

# Comprehensive Cannabis Ordinance

CITY COUNCIL

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MARCH 12, 2019

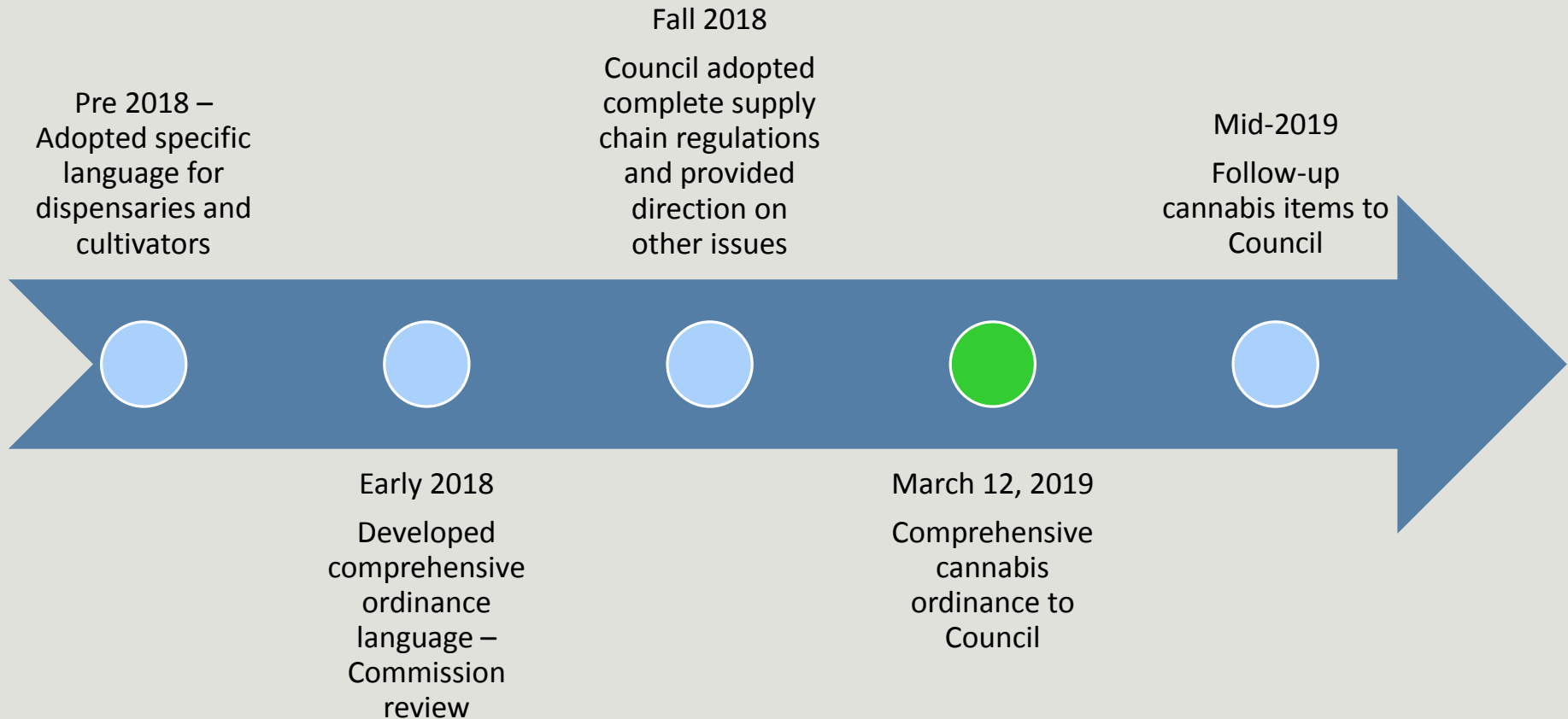


# Purpose of BMC Amendments

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