

PROPOSED TITLE 5 AMENDMENTS

The proposed Title 5 Amendments are not within the purview of the Planning Commission and are therefore not a subject of the Planning Commission hearing; however they are being provided for context to understand the proposed supporting changes to the Zoning Code (Titles 21 and 22)

DIVISION IV. DISPENSARY OPERATING CONDITIONS

In addition to the general operating requirements set forth in Division III of this Chapter, this Division provides additional requirements for Dispensaries and delivery services.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.910 Compliance.

Dispensaries may sell, distribute, dispense, provide, deliver, or transport Cannabis, only in accordance with all applicable laws and regulations, including but not limited to, this Code, any regulations implemented by the Department of Cannabis Control, California Business and Professions Code Sections 26000 et seq., and all other applicable State, federal and local laws and regulations.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.915 Hours of operation.

Dispensaries may only be open to the public between the hours of 9:00 a.m. to 9:00 p.m. up to seven (7) days per week. All deliveries of cannabis goods to customers by a Dispensary shall be completed by 10:00 p.m.

(ORD-22-0015 § 4, 2022; ORD-20-0042 § 2, 2020; ORD-18-0015 § 6(Exh. F), 2018)

5.92.920 Security personnel.

- A. Dispensaries shall hire or contract for uniformed security personnel to provide twenty-four (24) hour random security patrols of the premises to monitor site activity, control loitering and site access, and to serve as a visual deterrent to unlawful activities. At a minimum, uniformed security personnel shall be generally located at an indoor guard station on the premises during all hours of operation and security-patrolling services shall patrol the premises during all hours the Dispensary is closed to the public.
- B. All uniformed security personnel hired or contracted by a Dispensary shall be licensed with the State of California Bureau of Security and Investigative Service, and shall comply with requirements in California Business and Professions Code Chapters 11.4 and 11.5 of Division 3.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.925 Protocols for individuals entering the premises.

- A. No person shall be permitted to enter a Dispensary without government-issued identification. Dispensaries shall not provide cannabis goods to any person, whether by purchase, trade, gift, or otherwise, who does not possess a valid government-issued identification and who does not meet the age requirements of this Chapter.
- B. Electronic age verification device required. Dispensaries shall verify the proof of age of every person entering the business with an electronic age verification device, prior to entry of the retail area. The electronic age verification device may be mobile or fixed, and shall be able to retain a log of all scans that includes the following information: date, time, and age. Said log shall be kept for a minimum of one-hundred and eighty (180) business days and all records shall be made available to the City Manager upon request.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.930 Point-of-sale tracking required.

A Dispensary shall facilitate the dispensing, making available, sale, and delivery of cannabis goods with a technology platform that uses point-of-sale technology to track, and database technology to record and store, the following information for each transaction involving the exchange of cannabis goods between the Dispensary and customer:

- A. The date and time of transaction.
- B. The first name and employee number of the Dispensary employee who processed the sale of cannabis goods on behalf of the Dispensary.
- C. A list of all the cannabis goods purchased, including the quantity purchased.
- D. The total amount paid for the sale, including the individual prices paid for cannabis or cannabis products purchased, and any amounts paid for taxes.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.935 Taxes.

Transactions for Dispensaries shall be taxed at the non-medical marijuana tax rate pursuant to Section 3.80.261.C.2 of this Code, unless the Dispensary is able to prove by reasonable and verifiable standards which portion of the gross receipts are tied to the sale of the adult-use cannabis goods and which portion are tied to the sale of medicinal cannabis goods.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.940 Cannabis goods.

