

CLAREMONT PLANNING COMMISSION

MEETING AGENDA

“We are a vibrant, livable, and inclusive community dedicated to quality services, safety, financial strength, sustainability, preservation, and progress with equal representation for our community.”

City Council Chamber
225 Second Street
Claremont, CA 91711



Tuesday
February 06, 2024
7:00 PM

COMMISSIONERS

PARKER G. EMERSON
CHAIR

MARIO ALVAREZ

JOHN DAVIS

MELINDA GONZALEZ

ISAAC RAHMIM

JASON WONG

Meetings are open to the public for in-person attendance. The meeting will be live streamed via Zoom, technology permitting. Members of the public will not be able to provide public comment via Zoom. To watch the meeting via Zoom, use the following link: <https://zoom.us/j/93823869306>. To listen via telephone dial (213)338-8477, Webinar ID: 938 2386 9306. The recorded meeting will be uploaded to the City website and archived.

OPTIONS FOR PUBLIC COMMENT:

Public comment may be provided by one of the following methods. Each speaker will be given up to three (3) minutes to provide their comment.

IN-PERSON LIVE COMMENTS

When the item you wish to speak to is announced, please proceed to the speaker's podium one by one.

E-MAIL/MAIL

Written comments sent to the Planning Commission will be distributed to the Commission and imaged and made available in the record of the meeting in the document archive which can be found on the City website: www.ci.claremont.ca.us Email: natienza@ci.claremont.ca.us. Mail: PO Box 880, Claremont, CA 91711.

For assistance, comments, or more information please contact Nhi Atienza, Commission Secretary, (909)399-5484.

CALL TO ORDER THE MEETING OF THE PLANNING COMMISSION

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

PUBLIC COMMENT

The Commission has set aside this time for persons who wish to comment on items that are not listed on the agenda, but are within the jurisdiction of the Planning Commission. Members of the public will have the opportunity to address the Commission regarding all items on the agenda at the time the Commission considers those items.

General public comment will be taken for 30 minutes and will resume later in the meeting if there are speakers who did not get an opportunity to speak because of the 30-minute time limit.

The Brown Act prohibits the Commission from taking action on oral requests relating to items that are not on the agenda. The Commission may engage in a brief discussion, refer the matter to staff, and/or schedule requests for consideration at a subsequent meeting.

CONSENT CALENDAR

All matters listed on the Consent Calendar are considered routine. The Commission may act on these items by one motion following public comment. Only Commissioners may pull an item from the Consent Calendar for discussion.

1 PLANNING COMMISSION MEETING MINUTES OF JANUARY 16, 2024

Recommendation: Staff recommends that the Planning Commission approve and file the Planning Commission meeting minutes of January 16, 2024.

Attachment(s): Planning Commission Meeting Minutes of January 16, 2024

PUBLIC HEARINGS

ADMINISTRATIVE ITEM

2 CANNABIS INFORMATIONAL SESSION AND REGULATORY REVIEW

Recommendation: Staff recommends the Planning Commission provide input to staff regarding cannabis zoning regulations.

REPORTS

Commission

Commissioner Comments

Staff

Briefing on Council Meetings

Briefing on Other Items

A LOOK AHEAD – Upcoming Meetings and Tentative Agenda Items

ADJOURNMENT

THE NEXT REGULAR MEETING OF THE CLAREMONT PLANNING COMMISSION WILL BE HELD ON, FEBRUARY 20, 2024, AT 7:00 P.M., IN THE CLAREMONT COUNCIL CHAMBER, 225 WEST SECOND STREET.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, THIS AGENDA WILL BE MADE AVAILABLE IN APPROPRIATE ALTERNATIVE FORMATS TO PERSONS WITH DISABILITIES. ANY PERSON WITH A DISABILITY WHO REQUIRES A MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A CITY MEETING SHOULD CONTACT THE CITY CLERK AT 909-399-5461 "VOICE" OR 1-800-735-2929 "TT/TTY" AT LEAST THREE (3) WORKING DAYS PRIOR TO THE MEETING, IF POSSIBLE.

I, ANNE BENNETT, ADMINISTRATIVE ASSISTANT OF THE CITY OF CLAREMONT, CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING AGENDA WAS POSTED AT CLAREMONT CITY HALL, 207 HARVARD AVENUE, ON FEBRUARY 1, 2024, PURSUANT TO GOVERNMENT CODE SECTION 54954.2.