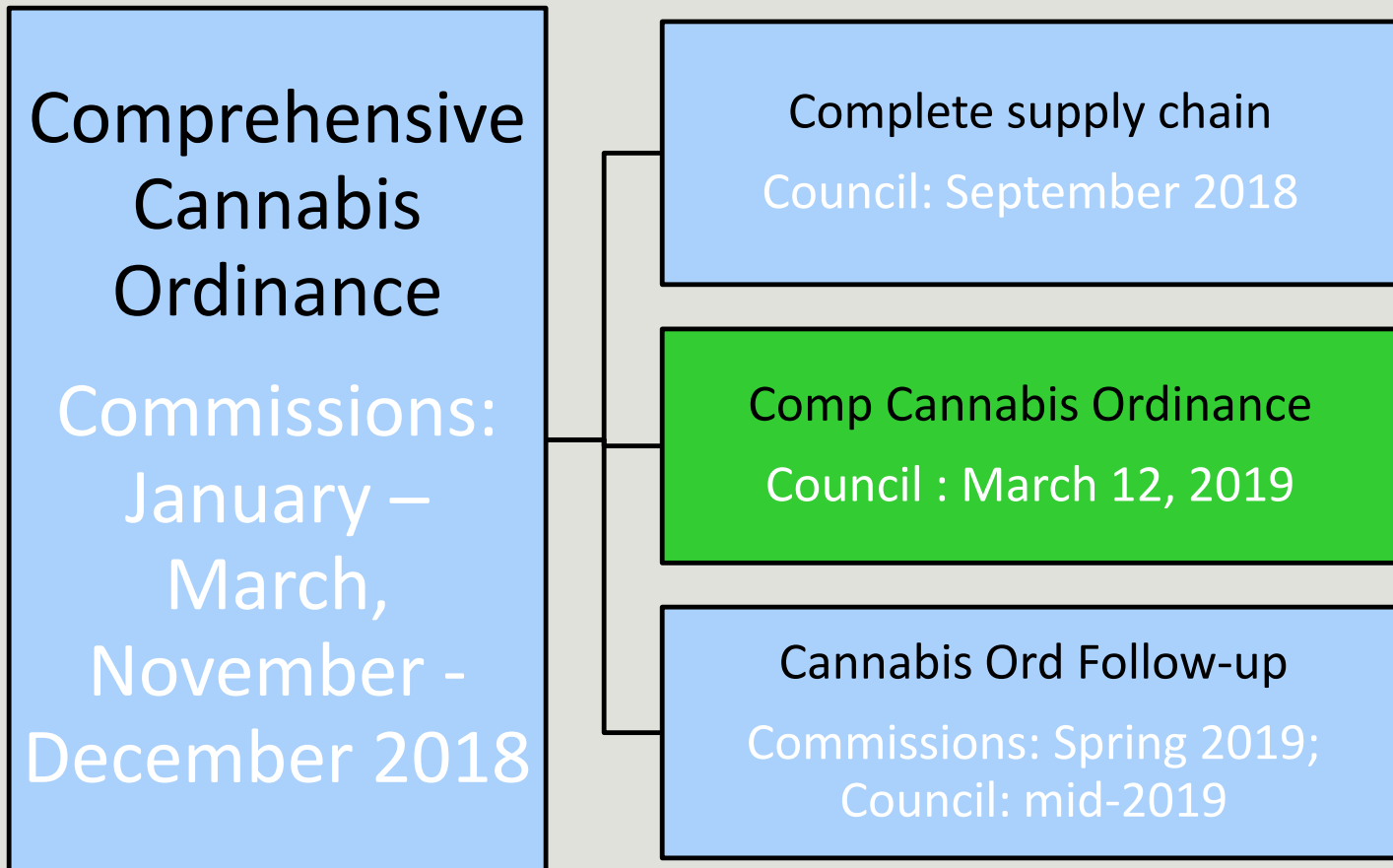
- Reflect State regulations
- Clarify operational and development standards for all cannabis businesses
- Allow Retail Nursery Microbusinesses
- Allow Temporary Cannabis Events
- Protect youth