- A. A Dispensary shall not make any cannabis goods available for sale or delivery to a customer unless the cannabis goods were received from a State licensed Distributor.
- B. Prior to making cannabis goods available to customers, Dispensaries shall ensure that all cannabis goods dispensed, sold, delivered, or made available by the Dispensary, at a minimum:
 - 1. Are packaged and sealed in tamper-evident packaging that includes a unique identifier, such as a batch number and lot number or bar code, to identify and track the cannabis goods.
 - 2. For manufactured cannabis products, that the product complies with all requirements of California Business and Professions Code Section 26130 and all other applicable laws and regulations.
 - 3. The Dispensary has verified that the cannabis goods have not exceeded their expiration or sell-by date, if one is provided.
 - 4. For edible cannabis product, that the products comply with State packaging and labeling requirements, including, but not limited to:
 - a. Edible cannabis products shall not exceed 10 milligrams of tetrahydrocannabinol (THC) per serving.
 - b. The THC content for the cannabis product in its entirety is printed on the package.
 - c. All applicable requirements pursuant to California Business and Professions Code Sections 26120 and 26121 and any regulations promulgated thereunder.
- C. Exit packaging. Cannabis goods purchased by a customer shall not leave the Dispensary's premises unless placed in an opaque (not see-through) exit package.
- D. Secure storage of cannabis goods. Cannabis goods that are not used for display purposes or immediate sale shall be stored in a limited-access area, such as a secure and locked room, safe, or vault, and in a manner reasonably designed to prevent diversion, theft, and loss. It is unlawful, and a violation of this Chapter for a Dispensary to store cannabis goods in the retail area after the close of business.
- E. Edible cannabis products.
 - 1. Dispensaries may only dispense, sell, provide, or make available those edible cannabis products authorized by the State Department of Public Health and the City Health Officer.
 - 2. The sale, distribution, and delivery of edible cannabis products shall be conducted in a manner that complies with all applicable food safety laws for the protection of humans consuming cannabis.
- F. No sales of expired cannabis products. Dispensaries are prohibited from selling any expired cannabis goods. It is unlawful for any person to alter, edit, or adjust, in any

manner, an expiration date on any item or cannabis product once affixed by its Manufacturer.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.945 Daily limit per person.

No Dispensary shall sell, distribute, or deliver more than 28.5 grams of cannabis or eight (8) grams of concentrated cannabis, including concentrated cannabis contained in cannabis products, to the same customer in the same business day.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.950 No free adult-use cannabis goods.

A Dispensary shall not provide free adult-use cannabis goods to any person. A Dispensary shall not allow individuals that are not employed by the Dispensary to provide free adult-use cannabis goods to any person on the permitted premises. In this Section, "free adult-use cannabis goods" shall mean any amount of cannabis goods provided to any person without cost or payment in exchange of any other thing of value.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.955 Interior signage required.

Dispensaries shall post the following notice(s), on a separate sign, or by adding the following notices to the interior sign required pursuant to Section 5.90.060 of this Code, conspicuously and where an average customer is likely to clearly view said notice within the permitted premises:

- A. "Smoking, vaporizing, ingesting, or consuming cannabis, cannabis products, tobacco, or alcohol on these premises, or in their vicinity, is prohibited and a violation of the Long Beach Municipal Code."
- B. "Patrons must immediately leave the premises and should not consume cannabis goods until at home or in an equivalent private location."
- C. "CALIFORNIA PROP. 65 WARNING: Smoking of cannabis and cannabis-derived products will expose you and those in your immediate vicinity to cannabis smoke. Cannabis smoke is known by the State of California to cause cancer."
- D. Consistent with this Subsection, such signage is prohibited on exterior windows and storefronts on ground-floor street facades, and premises located within PD-30 are furthermore subject to the Downtown Pedestrian-Oriented transparency standards (if applicable), whereby clear, nonreflective display windows or doors shall comprise at least sixty percent (60%) of the ground-floor street façade of active, pedestrian-oriented uses.

(ORD-23-0026 § 4, 2023; ORD-22-0015 § 4, 2022; ORD-21-0021 § 4, 2021; ORD-18-0015 § 6(Exh. F), 2018)

5.92.960 Delivery services.

In addition to the requirements set forth in this Chapter for Dispensaries, the delivery of cannabis goods shall be subject to the following requirements:

- A. Compliance. Delivery services shall be conducted in accordance with any relevant State and local laws and regulations, any applicable local laws in the delivery location, and any conditions imposed upon a Dispensary.
- B. Delivery services may operate as a part of, and in conjunction with, a Dispensary with a storefront open to the public during business hours and permitted pursuant to this Chapter and Chapter 5.90 of this Code and any applicable State laws and regulations.
- ~~C. No Person shall conduct sales of cannabis goods exclusively by delivery.~~
- C. Any application for a Dispensary shall include a statement as to whether the proposed use will include delivery of cannabis goods to customers.
- D. Vehicle standards. Dispensaries shall only allow delivery of cannabis goods in a vehicle that:
 - 1. Is capable of securing (locking) the cannabis goods during transportation.
 - 2. Is capable of being time and/or temperature controlled, if perishable cannabis goods are being transported.
 - 3. Does not display advertising or symbols visible from the exterior of the vehicle that suggest the vehicle is used for cannabis delivery or affiliation with a Dispensary.
 - 4. Shall only be operated by the delivery employee of the Dispensary
 - 5. Only the licensee or an employee of the Dispensary for whom delivery is being performed shall be in the delivery vehicle.
- E. Inspections. Any motor vehicle used by a Dispensary to deliver cannabis goods is subject to inspection by the City Manager or Chief of Police and may be stopped at the premises or during the delivery for inspection.
- F. Delivery employees. Every delivery employee of a Dispensary shall be at least twenty-one (21) years of age and shall have a valid California Driver's License.
- G. Documentation during transport. Delivery employees of a Dispensary shall carry a physical or electronic copy of the delivery request receipt with details regarding the delivery, a copy of the Dispensary's current permits and/or licenses required by the State and City, the employee's government-issued identification, and an identification badge provided by the Dispensary. All documentation shall be made available upon request to the City Manager or Chief of Police.
- H. Dispensaries shall maintain a database, and provide to the City Manager upon verbal or written request, a list of delivery employees and vehicles authorized to conduct deliveries on behalf of the Dispensary.