POST THROUGH: FEBRUARY 7, 2024



Claremont Planning Commission

Agenda Report

File #: 5015

Item No: 1

TO: PLANNING COMMISSION

FROM: BRAD JOHNSON, COMMUNITY DEVELOPMENT DIRECTOR

DATE: FEBRUARY 6, 2024

SUBJECT:

PLANNING COMMISSION MEETING MINUTES OF JANUARY 16, 2024

RECOMMENDATION

Staff recommends that the Planning Commission approve and file the Planning Commission meeting minutes of January 16, 2024.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact Anne Bennett at abennett@ci.claremont.ca.us.

Submitted by:

Prepared by:

Brad Johnson
Community Development Director

Anne Bennett
Administrative Assistant

Attachment:

Planning Commission meeting minutes of January 16, 2024

**PLANNING COMMISSION
REGULAR MEETING MINUTES**

Tuesday, January 16, 2024 – 7:00 PM

Meeting Conducted In-Person and Video Recording is Archived on the City Website
<https://www.ci.claremont.ca.us/government/city-council/watch-city-council-meetings>

CALL TO ORDER

Chair Emerson called the meeting to order at 7:11 PM, after postponement pending Commissioner's arrival.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

COMMISSIONERS: ALVAREZ (arrived at 7:11 PM), EMERSON, RAHMIM, WONG

ABSENT

COMMISSIONER: DAVIS, GONZALEZ, ZIMMERMAN

ALSO PRESENT

Brad Johnson, Community Development Director; Daniel Kim, Assistant Planner; Anne Bennett, Administrative Assistant; Nhi Atienza, Senior Administrative Assistant

CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

This item starts at 11:16 in the archived video.

There were no ceremonial matters, presentations, or announcements.

PUBLIC COMMENT

This item starts at 11:25 in the archived video.

Chair Emerson invited public comment.

There were no requests to speak.

CONSENT CALENDAR

This item starts at 14:05 in the archived video.

Chair Emerson invited public comment.

There were no requests to speak.

1. Planning Commission Meeting Minutes of December 5, 2023

Approved and filed.

Commissioner Wong moved to approve the Consent Calendar, seconded by Commissioner Rahmim; and carried on by roll call vote as follows:

AYES: Commissioner - Alvarez, Emerson, Rahmim, Wong

NOES: Commissioner - None

ABSENT: Commissioner - Davis, Gonzalez, Zimmerman

PUBLIC HEARINGS

2. Request For A Conditional Use Permit File #23-C08, To Allow For The Commercial Use Of A Tenant Space As A Massage Establishment, Located In The Commercial Highway Zoning District At 226 West Foothill Boulevard, Suite H. Applicant – Wildflower Wellness Therapies, LLC

This item starts at 16:02 in the archived video.

Assistant Planner Kim presented a PowerPoint presentation. There were no Commissioner questions.

Jennifer Krause, Owner and licensed massage therapist introduced herself and her practice. She has over a decade of experience working with seniors. She previously co-owned and ran three senior residential living facilities in Upland. Her new business, Wildflower Wellness Therapies, focuses on seniors and includes massage as healing therapy. She addressed Vice-Chair Rahmim's inquiries regarding a) prior business history, b) business license, work capacity, and business locations; c) building structure and surrounding businesses; d) foot traffic; and e) concerns in regard to the toilet location.

Chair Emerson invited public comment.

There were no requests to speak.

Chair Emerson read a public comment submitted by Elizabeth Preston.

Commissioner Wong expressed concerns about there not being a restroom inside the business. He cited that CMC 16.099.010.C2 is open and he is struggling to make the Findings.

Director Johnson clarified that CMC 16.099.010.C2 requires a washbasin be "within or as close as practicable" to a massage establishment, for the use of employees. He also reviewed the history and laws that may have permitted the prior message business in this location. He suggested the possibility of the Owner installing a washbasin with hot and cold running water as a resolution.

Commissioner Alvarez had the same concerns. He would approve the permit if the portable washbasin meets the requirements.

Director Johnson read a section of CMC 16.099.010.C2.