# Ordinance consideration timeline



# Ordinance adoption history

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# BMC Amendments

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- Add 12.21 – General Regulations
- Amend 12.22 – Operating Standards
- Add 20.40 – Advertising Regulations
- Amend 23C.25 – Cannabis Uses
- Amend Sub-Titles 23E and 23F - Zoning Ordinance provisions and definitions
- Remove Chapters 12.23, 12.25, 12.27, and Section 23E.16.070

# General Regulations (BMC 12.21)

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- Adds and amends definitions
- All businesses subject to requirements for operations, security, neighborhood compatibility, records
- Includes age requirements, odor control plans, guard and camera requirements, on-site manager, prohibition of tobacco and alcohol

# Operating Standards (BMC 12.22)

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- Establishes specific regulations for each business type, such as:
- Operating permits
  - Notices at retailers
  - Delivery requirements
- Prohibits Residential Collectives
- Allows Retail Nurseries and Temporary Events

# Advertising (BMC 20.40)

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- Creates new advertising regulations for cannabis businesses
- Based on tobacco product advertising chapter
- Prohibits cannabis product advertising in any publicly visible location.
- Limits permitted business signs



# Development Standards (Zoning Ordinance)

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- Creates development standards for all cannabis business types
  - Buffers and quotas for Storefront Retailers
  - Quota for major cannabis facilities
- Creates new section for Microbusinesses
  - Allow up to two Retail Nursery Microbusinesses through conversion of existing nurseries

# Issues requiring Council action

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- Guards at non-Storefront Retail establishments
- Consumption of cannabis at Storefront Retailers
- Delivery requirements
- Retail quotas
- Discretion for Retail Nurseries
- Retail buffers