- I. Delivery employees shall personally verify, for each individual transaction, that the identity of the customer receiving cannabis goods from the Dispensary is the same as the person who ordered the delivery, and that said person is twenty-one (21) years of age or older, via the presentation of a valid government-issued identification.
- J. Limitations.
 1. While making deliveries, a Dispensary's delivery employee shall not carry cannabis goods worth more than limits imposed by the State at any time. This value shall be determined using the current retail price of all cannabis goods carried by the delivery employee.
 2. Direct route only. Except where a delivery employee requires rest, fuel, vehicle repair, or where the road conditions make the continued use of the road unsafe, impossible, or impracticable, a delivery employee may only travel to and from the Dispensary, to the delivery address, and between delivery addresses while delivering cannabis goods.
 3. Dispensaries and delivery employees may only deliver cannabis goods to customers within a city or county that does not expressly prohibit such delivery by ordinance.
 4. Consumption prohibited. No person shall consume or otherwise ingest cannabis goods, alcohol, any controlled substance, or intoxicants while transporting or delivering cannabis goods.
 5. The Dispensary shall prepare a delivery request receipt for each delivery of cannabis goods that shall include the following:
 - a. The name and address of the Dispensary;
 - b. The first name and employee number of the Dispensary's delivery employee who delivered the order;
 - c. The first name and employee number of the Dispensary's employee who prepared the order for delivery;
 - d. The first name of the customer and a Dispensary-assigned customer number for the person who requested the delivery;
 - e. The date and time the delivery request was made;
 - f. The delivery address;
 - g. A detailed description of all cannabis goods requested for delivery. The description shall include the weight, volume, or any other accurate measure of the amount of all cannabis goods requested;
 - h. The total amount paid for the delivery, including any taxes or fees, the cost of the cannabis goods, and any other charges related to the delivery; and
 - i. Upon delivery, the date and time the delivery was made, and the signature of the customer who received the delivery.

6. A vehicle used for the delivery of cannabis goods shall be outfitted with a dedicated Global Positioning System (GPS) device for identifying the geographic location of the delivery vehicle in compliance with all applicable State laws and regulations.
 - a. The dedicated GPS device must be owned by the Dispensary and used for delivery only. A personal or business phone or tablet is not an acceptable GPS device.
 - b. The device shall be either permanently or temporarily affixed to the delivery vehicle, shall remain active, and inside of the delivery vehicle at all times during delivery.
 - c. At all times, the Dispensary shall be able to identify the geographic location of all delivery vehicles that are making deliveries for the Dispensary and shall provide that information to the City Manager or Chief of Police upon request. The history of all locations traveled to by a delivery employee while engaging in delivery shall be maintained by the licensee for a minimum of 90 days.
- K. All cannabis and all cannabis products being delivered must be obtained from the site of the licensed Dispensary or Delivery-Only Dispensary that is authorized to deliver cannabis. No cannabis or cannabis products may be delivered from any other facility, such as a separate storage facility or a cannabis product manufacturing facility. Loading and unloading of cannabis products must only take place within the designated and approved secured loading area.
- L. Deliveries Facilitated by Technology Platforms. A delivery license retailer shall not sell or otherwise transfer any cannabis goods to a customer through the use of an unlicensed third party, intermediary business, broker, or any other business or entity.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.965 Responsible Vendor Training Pilot Program.