Vice-Chair Rahmim expressed his concerns regarding the lack of running water for the business. He asked if Ms. Krause would be willing to acquire a portable washbasin with hot and cold running water. Ms. Krause agreed to the request.

Chair Emerson expressed his concerns with the washbasin issue for sanitary reasons. He recommended adding a condition of approval that requires that the Applicant provide hot and cold running water as specified in the Municipal Code.

Director Johnson stated that the property owners have expressed that it would be extremely difficult to run pipes to the basement due to its construction and wall materials. A Condition of Approval can be added if the Commission agrees.

Commissioner Wong and Vice Chair Rahmim agreed to adding the Condition to require the installation of a hot and cold running water basin.

Chair Emerson proposed adding item L to Section 3 of the Resolution to read, “The applicant must install a hot and cold running washbasin as required by Claremont Municipal Code 16.099.010.C2 prior to seeing clients at this location within the tenant space.”; seconded by Vice Chair Rahmim; and, carried on a roll call vote as follows:

AYES: Commissioner - Alvarez, Emerson, Rahmim, Wong

NOES: Commissioner - None

ABSENT: Commissioner - Davis, Gonzalez, Zimmerman

Commissioner Wong moved to adopt Resolution No. 2024-01 of the Planning Commission of The City of Claremont for CONDITIONAL USE PERMIT #23-C08, A REQUEST FOR THE COMMERCIAL USE OF A TENANT SPACE AS A MASSAGE ESTABLISHMENT LOCATED AT 226 WEST FOOTHILL BOULEVARD, SUITE H,. APPLICANT – WILDFLOWER WELLNESS THERAPIES, LLC as amended; and Find this item is exempt from environmental review under the California Environmental Quality Act (CEQA); seconded by Vice Chair Rahmim; and carried on by roll call vote as follows:

AYES: Commissioner - Alvarez, Emerson, Rahmim, Wong

NOES: Commissioner - None

ABSENT: Commissioner - Davis, Gonzalez, Zimmerman

This decision can be appealed within ten calendar days.

3. Request For A Conditional Use Permit Amendment File #70-C1111Amd, To Allow An Outdoor Seating Area With Alcohol Service At The House Of Pong, A Bona-fide Restaurant, Located At 238 Yale Avenue. Applicant – Ka Man Pong

This item starts at 46:55 in the archived video.

Assistant Planner Kim presented a PowerPoint presentation and addressed Commissioners' inquiries regarding: a) alcohol service inside; b) fencing requirement for outside alcohol service; c) other businesses serving alcohol outside without fencing; d) concerns about children at Bert & Rocky's; e) Police Department concerns; and f) adding a condition of approval for fencing.

Director Johnson clarified that ABC will conduct their own inspections and will require a fence. If the Commission would like to add a condition for the addition of a 42-inch fence, that can be done. Any proposed fence must go through the architectural design review process.

Chair Emerson invited public comment.

There were none.

Commissioner Wong is not on board with the fence as it is a nuisance, unless it is required by ABC.

Commissioner Alvarez will only approve the CUP with the addition of a fence as a condition of approval.

Vice Chair Rahmim inquired about the dimensions of the space and deemed it impractical if ABC requires a fence.

Director Johnson reviewed the setback requirements and the possibility of an encroachment permit.

Commissioner Wong moved that the Planning Commission continue the Request for a CONDITIONAL USE PERMIT #70-C1111AMD, A REQUEST TO AMEND THE EXISTING CONDITIONAL USE PERMIT AND ALLOW AN OUTDOOR SEATING AREA WITH ALCOHOL SERVICE IN CONJUNCTION WITH THE EXISTING BONA-FIDE RESTAURANT USE, LOCATED IN THE CLAREMONT VILLAGE AT 238 YALE AVENUE. APPLICANT – KA MAN PONG to the February 20, 2024, regular Planning Commission hearing to allow staff to work with the Applicant on the outdoor seating barrier, seconded by Vice Chair Rahmim; and, carried on a roll call vote as follows:

AYES: Commissioner - Alvarez, Emerson, Rahmim, Wong
NOES: Commissioner - None
ABSENT: Commissioner - Davis, Gonzalez, Zimmerman

ADMINISTRATIVE ITEMS - None

REPORTS

This item starts at 1:16:20 in the archived video.

Commission

Commissioner Comments

There were none.

