

Background Information – Request for Code Amendment Requiring Conditional Use Permit-Cannabis Process for Commercial Cannabis Retailers

“Cookies,” a retail cannabis dispensary, recently opened in Brentwood, along San Vicente Boulevard near 26th Street. The store was licensed and approved by the Department of Cannabis Regulation (“DCR”). There was no outreach, no notice, to Brentwood Community Council (“BCC”) and the Brentwood community prior to licensing. The 26th Street/San Vicente location is home to school bus stops for numerous independent schools in the area, including Archer School for Girls, Brentwood School, Harvard Westlake, Loyola, Marlborough and Windward. The neighboring development, the Brentwood Country Mart, is an iconic family and child-friendly neighborhood destination. Paul Revere Middle School is nearby. To read more about the particular set of concerns of the Brentwood community, see the BCC letter and action items requested of the City Attorney and City Councilmember: <https://drive.google.com/file/d/1qNISwDfYtBdXjsjenivBratVIG-W0s/view>.

[For clarity, BCC is seeking a number of action items; the WRAC proposal relates solely to creating a CUB-type process for cannabis storefront retailers.]

Pacific Palisades Community Council (PPCC) supports the position taken by BCC; see the PPCC letter in support: <https://pacpalicc.org/wp-content/uploads/2022/10/Cannabis-Letter-2022.pdf>.

While the DCR regulations (codified in the Los Angeles Municipal Code) do include some provisions for public outreach, *no outreach occurred in Brentwood*, for reasons yet to be identified. In all events, this particular set of facts brought to light a glaring omission in the cannabis retail dispensary licensing process – the lack of involvement on either the part of the Los Angeles Department of City Planning (“DCP”), or the public, in the retail licensing process. The entire process at the local level is governed solely by the DCR.

Instead, it is the DCP that is uniquely suited to conduct the kind of oversight and outreach that makes sense when licensing a retail dispensary at a given location within the City of Los Angeles. The DCP already has a process that works effectively for applicants and the public alike – the Conditional Use Permit - Beverage licensing process (“CUB”), which provides for notice and opportunity for the public and the Police Department to voice concerns and collaboratively craft conditions to mitigate any issues with the proposed use at the proposed location. Many other cities throughout California utilize a similar process to ensure appropriate public outreach. To read more about the cities that utilize a CUP or CUB-type model for approving such applications, see: <https://westsidecouncils.com/wp-content/uploads/2022/10/Cities-Cannabis.pdf>.

This request is not to reinvent the wheel, but for the City to apply a proven effective model of regulations that allow for public notification and input, and protect the concerns of applicants and neighbors alike.

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Proposed WRAC motion:

" _____ NC/CC calls on the members of the Los Angeles City Council to introduce a motion in Council forthwith, directing the City Attorney and Planning Department to prepare for adoption by the City Council an ordinance amending the Los Angeles Municipal Code to provide that a conditional use permit - cannabis (CUC) is required in connection with any commercial cannabis storefront retailer doing business in Los Angeles.

" _____ NC/CC further requests that the required CUC process resemble the existing conditional use permit – beverage process (not the streamlined over-the-counter process for certain restaurants under the "Restaurant Beverage Program"), to ensure that there is an open and transparent process that affords the opportunity for prior public comment, requires a public hearing that involves the expertise of the Planning Department and would allow for the input and expertise of the Police Department, prior to authorizing such use at any given location.

" _____ NC/CC takes no position on the use of cannabis as permitted under California law."