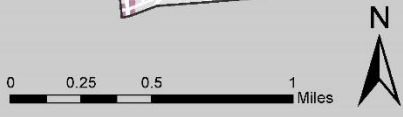
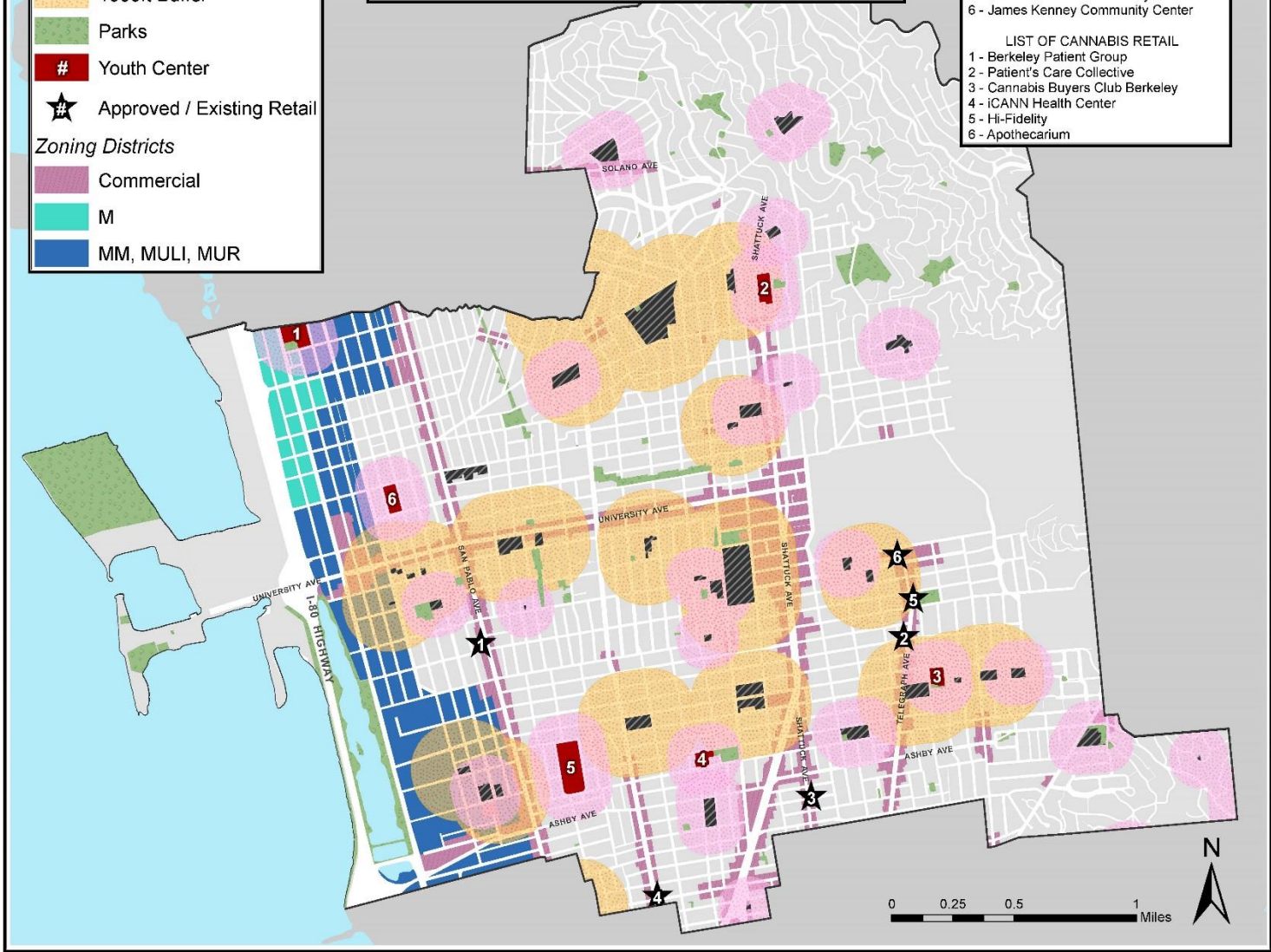
-  School Parcels
-  600ft Buffer
-  1000ft Buffer
-  Parks
-  Youth Center
-  Approved / Existing Retail

*Zoning Districts*

-  Commercial
-  M
-  MM, MULI, MUR

**Alternative A:**  
**1000ft Buffer of Middle and High Schools**  
**600ft Buffer of K-6 Schools, Retail, and Youth Centers**