Staff

Briefing on Council Meetings

Director Johnson reported on items of interest from the previous two City Council meetings.

Briefings on Other Items

There was no report.

Upcoming Agendas and Events

Director Johnson described items that will be coming before the Commission at future meetings, including Cannabis Study, Housing Element readoption, and the Historic Preservation Ordinance.

Director Johnson encouraged Commissioners to attend the upcoming Planning Commissioner's Academy at Long Beach in March and provided an update on the proposed development by the Holliday family at Base Line Road and Monte Vista.

ADJOURNMENT

Chair Emerson adjourned the meeting at 8:25 PM.

Chair

ATTEST:

Administrative Assistant



Claremont Planning Commission

Agenda Report

File #: 5009

Item No: 2

TO: PLANNING COMMISSION

FROM: BRAD JOHNSON, COMMUNITY DEVELOPMENT DIRECTOR

DATE: FEBRUARY 6, 2024

SUBJECT:

CANNABIS INFORMATIONAL SESSION AND REGULATORY REVIEW

SUMMARY

In 2022, The Claremont City Council placed a cannabis business tax measure on the November 8, 2022, General Election ballot. The measure passed with 61 percent support from the Claremont voters. The City currently prohibits commercial cannabis businesses, but allows the delivery of cannabis from businesses located outside of Claremont, pursuant to State law. Last year the City Council requested staff engage the community in a discussion focused on cannabis regulations. In summer 2023, staff held a series of Listen and Learn workshops; during these sessions, staff shared topical presentations and received input from community members. Staff has prepared a summary of those workshops as well as items for discussion by the Planning Commission before a cannabis business ordinance can be prepared.

RECOMMENDATION

Staff recommends the Planning Commission provide input to staff regarding cannabis zoning regulations.

ALTERNATIVES TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

In June 2023, the City of Claremont was awarded a Local Jurisdiction Retail Access Grant for \$195,000 by the California Department of Cannabis Control. The grant program aims to provide California consumers with reliable access to regulated, tested cannabis in the legal market, and

reduce demand in the illicit market. The funding may be used to support the development and implementation of a cannabis licensing program. Therefore, there will be no impact on the General Fund for the development of this program.

Because the City of Claremont does not currently permit cannabis businesses (except cannabis deliveries originating from non-Claremont businesses), it is difficult to estimate the tax revenue from cannabis businesses. If the City permits cannabis businesses in the future, tax revenues would vary greatly depending on the number and type of businesses allowed. The City's previous consultant, HdL, conservatively estimated that the City could generate approximately \$300,000 per retail store annually in revenue.

The staff cost to prepare this report and administer this program is estimated at \$7,500 and is included in the operating budget of the Community Development Department.

ANALYSIS

Claremont Cannabis Regulatory History

California's history of cannabis law spans nearly twenty years of propositions and regulatory actions. The Claremont City Council first adopted a ban on commercial cannabis businesses in 2006. On October 9, 2015, Governor Jerry Brown signed the Medical Marijuana Regulation and Safety Act (MMRSA), which generally authorized local agencies to allow and regulate cannabis businesses. On January 26, 2016, the City Council adopted an ordinance to clarify that, notwithstanding the newly adopted MMRSA, the City's preexisting ban on cannabis businesses continued to prohibit cannabis dispensaries, cultivation, and delivery services in the City. Proposition 64, the Adult Use of Marijuana Act (AUMA), was adopted by California voters on November 8, 2016. The AUMA immediately legalized possession, transport, purchase, use, and transfer of recreational marijuana for individuals 21 years of age or older. Beginning in January 2018, the AUMA also established a State regulatory and licensing program for nonmedical commercial cannabis cultivation, testing, distribution, and manufacturing.

Proposition 64 stipulated that if a city did not enact local cannabis commercial licensing restrictions or a ban by January 1, 2018, commercial cannabis businesses could operate with a valid State license. Therefore, until local regulations and interests could be analyzed and identified for implementation, the City of Claremont adopted ordinances to regulate the personal use and cultivation of cannabis and restrict commercial cannabis activities in the City.

