



THE CITY OF  
**EL CERRITO**

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the left and right sides of the slide, framing the central text. The overall aesthetic is clean and modern.

# Marijuana Regulation Community Meeting

September 12, 2016

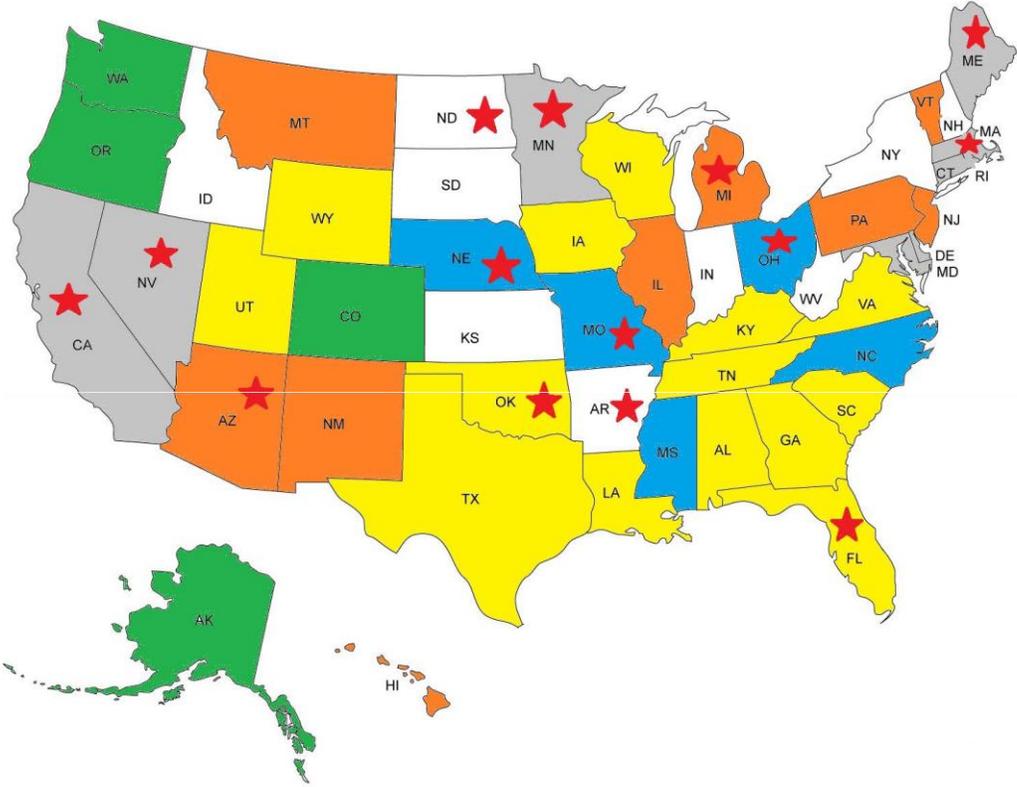
# Format

- ▶ Presentations from Staff
- ▶ Group based Exercises
- ▶ Wrap Up

# El Cerrito Regulations - current

- ▶ January 2016
- ▶ Ban on Cultivation, Dispensing and Delivery of Marijuana

# National Trends Related to Marijuana



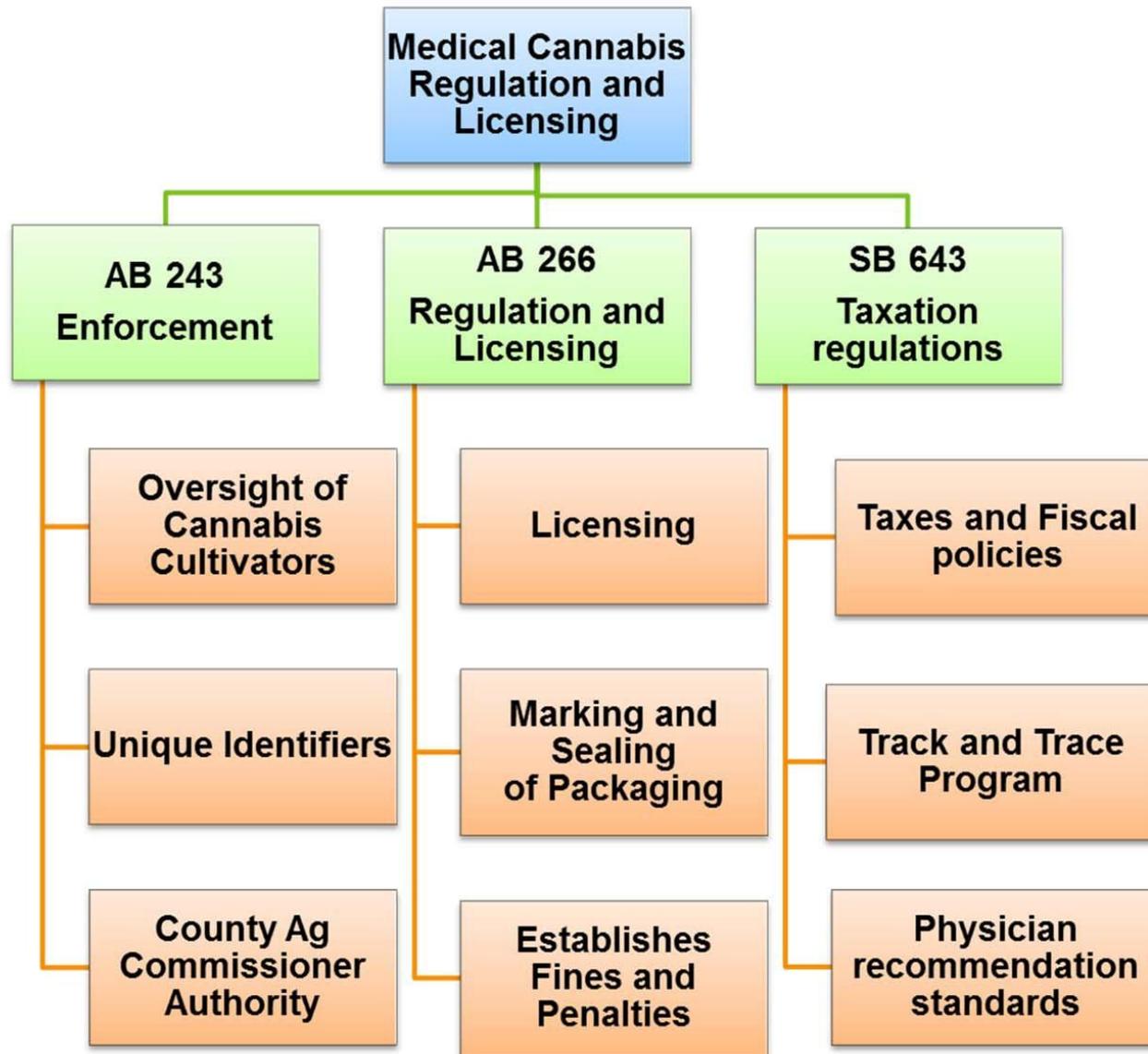
# Legal Timeline

- ▶ 1970 Marijuana listed as a Class 1 Drug
- ▶ 1996 Prop 215 Compassionate Use Act (CUA)
- ▶ 2003 SB 420 Medical Marijuana Program
- ▶ 2011 City of Oakland Taxes Medical Marijuana
- ▶ 2012 CO and WA pass Recreational Use
- ▶ 2013 US AG Issues Cole Memo Guidelines
- ▶ 2014 Congress defunds DEA Prosecutions
- ▶ 2015 CA Adopts (MMRSA/MCRSA)
- ▶ 2016 DEA holds position and does not reschedule marijuana from a Schedule I Drug

# Medical Cannabis Regulation and Safety Act\*

- ▶ This legislation protects local control in the following ways:
- ▶ **Dual licensing:** A requirement in statute that all marijuana businesses must have both a state license, and a local license or permit, to operate legally in California. Jurisdictions that regulate or ban medical marijuana will be able to retain their regulations or ban.
- ▶ **Enforcement:** Local governments may enforce state law in addition to local ordinances, if they request that authority and if it is granted by the relevant state agency.

\*Formerly known as Medical Marijuana Regulation and Safety Act



# Types of Permits in MCRSA

17 Types of Permits

- ▶ Ten types of cultivation permits
- ▶ Dispensaries (single or multiple locations)
- ▶ Manufactures (nonvolatile & volatile solvents)
- ▶ Testing Labs
- ▶ Transporters
- ▶ Distributors

\*Delivery services may occur if permitted by the local agency or if it is not explicitly not permitted by them and must be associated with a dispensary.

