



MEMORANDUM

Date: June 28, 2019

To: Land Use Subcommittee Members

From: Jordan Davis, Assistant to the City Manager

Re: Commercial Cannabis Business Permitting

In 2018, the City Council established regulations related to the manufacturing, distribution, and testing of commercial cannabis and cannabis products. Similar to state law at the time, in 2018, the City chose to require a 600-foot radius between cannabis businesses and schools, parks, youth centers, day cares, and libraries; however, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”) provides, at California Business and Professions Code Section 26054, that a local jurisdiction may specify a radius different than 600 feet. Additionally, these businesses are limited to only those areas which are considered “Industrial.”

Since the City’s adoption of these regulations, staff has received several proposals for cannabis businesses. While one proposed business (Stoneman Labs) meets the criteria as outlined above, the remaining applications do not, and amendments to the Pittsburg Municipal Code (PMC) would be required to facilitate the operation of these businesses. Additionally, recent proposed State legislation (Assembly Bill [AB] 1356) has the potential to require that cities in which the voters in 2016 favored Proposition 64 (“Adult Use of Marijuana Act”) with more than 50 percent of the vote would be required to allow a certain number of cannabis retail (i.e. dispensary) businesses; Pittsburg voted 60.6% in favor of Prop 64.

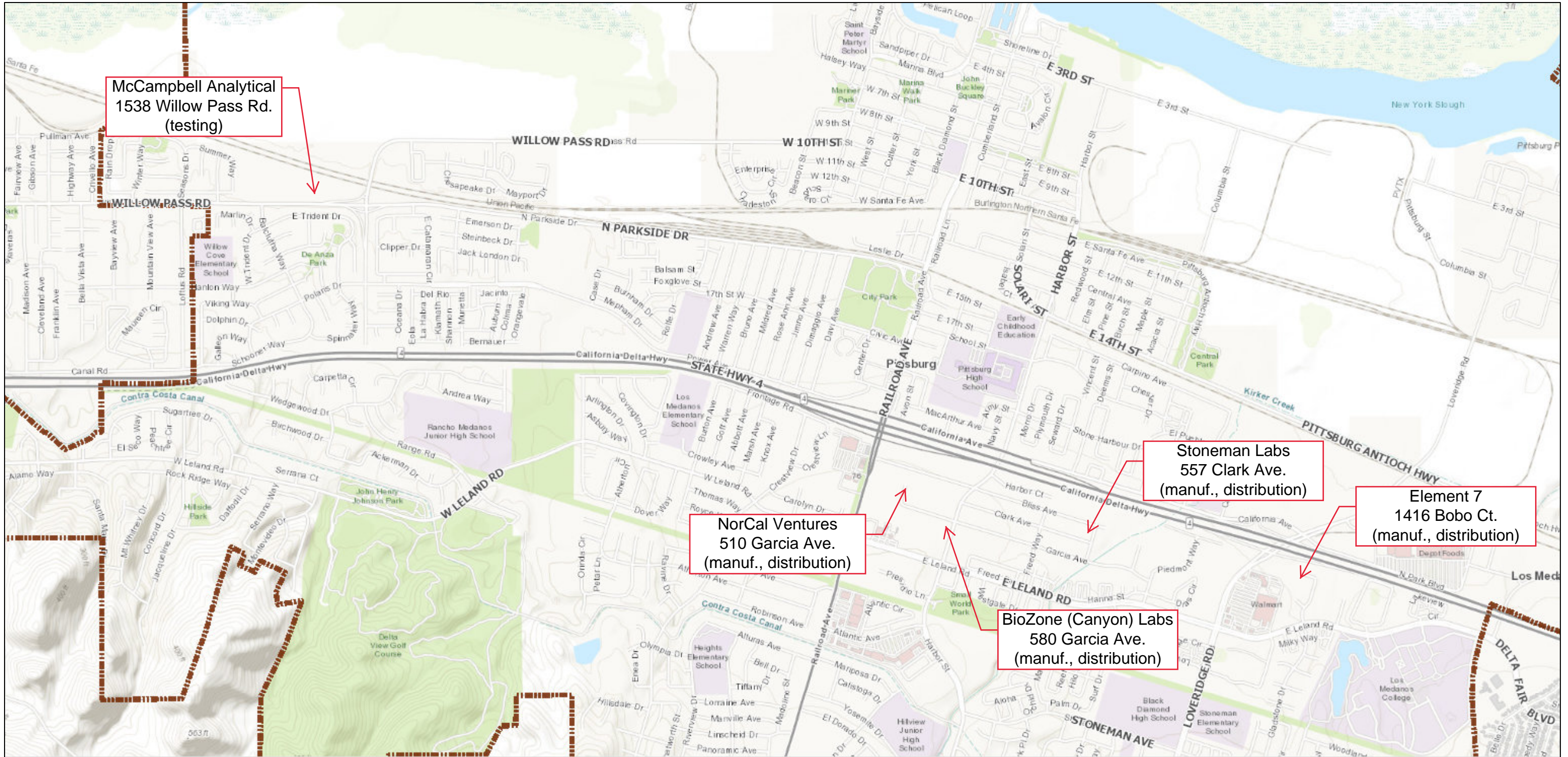
As the regulations around cannabis continue to evolve – both at the State level and in surrounding jurisdictions – staff would like to solicit comments from the Land Use Subcommittee regarding:

1. Existing applications for commercial cannabis businesses and their proposed operational plans;
2. Potentially reducing the required buffer distance between cannabis businesses and potentially sensitive uses; and
3. Potential zoning amendments to facilitate the operation of these and future commercial cannabis businesses.

Attachments:

1. Map of Pending Commercial Cannabis Applications

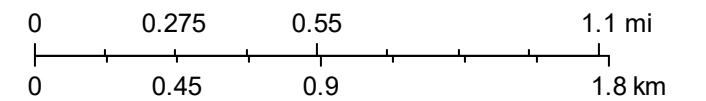
Pending Commercial Cannabis Applications



6/25/2019, 1:42:02 PM

 City Limits

1:23,679



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



MEMORANDUM

Date: June 28, 2019

To: Land Use Subcommittee Members

From: Kristin Pollot, AICP, Planning Manager

Re: Raw Hemp Business Permitting

The 2018 Farm Bill established a definition of “hemp” as containing less than 0.3 percent THC, and the bill expressly excluded hemp from the Schedule I list of illicit drugs, thereby clearing the way for legal manufacturing and retail sales of hemp products. Regarding cultivation and extractions, the law requires the establishment of federal licensing and also allows states to begin regulating hemp with federal approval; however, no specific regulations at the State level have been released to date. On June 17, 2019, the City Council approved a moratorium on the establishment of any new commercial businesses involving raw hemp products, which will stay in effect for a maximum of two years.

As the use of hemp-derived cannabidiol (CBD) in commercial products is becoming increasingly popular and more businesses are looking to utilize hemp in their manufacturing processes, staff would like to establish a policy and appropriate zoning regulations for hemp within the next 6-9 months in order to help facilitate business growth. However, staff is cognizant of the lack of regulations at the State level, and staff and the Police Department concur that the raw plant material, absent regulations guiding its use in commercial endeavors, carries with it potential concerns similar to those identified by the City Council resulting from cannabis, most notably odors and the potential for hemp to be mistaken for Cannabis.

As a first step in this process, staff is requesting feedback from the Subcommittee on the commercial use, cultivation, manufacturing, and sale of raw hemp, including, but not limited to:

1. Whether the City should allow cultivation and/or raw hemp extractions;
2. Concerns relating to the use of raw hemp in manufacturing; and
3. Potential regulations relating to these businesses.