- A. Purpose and Intent. Recognizing the potential harms and public health implications associated with cannabis use, the purpose of this Section is to promote public health and safety to reduce the likelihood of the problematic use of cannabis by proactively requiring that all customer-facing employees and managers of Dispensaries learn the necessary skills to protect customers, the public, employees of the Dispensary, and Dispensaries through a Responsible Vendor Training Program.
- B. Compliance. Every customer-facing manager and employee of a permitted Dispensary shall enroll in the Department of Health and Human Services' standardized training for Dispensaries within ninety (90) days of the establishment of the City's Responsible Vendor Training Pilot Program. Upon completion of such training, employees and managers shall receive written confirmation from the Department of Health and Human Services of successful completion of the program.

Dispensaries shall keep a copy of said written confirmation on the permitted premises for every customer-facing employee and manager.

- C. New employees and managers. Any newly hired manager or employee of a permitted Dispensary shall successfully complete the Responsible Vendor Training Pilot Program within sixty (60) days of said individual's first day of employment.
- D. Renewal of Training. After initial successful completion of the Responsible Vendor Pilot Training Program, every manager and employee of a Dispensary shall successfully complete the Responsible Vendor Training Pilot Program every twenty-four (24) months.
- E. Online or in-person training is at the discretion of the Department of Health and Human Services. Nothing in this Section shall prevent the City from becoming a training provider under any similar program for Dispensaries implemented by the State.
- F. Within three (3) years of the establishment of the program, the City Council will consider the available data and determine whether and how to continue the program. This Section shall remain in effect until revoked by the City Council.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

DIVISION XII. DELIVERY- ONLY DISPENSARY OPERATING CONDITIONS

In addition to the general operating requirements set forth in Division III of this Chapter, this Division provides additional requirements for Delivery-Only Dispensaries.

5.92.1710 Compliance.

Delivery-Only Dispensaries may sell, distribute, dispense, provide, deliver, or transport Cannabis, only in accordance with all applicable laws and regulations, including but not limited to, this Code, any regulations implemented by the Department of Cannabis Control, California Business and Professions Code Sections 26000 et seq., and all other applicable State, federal and local laws and regulations.

5.92.1715 Hours of operation.

Delivery-Only Dispensaries may only conduct deliveries between the hours of 9:00 a.m. to 10:00 p.m. up to seven (7) days per week.

5.92.1720 Point-of-sale tracking required.

A Delivery-Only Dispensary shall facilitate the dispensing, making available, sale, and delivery of cannabis goods with a technology platform that uses point-of-sale technology to track, and database technology to record and store, the following information for each transaction involving the exchange of cannabis goods between the Delivery-Only Dispensary and customer:

- A. The date and time of transaction.
- B. The first name and employee number of the Delivery-Only Dispensary employee who processed the sale of cannabis goods on behalf of the Delivery-Only Dispensary.
- C. A list of all the cannabis goods purchased, including the quantity purchased.
- D. The total amount paid for the sale, including the individual prices paid for cannabis or cannabis products purchased, and any amounts paid for taxes.

(ORD-22-0015 § 4, 2022; ORD-18-0015 § 6(Exh. F), 2018)

5.92.1725 Taxes.

Transactions for Delivery-Only Dispensaries shall be taxed at the non-medical marijuana tax rate pursuant to Section 3.80.261.C.2 of this Code, unless the Dispensary is able to prove by reasonable and verifiable standards which portion of the gross receipts are tied to the sale of the adult-use cannabis goods and which portion are tied to the sale of medicinal cannabis goods.

5.92.1730 Cannabis goods.

- A. A Delivery-Only Dispensary shall not make any cannabis goods available for sale or delivery to a customer unless the cannabis goods were received from a State licensed Distributor.

B. Prior to making cannabis goods available to customers, Delivery-Only Dispensaries shall ensure that all cannabis goods dispensed, sold, delivered, or made available by the Delivery-Only Dispensary, at a minimum:

1. Are packaged and sealed in tamper-evident packaging that includes a unique identifier, such as a batch number and lot number or bar code, to identify and track the cannabis goods.
2. For manufactured cannabis products, that the product complies with all requirements of California Business and Professions Code Section 26130 and all other applicable laws and regulations.
3. The Dispensary has verified that the cannabis goods have not exceeded their expiration or sell-by date, if one is provided.
4. For edible cannabis product, that the products comply with State packaging and labeling requirements, including, but not limited to:
 - a. Edible cannabis products shall not exceed 10 milligrams of tetrahydrocannabinol (THC) per serving.
 - b. The THC content for the cannabis product in its entirety is printed on the package.
 - c. All applicable requirements pursuant to California Business and Professions Code Sections 26120 and 26121 and any regulations promulgated thereunder.