# Patient Access Under MMRSA

## PERSONAL USE CULTIVATION

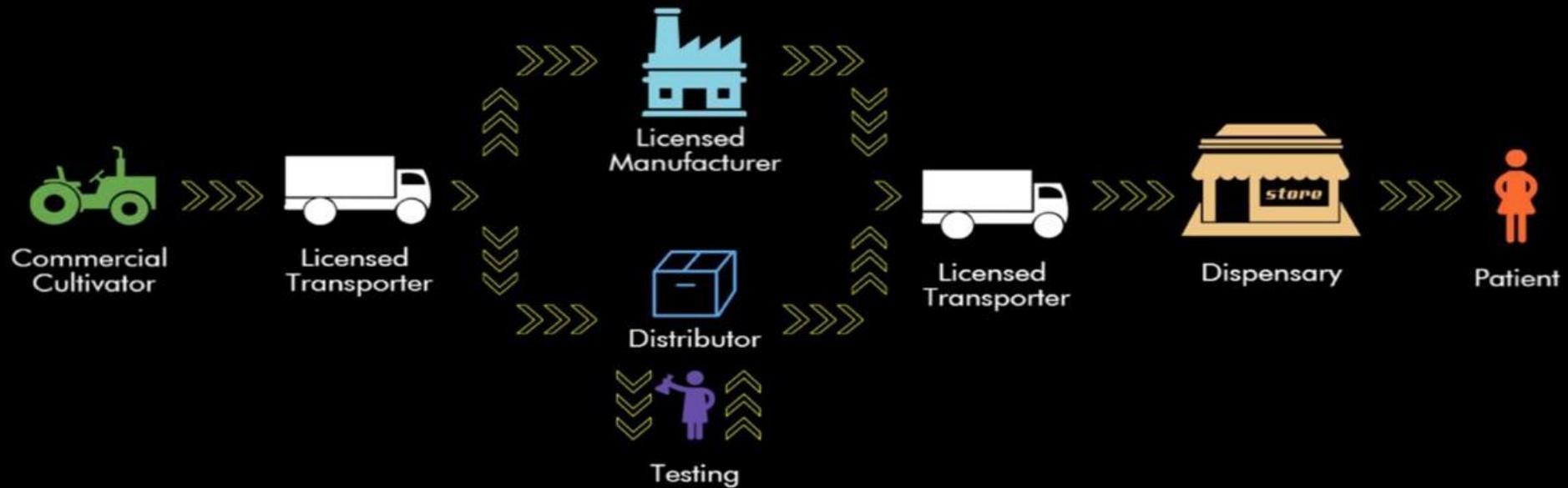


100 square feet of indoor/outdoor cultivation



Patient

## COMMERCIAL CULTIVATION



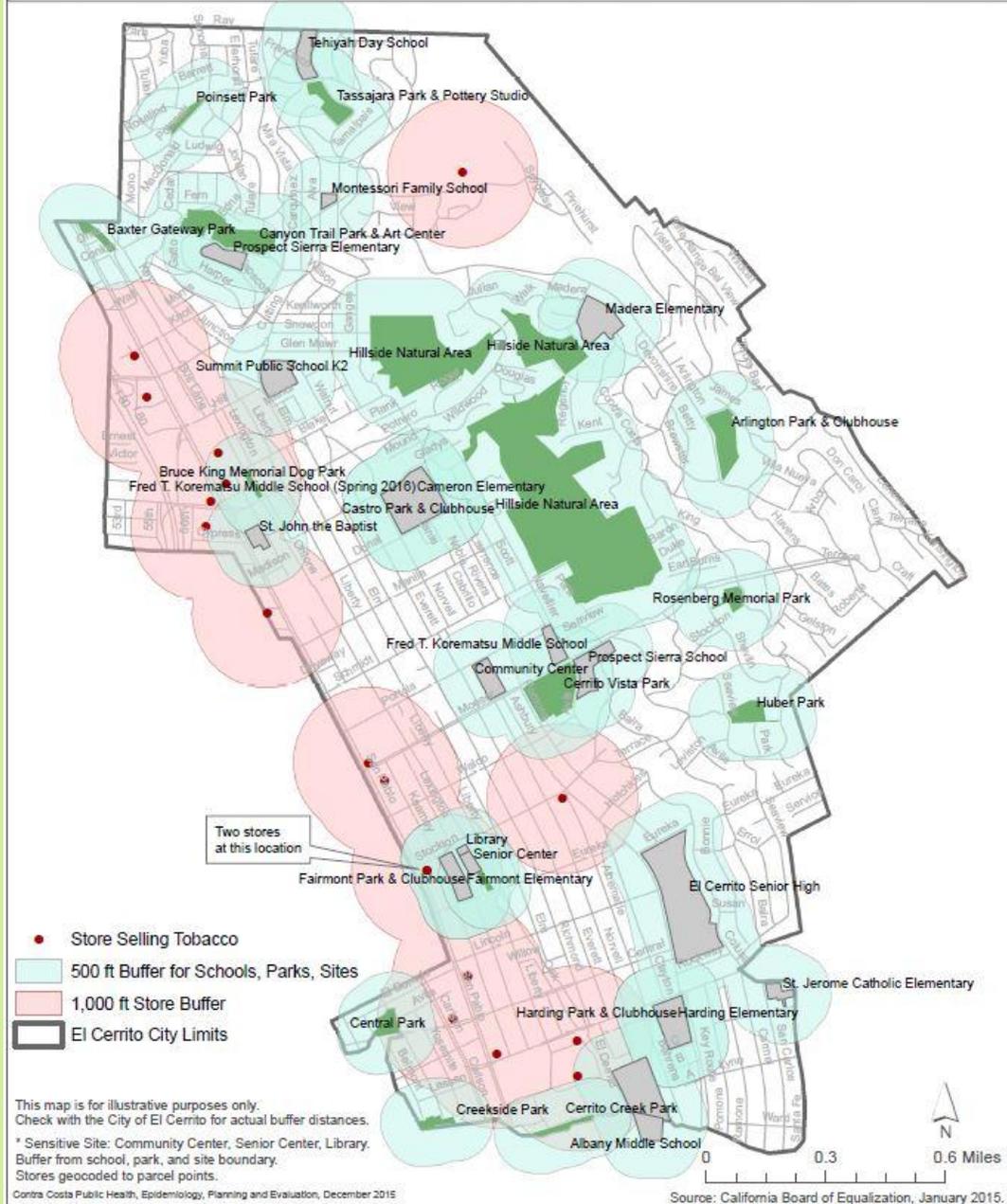
# Land Use Regulation

- ▶ Zoning
  - ▶ Zoning Districts
  - ▶ Some land uses have additional regulations
  - ▶ Conditional Use Permits - Planning Commission approval

# Tobacco Retailer Ordinance - 2015

- ▶ Established sensitive areas for tobacco retailer businesses
  - ▶ Schools, Library, Public Recreation Facilities, and Parks
- ▶ Established minimum distances between tobacco retailers
- ▶ Allows for exemptions to buffer zones with City Council Approval
- ▶ Prohibits use of smoking or vaporizer products on premises
- ▶ Prohibits certain business types
  - ▶ Cigar Lounge, Hookah Lounge, Vape Shop

# El Cerrito: Stores Selling Tobacco by Proximity to Schools, Parks, and Youth Sensitive Sites\*, 2015



# Exercise #1

## Introductions

- ▶ Please take a moment to introduce yourself to the other community members at your table. Please share your name, city of residence, time of residence, and how you feel about marijuana dispensaries and their possible presence in El Cerrito.

# Exercise #2

## Sensitive Areas

- ▶ Each table has a map. Please review the map and, as a group, discuss what areas might be sensitive locations for a marijuana oriented business, if allowed by the city.
- ▶ Consider potential sensitive areas, both marked and unmarked.
- ▶ This map is used by the police department and has K-12 schools, parks and government buildings identified.

# Exercise #3

## The Map

- ▶ Please use up to 3 stickers to indicate an acceptable location for a marijuana oriented business, if allowed by the city. If you would rather not have a marijuana oriented business, please place your stickers at the bottom of the map page.

# Exercise #4

## Dispensing Regulations

- ▶ Please discuss the following topics with your group. Select a person to keep track of the discussion and report out on the group's ideas.
- ▶ How many marijuana dispensaries should be allowed to operate in El Cerrito, if approved by the City Council?
- ▶ Should the city control the proximity or density of dispensaries? If so, in what manner?
- ▶ What should the hours of operation be for a marijuana dispensary?
- ▶ Should there be a prohibition against on site consumption for smoking or edible products?

# Exercise #5

## Delivery

- ▶ What concerns do you have about marijuana delivery from an El Cerrito based marijuana dispensary, if allowed?

# Exercise #6

## Other Considerations

- ▶ What else should the city take into account relating to marijuana regulation in El Cerrito?

