

General FAQ's

How many medical marijuana dispensaries are allowed in the City of Long Beach?

A maximum of 32 medical marijuana dispensaries and a minimum of 27 marijuana dispensaries can operate in the City of Long Beach.

How many non-dispensary medical marijuana businesses are allowed in the City of Long Beach (cultivation, distribution, manufacturing, testing)?

Currently, there is no limit to the number of non-dispensary medical marijuana licenses that can be issued.

What kind of medical marijuana licenses are issued by the City of Long Beach?

Long Beach issues licenses for:

- Medical Marijuana Stores (Dispensaries)
- Medical Marijuana Manufacturing Facilities
- Medical Marijuana Cultivation Facilities
- Medical Marijuana Laboratory Testing Facilities
- Medical Marijuana Distribution Facilities

Who is eligible to apply for a medical marijuana business license?

In Long Beach, any individual or entity is eligible to apply for a medical marijuana business license. However, no license or permit shall be issued to, and no medical marijuana business may be managed by, any person who:

- Was convicted within the previous ten (10) years of any violent or serious felony as specified in Sections 667.5 and 1192.7 of the Penal Code; or
- Has any felony conviction involving fraud, deceit or embezzlement or who is currently on parole or probation for the sale or distribution of a controlled substance; or
- Is under twenty-one (21) years of age; or
- Operates or manages a Medical Marijuana Business contrary to the provisions of this Chapter, or conditions imposed on land use or license approvals, or contrary to the terms of the plans submitted with the permit application, or amended as permitted by this Chapter; or
- Is a licensed physician making patient recommendations; or
- A person licensed and permitted to operate pursuant to this Chapter who, while lawfully operating, or who, at the time of application, has failed to remedy an outstanding delinquency for City taxes or fees owed, or an outstanding delinquent judgment owed to the City; or
- A sheriff, deputy, police officer, or prosecuting officer, or an officer or employee of the State or City of Long Beach; or
- Applicants or entities (including management Employees) that have a previous record of violating federal or state laws relating to workplace safety, wages and compensation, employee discrimination, or union activity.

What is the tax for medical marijuana business types?

- a. Dispensary or Delivery: 6% of gross receipts
(can increase to 8% of gross receipts by vote of the City Council)
- b. Distribution, Transportation, Manufacturing, Testing: 6% of gross receipts
(can increase to 8% of gross receipts by vote of the City Council)
- c. Cultivation: \$12.00 per square foot
(can increase to \$15.00 per square foot by vote of the City Council)
- d. All marijuana businesses shall pay a minimum tax of one thousand dollars (\$1,000.00) annually.

Are medical marijuana business licenses transferable?

Yes. Medical Marijuana Business Licenses are transferable with prior approval of the City. Any change of ownership greater than 10 percent (10%) shall require notice to the City at least 30 days prior to the change and the licensee must submit a new business license application for City approval.

Dispensary FAQ's

Currently only Priority dispensary applications are being accepted

How do I know if I am Priority Group 1 or Priority Group 2?

The City will review applications, determine priority status, and provide applicants formal written notification of their priority status. Generally speaking, the following criteria must be met for an applicant to be considered part of a priority group:

- Priority Group 1:
 - City of Long Beach September 2010 Lottery winner
 - Allowed by City Council to operate after February 14, 2012
 - Have the same location under Chapter 5.87
- Priority Group 2:
 - City of Long Beach September 2010 Lottery winner
 - Allowed by City Council to operate after February 14, 2012
 - Does not have the same location under Chapter 5.87

In order to receive priority status, the applicant must be the same legal entity that was operating under LBMC 5.87.

Can a priority applicant apply for multiple dispensary locations? Will all of those locations be considered priority locations?

An applicant that is a "Priority Group 1 or Priority Group 2" can apply for multiple dispensary locations; however, only one location will have priority. Priority is related both to the applicant and to the location - not just the applicant.

How will the City determine whether or not a Non-Priority application is awarded the Priority Point for exceeding all buffer zones by at least five hundred (500) feet?

City staff will first extend all school, beach, park and library buffers by 500 feet. Next, staff will determine whether or not the proposed property falls inside or outside of these new buffers. If the property falls outside of the buffer, then the application will receive the Priority Point.

In other words, an application will be awarded the Priority Point if it meets all of the following requirements:

Property is located outside of a one-thousand five-hundred (1,500) foot radius of all public and private schools (as defined in Health and Safety Code § 11362.768(h)) and public beaches within the city limits; and

Property is located outside of a one-thousand one-hundred (1,100) foot radius of all public parks and public libraries within the city limits.

I can't get a copy of electric load authorization from my utility provider. What should I do?

The City has recently revised the application materials excluding the attachment of the electric load authorization from the utility provider. However, you must still indicate the anticipated electric load and any upgrades you will be doing to the property related to the electric load.

What if I will be transporting/delivering marijuana but I have not hired any employees?

The documents related to transporting/delivering marijuana must be kept on file at the business as well as in any relevant employee personnel files; however, they do not need to be submitted with the application.

All Business Types FAQ's

Application

What documents will be acceptable for proof of insurance?

Long Beach Municipal Code Section 5.90.0230 requires all marijuana businesses to provide proof of worker's compensation and liability insurance at the time of application. Proof of insurance may include quotations from an insurance agency, a letter of intent/ "will serve" letter, and/or certificates of insurance. Any quotation or letter of intent must be on official agency letterhead and/or documents. A letter of intent must be signed by a qualified agent of an insurance company.