D. Secure storage of cannabis goods. Cannabis goods that are not used for immediate sale shall be stored in a limited-access area, such as a secure and locked room, safe, or vault, and in a manner reasonably designed to prevent diversion, theft, and loss.

E. Edible cannabis products.

1. Delivery-Only Dispensaries may only dispense, sell, provide, or make available those edible cannabis products authorized by the State Department of Public Health and the City Health Officer.
2. The sale, distribution, and delivery of edible cannabis products shall be conducted in a manner that complies with all applicable food safety laws for the protection of humans consuming cannabis.

F. No sales of expired cannabis products. Delivery-Only Dispensaries are prohibited from selling any expired cannabis goods. It is unlawful for any person to alter, edit, or adjust, in any manner, an expiration date on any item or cannabis product once affixed by its Manufacturer.

5.92.1735 No free adult-use cannabis goods.

A Delivery-Only Dispensary shall not provide free adult-use cannabis goods to any person. A Delivery-Only Dispensary shall not allow individuals that are not employed by the Delivery-Only Dispensary to provide free adult-use cannabis goods to any person on

the permitted premises. In this Section, "free adult-use cannabis goods" shall mean any amount of cannabis goods provided to any person without cost or payment in exchange of any other thing of value.

5.92.1740 Delivery services.

In addition to the requirements set forth in this Chapter for Delivery-Only Dispensaries, the delivery of cannabis goods shall be subject to the following requirements:

- A. Compliance. Delivery services shall be conducted in accordance with any relevant State and local laws and regulations, any applicable local laws in the delivery location, and any conditions imposed upon a Delivery-Only Dispensary.
- B. No person shall conduct sales of cannabis goods exclusively by delivery, unless they are a verified equity business.
- C. No Delivery-Only Dispensary shall open their site to the public or conduct any retail sales of any goods and services to any person on the Delivery-Only Dispensary site.
- D. Any application for a Delivery-Only Dispensary shall include a statement as to whether the proposed use will include delivery of cannabis goods to customers.
- E. Vehicle standards. A Delivery-Only Dispensary shall only allow delivery of cannabis goods in a vehicle that:
 1. Is capable of securing (locking) the cannabis goods during transportation.
 2. Is capable of being time and/or temperature controlled, if perishable cannabis goods are being transported.
 3. Does not display advertising or symbols visible from the exterior of the vehicle that suggest the vehicle is used for cannabis delivery or affiliation with a Delivery-Only Dispensary.
 4. Shall only be operated by the delivery employee of the Delivery-Only Dispensary.
 5. Only the licensee or an employee of the Delivery-Only Dispensary licensee for whom delivery is being performed shall be in the delivery vehicle.
- F. Inspections. Any motor vehicle used by a Delivery-Only Dispensary to deliver cannabis goods is subject to inspection by the City Manager or Chief of Police and may be stopped at the premises or during the delivery for inspection.
- G. Delivery employees. Every delivery employee of a Delivery-Only Dispensary shall be at least twenty-one (21) years of age and shall have a valid California Driver's License.
- H. Documentation during transport. Delivery employees of a Delivery-Only Dispensary shall carry a physical or electronic copy of the delivery request receipt with details regarding the delivery, a copy of the Delivery-Only Dispensary's current permits and/or licenses required by the State and City, the employee's

government-issued identification, and an identification badge provided by the Delivery-Only Dispensary. All documentation shall be made available upon request to the City Manager or Chief of Police.

I. A Delivery-Only Dispensary shall maintain a database, and provide to the City Manager upon verbal or written request, a list of delivery employees and vehicles authorized to conduct deliveries on behalf of the Delivery-Only Dispensary.

J. Limitations.

1. While making deliveries, a Delivery-Only Dispensary's delivery employee shall not carry cannabis goods worth more than limits imposed by the State at any time. This value shall be determined using the current retail price of all cannabis goods carried by the delivery employee.

2. Direct route only. Except where a delivery employee requires rest, fuel, vehicle repair, or where the road conditions make the continued use of the road unsafe, impossible, or impracticable, a delivery employee may only travel to and from the Delivery-Only Dispensary, to the delivery address, and between delivery addresses while delivering cannabis goods.

3. Delivery-Only Dispensaries and delivery employees may only deliver cannabis goods to customers within a city or county that does not expressly prohibit such delivery by ordinance.

