottery
- ▶ Step 8: Non- Priority Applicants move on to Department Reviews (permits, inspections, etc.)
- ▶ Step 9: All inspecting departments approve issuance of license
- ▶ Step 10: Applicant makes first payment of business license tax
- ▶ Step 11: Business License mailed out to applicant

Application Materials

- ▶ The application must include the following (Priority and Non-Priority):
 - ▶ City of Long Beach Business License Application
 - ▶ Medical Marijuana Business License Application Fees
 - ▶ Medical Marijuana Business Application & Attachments
 - ▶ Medical Marijuana Dispensary Operating Plan

Application Fees

▶ Zoning Fee	\$33.00
▶ Development Services Review Fee	\$22.45
▶ Fire Department Review Fee	\$170.00
▶ ADA State Mandated Fee	\$1.00
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▶ Total	\$226.45

▶ Application fees must be paid with a check at the time of application submission

▶ NOTE: There may be additional costs as you proceed through the Department Review process

Important Dates

- ▶ January 2 - Applications made available on city website and at City Hall
- ▶ January 23 - Application period opens for medical marijuana Dispensaries only
- ▶ February 22 - Application period closes for Non-Priority Applicants
- ▶ July 24 - Application period closes for Priority Applicants
- ▶ July 24 - City posts Point Priority Rankings
- ▶ August 7 - Public Lottery (if necessary)

Other Business Types

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Application Process

All Other Business Types

- ▶ Official application period not yet determined
- ▶ Dependent on how quickly the City can process Dispensary applications
- ▶ Application materials will be made available in January
- ▶ Business License application forms will be the same, but review process will have key differences:
 - ▶ *No priority process, point rankings, or lottery system*
 - ▶ *No 1,000 foot buffer between businesses*
 - ▶ *No cap on the number of businesses*
- ▶ Check website for updates on application process

Contact Information

Website:

www.longbeach.gov/marijuana

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