Pursuant to LBMC Section 5.90.030, a medical marijuana business must at all times maintain liability insurance and worker's compensation insurance having aggregate policy limits in an amount not less than \$1,000,000.

How do I prove that my business entity is in good standing?

Please provide a print out of the CA Secretary of State Business Entity search showing the status of the business entity. You should also provide a print out of the Franchise Tax Board showing that the entity is in good standing. If the owner/entity is not required to file information with the CA Secretary of State and/or the Franchise Tax Board, please disregard this requirement.

Can a business apply for one medical marijuana license that allows them to operate from multiple locations?

No, the City will require a separate business license for each place of business, per [3.80.420.5 of the Long Beach Municipal Code](#).

What if I don't own the property where I propose to operate my business?

If the medical marijuana business is not the owner of the property of the business, the Applicant shall provide a notarized Property Owner Authorization Form found in the Medical Marijuana Business License Application signed by the property owner giving the City the right to enter the property for inspection of the property as well as acknowledgement from the owner that the Applicant has the owner's permission and consent to operate a medical marijuana business at the subject property.

If the medical marijuana business is the owner of the property of the business, the Applicant shall provide a copy of the title or deed to the property with the application.

Buffer Zones/ Location

What will happen if I receive a medical marijuana business license, but a school, park or library subsequently opens nearby that violates the buffer requirements set forth in Chapter 5.90.030 of the Long Beach Municipal Code?

In this situation, the medical marijuana business will be treated as a legal nonconforming use, pursuant to Chapter 21.27 of the Long Beach Municipal Code. The medical marijuana business may continue to operate, but shall not be expanded to occupy a greater area of land or building than was occupied at the time the use or structure became nonconforming. Ordinary maintenance and repair of a building containing a nonconforming use, such as painting or plumbing repair, shall be permitted as necessary to ensure the protection of general health, safety and welfare.

For more information and requirements, see Chapter 21.27 of the Long Beach Municipal Code.

Can multiple business entities obtain medical marijuana business licenses from the same address?

No, the City will not issue multiple medical marijuana business licenses to separate business entities operating from the same address. However, the City will issue multiple medical marijuana business licenses (e.g. dispensing and cultivating) to a single business entity operating from one address. The business entity must apply and be approved for each medical marijuana license type separately. The combination of license types allowable under MCRSA, and by the City, can be found at www.bmcr.ca.gov/meetings/materials/cross_licensure_guide.pdf.

Taxes

When are taxes due to the City of Long Beach?

Taxes shall begin to accrue on the date that a person or entity first receives a business license or other permit to operate as a Marijuana Business.

Payments for medical marijuana businesses that are taxed using gross receipts are due on a quarterly basis once the business license is issued and every quarter thereafter.

Square footage payments shall be made annually at the beginning of the calendar year and should be based on the square footage that the marijuana business is authorized to cultivate by either a City permit or license, or by a state license in the absence of a City permit or license.

How do I pay my taxes?

Payments will only be accepted at City Hall at the Cashier on the Lobby Level.

What happens if I don't pay my taxes on time?

Any business that fails to pay taxes within 30 days of the due date shall pay, in addition to the taxes, a penalty equal to twenty-five percent (25%) of the total amount due. Ten percent (10%) shall be added on the first day of each calendar month following the month of the initial twenty-five percent (25%) penalty if the tax remains unpaid up to one hundred percent (100%) of the tax payable on the due date. Postmarks will not be accepted as adequate proof of a timely payment.

Recreational Marijuana

Does the City of Long Beach have any laws about recreational marijuana?

No. Currently the City of Long Beach does not have any regulatory laws regarding recreational marijuana. Citizens of Long Beach must follow the regulations outlined in the Adult Use of Marijuana Act (AUMA).

Can I open a recreational marijuana business in the City of Long Beach?

No. In order to operate legally as a recreational (non-medical) marijuana business within the City of Long Beach, you must first obtain a State license. State licenses will be issued beginning on or before January 1, 2018. In addition, commercial recreational marijuana businesses are not zoned in the City of Long Beach. Any use not expressly permitted in the Long Beach Municipal Code is prohibited.

Can I legally grow marijuana at home?

AUMA states adult residents 21 years and older can grow up to 6 living marijuana plants per person within a residence for personal use. No more than 12 total plants are allowed per residence regardless of the number of adults living there. Marijuana plants must be kept in an enclosed, locked area.

Take extra precautions to ensure that only authorized adults have access to the marijuana plants. You must be 21 and older to have or use marijuana. Children and pets should be kept away from plants at all times.

For more information, visit <http://www.bmcr.ca.gov/>

Can I sell home-grown marijuana to others?

Home grown marijuana, no matter the form, may not be sold to others.

Take extra precautions to ensure that only authorized adults have access to marijuana plants. You must be 21 and older to have or use marijuana. Children and pets should be kept away from plants at all times.

Can I give away home-grown marijuana to others?

AUMA states a person 21 years of age or older may give away to persons 21 years of age or older not more than 28.5 grams of marijuana in the non-concentrated form and not more than 8 grams of marijuana in a concentrated form including marijuana products. You cannot receive any form of compensation for giving away marijuana.