On October 25, 2016, the City Council adopted Ordinance No. 2016-11 prohibiting commercial cannabis operations, including retail dispensaries, cultivation, and manufacturing facilities, as well as delivery services within the City. While Proposition 64 allows cities to ban these commercial enterprises, it is important to note that cities cannot prohibit personal cultivation of six plants or fewer for personal use. Cities also cannot prohibit deliveries from other municipalities' cannabis retail locations to their residents. Any restriction on individual adults from possessing or purchasing certain amounts of cannabis or cannabis products for personal use is unenforceable under AUMA. On February 12, 2019, the City Council adopted Ordinance No. 2019-01 to reaffirm the ban on commercial cannabis operations.

On January 26, 2021, the City Council requested staff engage the community in a discussion on the consideration of cannabis regulations. The City engaged the services of HdL Companies to assist as a consultant in the community outreach process. In March 2022, staff held two virtual cannabis

community workshops. Following those meetings the City Council directed staff to prepare and place a cannabis business tax on the November 8, 2022, General Election ballot for voter approval. The measure passed with 61 percent support from Claremont voters. In January 2023, the City Council set the cannabis tax rates within the Claremont voter-approved ranges. The City Council also requested that staff initiate additional community input meetings to discuss cannabis business regulations and policies.

Community Listen and Learn Sessions

Staff held three community Listen and Learn Community sessions between June and September 2023. During these sessions, staff gave a brief presentation regarding the history of cannabis regulations in Claremont and California, and shared policy decisions available to cities if they decide to permit cannabis businesses. Staff also presented a map with the state's minimum zoning requirements and a 1000-foot buffer from the Pomona-Claremont border. After the presentation, attendees had the opportunity to provide comments and input regarding cannabis regulations in Claremont.

There was a mixture of support from those in attendance. There was general support of cannabis retail businesses in Claremont with sufficient regulations and policies in place. The attendees that were not in support, or had conditional support of cannabis businesses, had three primary concerns: crime, parking demands, and the potential adverse impact on the community from cannabis use. Community members who identified themselves as from south Claremont shared apprehensions regarding a potential increase in criminal activities around cannabis establishments. They also held concerns about the impact on local parking resources that cannabis businesses may bring, referencing the high parking demand at cannabis retail stores located in Pomona. Additionally, community members raised concerns regarding the perceived negative effects of cannabis use on an individual's well-being and the dynamics of the community.

Cannabis Regulatory Decision Points

The State of California gives significant authority to local jurisdictions to regulate cannabis business within their jurisdiction. Below are the primary issues for the Planning Commission to consider for a Claremont cannabis ordinance to be developed.

Allowable Cannabis Uses

The State offers various types of licenses for cannabis businesses including retail (storefront vs non-storefront), manufacturing, indoor/outdoor cultivation, distribution, testing laboratories, and microbusinesses. The City's previous cannabis consultant, HdL, identified retail as the most supported and demanded business type in Claremont. Retail includes both storefront (dispensary) and non-storefront (delivery) businesses. Typically storefront businesses, in addition to their physical store, may also conduct deliveries from their location, whereas non-storefront businesses may only conduct deliveries and will not have a physical storefront location. Due to the limited availability of commercial buildings in the City, staff recommend only permitting retail.

Currently, approximately two out of three cannabis purchases are made in the illicit market. One of the primary issues that has caused the illicit sales to continue to grow is the lack of access to safe regulated cannabis retailers. In an effort to push local jurisdictions to allow regulated cannabis retailers and reduce the competition with the black and grey market, the proposed 2019 California Assembly Bill 1356 aimed to mandate local jurisdictions with no legal cannabis retailers to issue one

cannabis retail license for every 15,000 residents. As of 2023, cities of comparable size to Claremont have a median of one storefront retail location for every 16,000 residents. These figures suggest that the City of Claremont could viably support two to three cannabis storefront retail businesses.

Cities that permitted an excess of cannabis retailers have faced market oversaturation, leading to the closure of some businesses. When new cannabis retailers are introduced in a jurisdiction, they often attract few new consumers. Instead, customers typically shift their purchasing habits from the illicit market or from cannabis retailers located farther away. If cities permit an excessive number of retailers, it can result in the cannibalization of sales for other retailers within their jurisdictions.

It is important to note that the City can allow a reasonable number of retailers to reduce purchases in the illicit market, while providing a sustainable business opportunity for the select retailers. Given the current lack of cannabis storefront retailers in neighboring cities, there may be higher demand initially, until those cities permit cannabis storefront retailers in their jurisdictions. Due to the City of Claremont's competitive cannabis sales tax, the Planning Commission may consider permitting a limited number of non-storefront businesses to conduct regional deliveries, serving customers beyond Claremont.