4. Consumption prohibited. No person shall consume or otherwise ingest cannabis goods, alcohol, any controlled substance, or intoxicants while transporting or delivering cannabis goods.

5. The Delivery-Only Dispensary shall prepare a delivery request receipt for each delivery of cannabis goods that shall include the following:

a. The name and address of the Delivery-Only Dispensary;

b. The first name and employee number of the Delivery-Only Dispensary's delivery employee who delivered the order;

c. The first name and employee number of the Delivery-Only Dispensary's employee who prepared the order for delivery;

d. The first name of the customer and a Delivery-Only Dispensary-assigned customer number for the person who requested the delivery;

e. The date and time the delivery request was made;

f. The delivery address;

g. A detailed description of all cannabis goods requested for delivery. The description shall include the weight, volume, or any other accurate measure of the amount of all cannabis goods requested;

h. The total amount paid for the delivery, including any taxes or fees, the cost of the cannabis goods, and any other charges related to the delivery; and

- d. Each Delivery-Only Dispensary shall have adequate storage space in a building for all its cannabis and cannabis products. The storage areas must not be shared with another delivery-only cannabis dispensary permittee, must be separated from the main entrance and lobby and must be secured by a lock accessible only to managers and staff of the Delivery-Only Dispensary.

5.92.1745 Responsible Vendor Training Pilot Program.

- A. Purpose and Intent. Recognizing the potential harms and public health implications associated with cannabis use, the purpose of this Section is to promote public health and safety to reduce the likelihood of the problematic use of cannabis by proactively requiring that all customer-facing employees and managers of Delivery-Only Dispensaries learn the necessary skills to protect customers, the public, employees of the Delivery-Only Dispensary, and Delivery-Only Dispensaries through a Responsible Vendor Training Program.
- B. Compliance. Every customer-facing manager and employee of a permitted Delivery-Only Dispensary shall enroll in the Department of Health and Human Services' standardized training for Delivery-Only Dispensaries within ninety (90) days of the establishment of the City's Responsible Vendor Training Pilot Program. Upon completion of such training, employees and managers shall receive written confirmation from the Department of Health and Human Services of successful completion of the program. Delivery-Only Dispensaries shall keep a copy of said written confirmation on the permitted premises for every customer-facing employee and manager.
- C. New employees and managers. Any newly hired manager or employee of a permitted Delivery-Only Dispensary shall successfully complete the Responsible Vendor Training Pilot Program within sixty (60) days of said individual's first day of employment.
- D. Renewal of Training. After initial successful completion of the Responsible Vendor Pilot Training Program, every manager and employee of a Delivery-Only Dispensary shall successfully complete the Responsible Vendor Training Pilot Program every twenty-four (24) months.
- E. Online or in-person training is at the discretion of the Department of Health and Human Services. Nothing in this Section shall prevent the City from becoming a training provider under any similar program for Delivery-Only Dispensaries implemented by the State.
- F. Within three (3) years of the establishment of the program, the City Council will consider the available data and determine whether and how to continue the program. This Section shall remain in effect until revoked by the City Council.

PROPOSED TITLE 21 AMENDMENTS

Chapter 21.15 DEFINITIONS

21.15.113 - Adult-Use Cannabis Dispensary.

A retail use (SIC Code 59) where cannabis goods or devices for the use of cannabis goods are offered, either individually or in any combination, for retail sale to customers at an on-site fixed location, including an establishment that also offers delivery of cannabis goods as part of a retail sale, in addition to on-site sales, in compliance with Titles 5.90 and 5.92.

For adult-use delivery-only cannabis dispensary, see "Adult-Use Cannabis delivery-only dispensary".

21.15.114 – Adult-Use Cannabis Delivery-Only Dispensary.

A commercial use in which any person, entity, or operation, in whole or in part, whether operating for-profit or not-for-profit, and all associated owners, employees, managers, or agents engaged in both medicinal and adult-use commercial cannabis activity from a permitted premise that does not have a retail storefront, is not open to the public and by which the exchange of products is facilitated directly to an end-consumer through off-site delivery only, with no transactions physically occurring on-site at the facility.

For retail (SIC Code 59) adult-use cannabis dispensary, see "Adult-Use Cannabis Dispensary".

