



CITY OF MARINA
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CERTIFICATE OF THE CITY CLERK

I, ANITA SHARP, DEPUTY CLERK OF THE CITY OF MARINA, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of the **Impartial Analysis for Measure Z**, submitting to the voters at the November 3, 2020, General Municipal Election a Measure amending provisions of the Municipal Code relating to the regulation, permitting and taxation of commercial cannabis businesses, activities and land uses which would repeal Title 19 "Commercial Cannabis Activities," repeal Chapter 5.76 "Cannabis Retailer," add Chapter 5.80 "Commercial Cannabis Business Regulations" and add Chapter 17.47 "Commercial Cannabis Uses."

WITNESS MY HAND AND THE SEAL OF THE CITY OF MARINA

Date: August 13, 2020

Anita Sharp, Deputy City Clerk



City Attorney's Impartial Analysis of City of Marina Measure Z
Commercial Cannabis Businesses

In 2018, Marina's voters amended the Marina Municipal Code to permit certain state-licensed cannabis businesses to operate in the City. Eligible businesses include cultivation, manufacturing, distribution, testing labs, up to three non-medical "adult-use" cannabis retailers and up to three medical dispensary retailers.

Measure Z would change the City's licensing procedures for cannabis businesses and make other changes to the City's requirements for such businesses. It would not change the caps on the number of cannabis retailers allowed in the City.

In order to operate, a cannabis business would need a valid commercial cannabis permit. The City has, under existing rules, already approved land use rights for three adult-use retailers and three medicinal retailers. Permits issued to those retailers would be valid and renewable if Measure Z is adopted. When, in the future, a permit "slot" becomes available, the City would administer a lottery to determine which interested person could apply for the available permit. Applications for non-retail permits would be accepted beginning July 1, 2021.

Permits would need to be renewed annually, and, among other requirements, no commercial cannabis permit could be issued or renewed unless:

- (i) The Police Chief has approved a Safety & Security Plan for the business and found that the business was inspected and in compliance with the Plan.
- (ii) Each owner, operating manager and assistant operating manager of the business has obtained background clearance from the City within the prior 90 days.
- (iii) The business has all necessary permits from the Bureau of Cannabis Control and the California Department of Tax & Fee Administration.

Additionally, a cannabis business would need to obtain a Conditional Use Permit following a noticed public hearing before the Planning Commission. At that hearing the Commission could consider whether the proposed use, as conditioned on the Conditional Use Permit, would have certain types of adverse impacts on its neighborhood or the City.

A Conditional Use Permit specifically could not be issued for a commercial cannabis use that would generate offensive noise or odors or be located within 600 feet of any child day care center, K-12 school, public recreation center or public park. No retail cannabis business could be within 1,000 feet of another such business. Deliveries could be made only by permitted cannabis retailers.

Measure Z would permit the City Council to amend the provisions of the municipal code regarding commercial cannabis businesses and land uses. The Council could not increase the existing commercial cannabis businesses tax above its current 5% rate. Measure Z would not expand the zones of the City in which cannabis businesses may operate. The measure adds restrictions on business signage, retains the existing prohibition against recreational sales to

persons under 21 years old, and makes numerous other changes to the City's rules for to cannabis businesses.

Measure Z was placed on the ballot by the City Council of the City of Marina. It will be approved if it receives a majority vote of those casting ballots on the measure.


ROBERT R. WELLINGTON by 
CITY ATTORNEY

Dated: August 13, 2020