Zoning Districts and Buffer Zones

The City may limit cannabis businesses to certain zones or districts, including the Business/Industrial Park District, mixed-use districts, commercial districts, or specific plans. Cities also may create overlay zones to restrict cannabis businesses to certain areas in a city.

California State law requires that cannabis businesses not be located within a 600 foot radius of a school, day care, or youth center, as measured property line to property line. Cities may add other sensitive areas such as residential zones, or create buffers from other retail locations. Cities can increase or decrease buffers as needed or change the measurement, such as from door to door instead of from property line to property line. The City may limit the number of permits issued in certain areas, so one retail businesses may only be allowed in the north of the City and one in the south.

Additionally, when the City of Pomona was developing their cannabis regulations, the City of Claremont requested a 1000-foot buffer from the Claremont-Pomona border. The City of Pomona has made a reciprocal request asking for a 1000-foot buffer from the Claremont-Pomona border.

Application Process

Due to the limited number of cannabis licenses and high demand, cities have to select a method of distributing their licenses. Licenses are usually distributed through a competitive merit-based method or a lottery method. A competitive process reviews all areas of the cannabis businesses' operations, requiring businesses to submit an application with their business plan, neighborhood compatibility, security plan, and qualifications of the owners and operators. The reviews may either be conducted by city staff, consultants, or elected officials. While a competitive process may give cities the ability to select the best operators, its subjective nature can create a risk of liability. Some cities have experienced litigation due to cannabis business applicants questioning the review criteria, or those who were conducting the review. This can delay the issuing of a license and may create an additional cost for the cities.

A lottery system allows any interested business that meets the minimum qualifications to apply. The City could then conduct a lottery to select businesses at random. While a lottery method may reduce exposure to liability, it does not ensure that the best businesses will be selected. Alternatively, some cities utilize a hybrid approach whereby a business submits an application and receives either a pass or a fail based on certain criteria, which could include whether an applicant has experience operating a successful cannabis businesses. The applicants that receive a pass would then be entered into a random lottery. Ultimately the City Council will consider and determine the appropriate selection process if this initiative moves forward.

Transferability

Transferability may occur upon a new owner, operator, location, or investor/partner. During the early stages of cannabis regulations many local jurisdictions prohibited transfers altogether, whereas more recent cannabis ordinances have allowed for approval of transfer with a different application process and background check.

Hours of Operation

California State law limits cannabis retail and delivery business operations to 6:00 AM to 10:00 PM. Local jurisdictions may further limit these hours depending on local conditions, such as from 9:00 AM to 9:00 PM.

Security Measures

Cannabis business security measures are highly regulated by the Department of Cannabis Control (DCC). These include access control, video surveillance, alarm systems, and track and trace. The DCC, however, does not have requirements for security guards. Cannabis retail business security guards will typically patrol the inside and outside of the businesses. In addition to providing a safe place to purchase cannabis, they ensure that cannabis products are not opened or consumed on the premises. Most cities require cannabis businesses to have security guards on the premises. A city may decide whether the guards should be armed or unarmed. A city may also require security guards be present 24 hours, seven days a week, or only during operational hours. If the City were to permit both storefront and non-storefront retail, then the City would need to determine whether security was required for both types.

Size Restrictions

The City may establish a maximum size for cannabis retailers to ensure proportionality within the community. Cannabis retail businesses can adapt to the community and their designated retail space. Some retailers may operate in smaller urban environments like those found in Pasadena and West Hollywood, while others in busy commercial corridors or areas with less competition may occupy larger buildings.

Aesthetics and Advertising

The State provides advertising and marketing to reduce exposure to those under 21 years old but allows cities to have additional regulations on the aesthetics and signage of cannabis businesses. The City may apply existing sign code standards, or develop separate requirements. The City may also establish a design review criteria, separate from the cannabis permit, to ensure that the retail businesses are high quality and conform to their surroundings.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Council Priorities, Economic Sustainability Plan, General Plan, 2023-24 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Brad Johnson
Community Development Director

Prepared by:

Alex Cousins
Management Analyst