Chapter 21.32 COMMERCIAL DISTRICTS

**Table 32-1
Uses In All Other Commercial Zoning Districts**

Retail Services	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Adult-Use Cannabis Dispensary	Y	Y	Y	Y	Y	Y	Y	Y	N	Subject to requirements in 5.92.
<u>Adult-Use Cannabis Delivery-Only Dispensary up to 750 sq. ft. of GFA*</u>	<u>Y*</u>	<u>Y*</u>	<u>Y*</u>	<u>Y</u>	<u>Y</u>	<u>Y*</u>	<u>Y*</u>	<u>Y</u>	<u>N</u>	<u>Subject to requirements in 5.92 and special standards in Section 21.45.700.</u> <u>*Allowed only on the 2nd floor within the CNP, CNA, CNR, CCR, and CCN zones.</u>
<u>Adult-Use Cannabis Delivery-Only Dispensary over 750 sq. ft. of GFA*</u>	<u>AP*</u>	<u>AP*</u>	<u>AP*</u>	<u>AP</u>	<u>AP</u>	<u>AP*</u>	<u>AP*</u>	<u>AP</u>	<u>N</u>	<u>Subject to requirements in 5.92 and special standards in Section 21.45.700.</u> <u>*Allowed only on the 2nd floor within the CNP, CNA, CNR, CCR, and CCN zones contingent on Administrative Use Permit approval.</u>

Chapter 21.32 INDUSTRIAL DISTRICTS

**Table 33-2
Uses In Industrial Districts**

Use	IL	IM	IG	IP	*Notes and Exceptions	
7. Retail Trade					a. Primarily, these uses are intended to serve nearby industries and employees, and the retail's proximity will provide convenience with minimal impact on the retail operations.	
7.1 Eating places without drive-through facilities (SIC code 5812*)	Y	Y	Y	See item 10 in this table	b. Any business involved in the sale of alcoholic beverages shall be subject to conditional use permit review and shall meet the location requirements contained in Section <u>21.52.201</u> . The following exceptions do not require a conditional use permit: Restaurants with alcoholic beverage service only with meals, whereby alcoholic beverage sales comprise 30 percent or less of the monthly gross sales of the restaurant. This generally means that any use with a fixed bar is not exempt from the conditional use permit requirement. A service bar is not a fixed bar. A sushi bar where alcoholic beverages are served at the same bar as meals is considered as serving alcoholic beverages only with meals. A cocktail lounge without a bar but with service primarily of hors d'oeuvres and alcoholic beverages shall require a conditional use permit.	
7.2 Eating with drive-through facilities (SIC code 5812*)	C	C	C			
7.3 Book and video stores; video rentals (SIC codes 5735, 5942, 7841)	Y	Y	Y			
7.4 All other retail trade (SIC codes 52 through 57, 59)	Y	C	C			
<u>7.5 Adult-Use Cannabis Delivery-Only Dispensary up to 750 sq. ft. of GFA</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>			<u>Subject to requirements in 5.92 and special standards in Section 21.45.700.</u>
<u>Adult-Use Cannabis Delivery-Only Dispensary over 750 sq. ft. of GFA</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>			<u>Subject to requirements in 5.92 and special standards in Section 21.45.700.</u>
7. Retail Trade (continued) See item 13 in this table for "drinking places." (SIC code 5813)						

Chapter 21.45 SPECIAL DEVELOPMENT STANDARDS

21.45.700 – Adult-use cannabis delivery-only dispensaries

The following special development standards shall apply to Adult-use cannabis delivery-only dispensaries:

- A. Building Facades. On any industrial or commercial building or tenant space (existing or new) elevation fronting the street, blank walls in excess of 20 feet (or as specified within the applicable zoning district, whichever is more stringent) shall be prohibited. Facades visible from the street shall incorporate architectural elements such as building plane breaks, three-dimensional elements, transparent, display, doors, changes in color and materials and landscaping that result in a building with articulation.
- B. Window Coverage. On any commercial or industrial building or tenant space elevation fronting the street, standard windows or display windows shall comprise at least twenty-five percent (25%) of the elevation that encompasses the proposed use. Windows along street-facing frontages shall be transparent. Such glass should be clear with an exterior daylight reflectance of not more than eight percent (8%).
- C. Entrances and Lobbies. Delivery-only dispensaries shall have a main entrance that is clearly visible from the public right-of-way. Entrances shall be clear of blockages, landscaping, and any other obstructions. The main entrance shall lead to a lobby used only to receive persons into the site and verify access privilege into restricted areas. Entrances into a building or tenant space on the dispensary site shall be locked at all times. Access into the facility and/or restricted areas shall be controlled by the managers and staff of the delivery-only dispensary.
- D. Distribution Area. Each delivery-only dispensary shall have a specific area designated for the secure transfer of cannabis products between a vehicle and the restricted area.
- E. Storage. Each delivery-only dispensary shall have adequate storage space for all cannabis products. The storage areas shall be for the sole use of each individual permittee and shall not be shared with another delivery-only permittee. Storage areas shall be separated from main entrances and lobbies and must be secured and accessible only to managers and staff of the delivery-only dispensary.