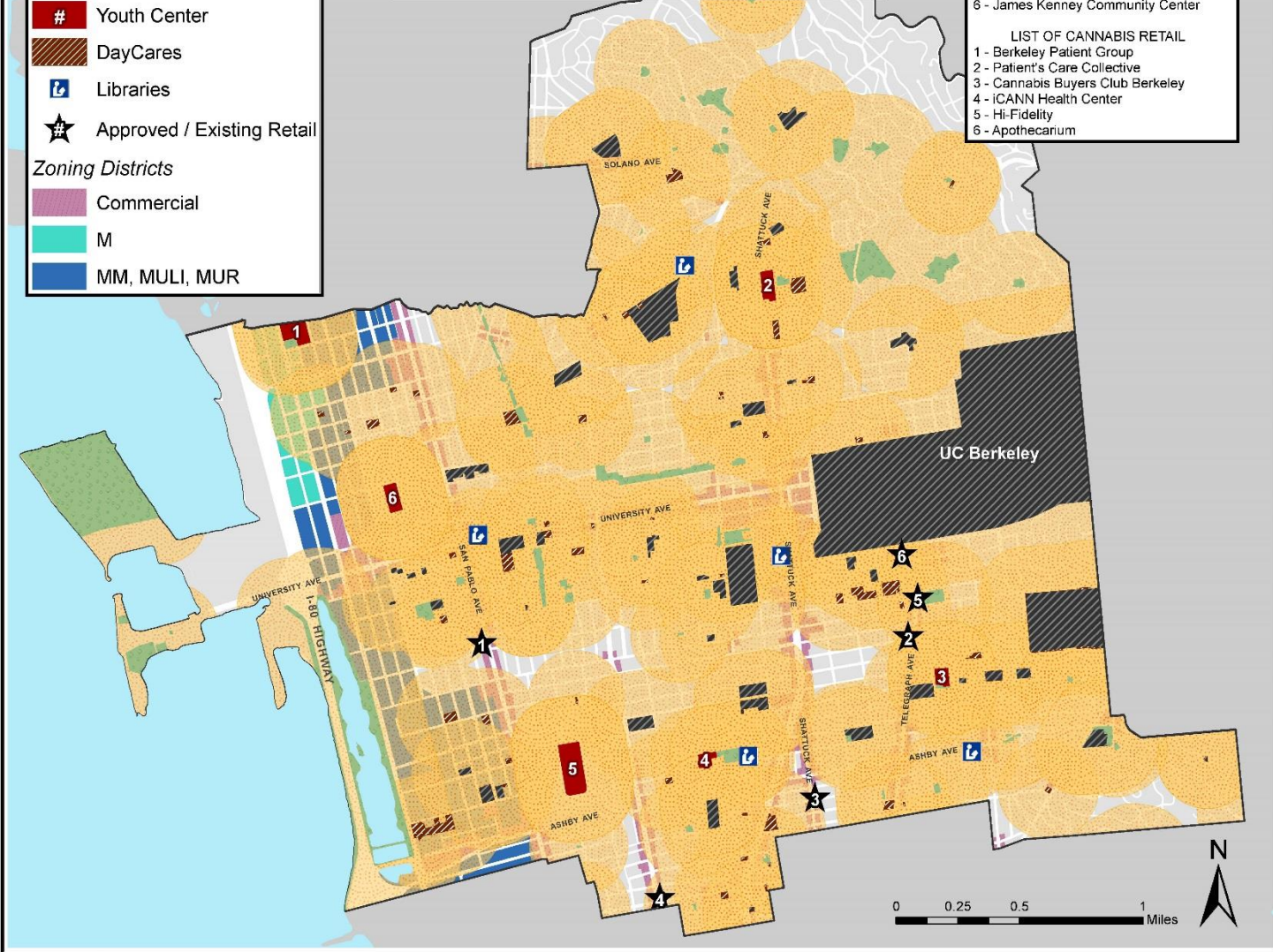
- LIST OF YOUTH CENTERS**
- 1 - Berkeley Skate Park
  - 2 - A World of Peace After School Program
  - 3 - Willard School/Park
  - 4 - MLK Jr. Youth Services Center
  - 5 - Frances Albrier Community Center
  - 6 - James Kenney Community Center
- LIST OF CANNABIS RETAIL**
- 1 - Berkeley Patient Group
  - 2 - Patient's Care Collective
  - 3 - Cannabis Buyers Club Berkeley
  - 4 - ICANN Health Center
  - 5 - Hi-Fidelity
  - 6 - Apothecarium



-  School & UCB Parcels
  -  1000 Foot Buffer
  -  Parks
  -  Youth Center
  -  DayCares
  -  Libraries
  -  Approved / Existing Retail
- Zoning Districts**
-  Commercial
  -  M
  -  MM, MULI, MUR