PROPOSED TITLE 22 AMENDMENTS

22.15.030 – Permit Requirements-Permitted Uses. Table 2B: Permitted Uses in Mixed Use (MU) Zones

Table 2B: Permitted Uses							
Uses	Mixed-Use Zones			Mixed-Use Zones (A-Series)			Notes and Exceptions
	MU-1	MU-2	MU-3	MU-1-A/ MU-1-B*	MU-2-A	MU-3-A	
Commercial: Business/Retail/Professional/Personal							
<i>Basic Sales and Service: Retail/Business/Professional/Personal</i>							
≤4,500 Sq. Ft. GFA	Y	Y	Y	Y	Y	Y	Subject to 21.52.251 in RMU3 and RMU4 zones.
>4,500 and ≤9,000 Sq. Ft. GFA	Y	Y	Y	Y	Y	Y	
>9,000 Sq. Ft. GFA	Y	AP	AP	Y	AP	AP	
Thrift Store, Used Merchandise	Y	Y	N	Y	Y	N	
Pawn Shop	N	N	N	N	N	N	
Daycare Center or Pre-School, 15 or More	Y	Y	Y	Y	Y	Y	
Gallery/Experience/Demonstration Space	Y	Y	Y	Y	Y	Y	
Equipment Sales, Rental, or Repair	AP	N	N	AP	N	N	

<u>Adult-Use Cannabis Delivery-Only Dispensary up to 750 sq. ft. of GFA*</u>	<u>Y*</u>	<u>Y*</u>	<u>Y*</u>	<u>Y*</u>	<u>Y*</u>	<u>Y*</u>	<u>As defined in 21.15.114.</u> <u>Subject to requirements in 5.92 and special standards in Section 21.45.700.</u> <u>*Allowed only on the 2nd floor of all mixed-use zoning districts</u>
<u>Adult-Use Cannabis Delivery-Only Dispensary over 750 sq. ft. of GFA*</u>	<u>AP*</u>	<u>AP*</u>	<u>AP*</u>	<u>AP*</u>	<u>AP*</u>	<u>AP*</u>	<u>Subject to requirements in 5.92 and special standards in Section 21.45.700.</u> <u>*Allowed only on the 2nd floor of all mixed-use zoning districts, contingent on Administrative Use Permit approval</u>

Table 2C: Permitted Uses in Commercial Zones

Table 2C: Permitted Uses			
Uses	Commercial Mixed-Use Zones	Commercial Mixed-Use Zones (A-Series)	Notes and Exceptions
	C3	C3-A	Code section numbers reference the Long Beach Municipal Code. All uses subject to 21.52.29 and the following noted standards or regulations.
Commercial: Business/Retail/Professional/Personal			
<i>Basic Sales and Service: Retail/Business/Professional/Personal</i>			
≤4,500 Sq. Ft. GFA	Y	Y	Subject to 21.52.251 in RMU3 and RMU4 zones.
>4,500 and ≤9,000 Sq. Ft. GFA	Y	Y	
>9,000 Sq. Ft. GFA	Y	Y	
Thrift Store, Used Merchandise	Y	Y	
Pawn Shop	C	C	Subject to 21.52.270.1 .
Daycare Center or Pre-School, 15 or More	Y	Y	As defined in 21.15.730 , subject to 21.52.249 .

Gallery/Experience/Demonstration Space	Y	Y	
Equipment Sales, Rental, or Repair	Y	Y	Indoor only; outdoor display or sales prohibited.
<u>Adult-Use Cannabis Delivery-Only Dispensary up to 750 sq. ft. of GFA</u>	<u>Y</u>	<u>Y</u>	<u>Subject to requirements in 5.92 and special standards in Section 21.45.700.</u>
<u>Adult-Use Cannabis Delivery-Only Dispensary over 750 sq. ft. of GFA</u>	<u>AP</u>	<u>AP</u>	<u>Subject to requirements in 5.92 and special standards in Section 21.45.700.</u>