**Alternative B:  
1000ft Buffer of Schools, Youth Centers, Parks,  
Libraries, and Daycares**

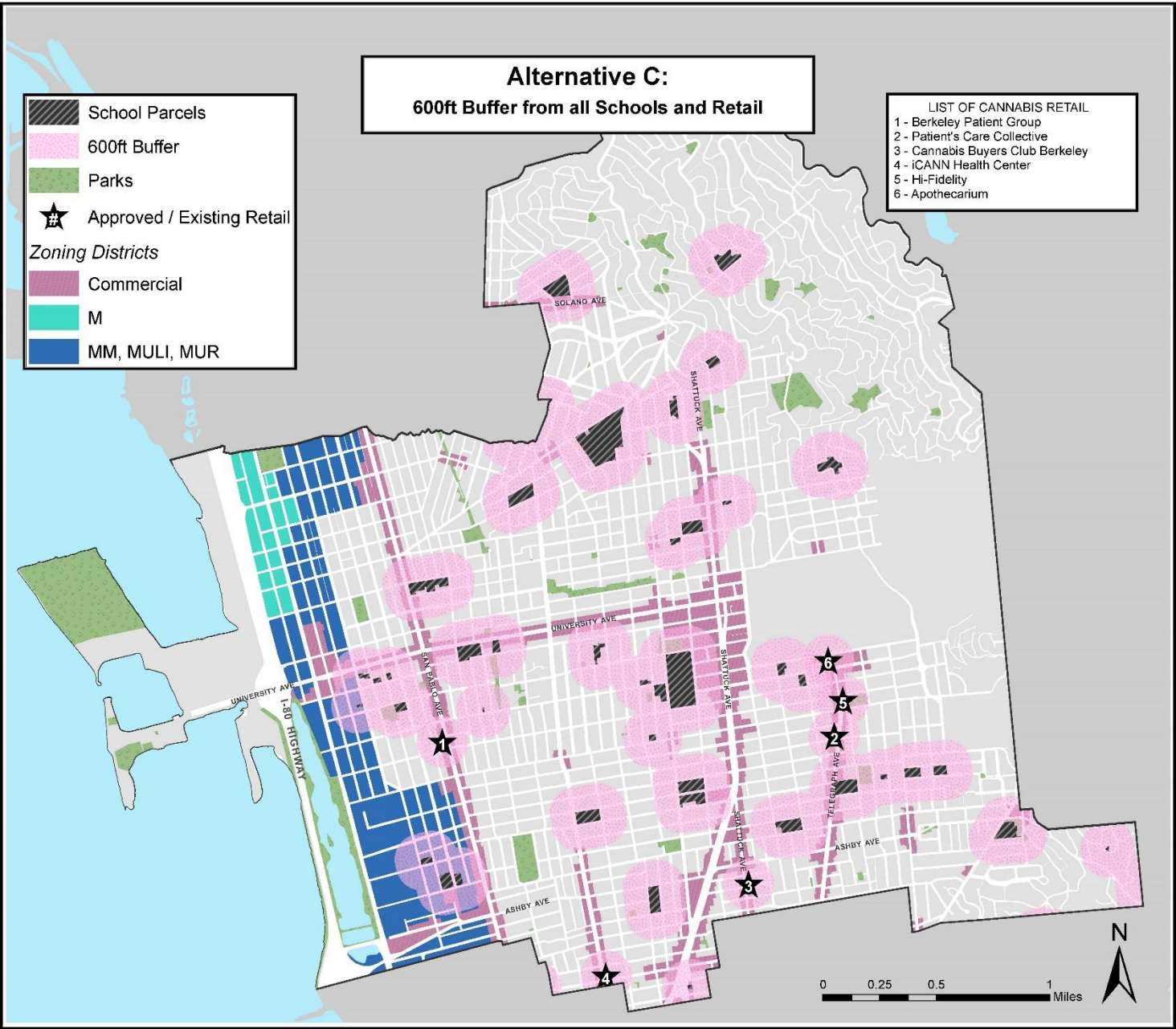
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**Alternative C:  
600ft Buffer from all Schools and Retail**

 School Parcels  
 600ft Buffer  
 Parks  
 Approved / Existing Retail  
**Zoning Districts**  
 Commercial  
 M  
 MM, MULI, MUR

- LIST OF CANNABIS RETAIL**
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# Recommended Action

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- Provide direction regarding alternatives included in the ordinance
- Adopt new ordinance language