

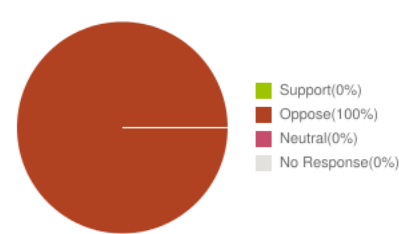
City Council Hybrid Meeting (Closed Session at 5:00 PM and Open Session at 6:00 PM)
09-12-23 17:00

Agenda Name	Comments	Support	Oppose	Neutral
b) REPORT 23-0496 INTRODUCTION OF AN ORDINANCE AMENDING TITLE 17 OF THE HERMOSA BEACH MUNICIPAL CODE RELATED TO CANNABIS DELIVERY AND APPROVAL OF RESOLUTIONS ESTABLISHING APPLICATION FEES, FINES, AND TAXES (Deputy City Manager Angela Crespi) (Community Development Director Carrie Tai)	4	0	4	0

Sentiments for All Agenda Items

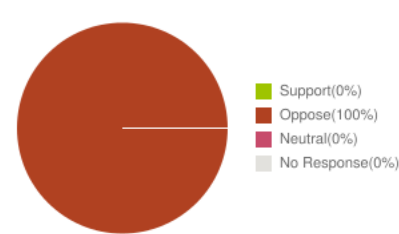
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for b) REPORT 23-0496 INTRODUCTION OF AN ORDINANCE AMENDING TITLE 17 OF THE HERMOSA BEACH MUNICIPAL CODE RELATED TO CANNABIS DELIVERY AND APPROVAL OF RESOLUTIONS ESTABLISHING APPLICATION FEES, FINES, AND TAXES
(Deputy City Manager Angela Crespi)
(Community Development Director Carrie Tai)

Overall Sentiment



Joseph Swan

Location:
Submitted At: 12:13pm 09-12-23

The draft ordinance is highly problematic and very confusing, for at least the following reasons.

The zoning code is being amended so that Mobile Cannabis Dispensaries are permitted everywhere throughout the city. However, that term is defined to mean: “any dispensary, clinic, cooperative, association, club, business or group which transports or delivers, or arranges the transportation or delivery of, cannabis to a person in the City.”

It also states, "This definition includes businesses engaged in Cannabis Delivery."

In other words, the zoning code is being changed to permit a wide variety of cannabis organizations to have a permanent physical location within the city. Once those organizations are invested, it will be difficult if not impossible to reverse these zoning provisions with respect to established businesses.

This should be extraordinarily troubling for everyone.

While the code continues to prohibit certain Commercial Cannabis Activity, the provision (in 17.42.110.B) that previously stated, "To the extent that this prohibition conflicts with any other provision of this Code, this prohibition shall control" is being deleted, providing further evidence that the city is welcoming the operation of cannabis businesses.

These are just a few examples to illustrate how deeply flawed the proposed ordinance is. I could cite many more examples of where it is conflicting, confusing or overly permissive with respect to cannabis. For instance, in Section 6, the amended language defining Commercial Cannabis Activity states: "This definition also includes mobile cannabis dispensary, and a medical marijuana dispensary. This definition excludes mobile cannabis dispensaries."

In other words, although the stated intention of the ordinance is to resolve conflicting provisions, it actually introduces a conflict into adjacent sentences.

We need to go back to the drawing board, keep the ban on Mobile Cannabis Dispensaries in place, and just narrowly permit deliveries from outside the city.

Michael Treidl

Location: 90254

Submitted At: 7:45pm 09-09-23

I am against the legalization of mobile cannabis dispensaries and this term should be made separate from cannabis delivery. We don't need food trucks selling weed in HB. I am also against cannabis delivery to commercial zones.

Heidi J. Swan

Location:

Submitted At: 10:01pm 09-08-23

The term "mobile cannabis dispensary" is very broad. It is language that can open the door for all kinds of activities that Hermosa residents did not know would come. It will be much simpler if the language is simplified by calling it "delivery." And deliveries should not be allowed in the commercial zone.

I was in Atlanta a couple of years ago and they were literally selling THC infused ice cream out of an ice cream truck. With brightly colored ice cream cones plastered on the side.

Colorado just came out with data showing the median age of accidental ingestions of THC candies by young children is 2.9 yrs old. 13% needed to go the ICU. As Chief Le Baron says, California is 5 yrs behind Colorado.

But we can prevent some of this--local control makes a huge difference for youth! The excellent Independent Report ordered by Hermosa Beach Staff last year showed data to support this. By the way, this report is unique in our country and it has been shared widely to help other communities fight off legal pot shops. So Hermosa is a leader in protecting youth.

We have to continue to stand firm to protect our kids. Our legislature passed a bill to legalize psychedelics this week, SB58. It has no protections in place. Hopefully it will be vetoed by our governor. Meanwhile, the drug industry is actually mixing magic mushrooms with high potency THC and putting them into candy bars with child-friendly wrapping and selling them illegally. I have a friend from NCal whose formerly college-bound, athletic son suffered psychotic breaks from eating a THC/shroom choc bar and vaping high potency THC products. No college. Instead, he's in treatment and his father has spent over \$120K on it so far this year.

Sacramento is showing us it cares more about addiction drugs than about children. We have to be sure to protect our community from whatever they force us to accept. Without a thought, they can easily change the character of our community. Let's do everything to keep Hermosa a great place for families. Let's fix the language so, to the best of our abilities, the allowance of delivery stays as it was intended: very narrow, discrete, and in residential zones only.

Carolyn Petty

Location: 90254

Submitted At: 8:59pm 09-08-23

Please reject the staff recommendation to legalize "mobile cannabis dispensing" and to allow this in the commercial zones.

This was never requested by the council – last year, the vote was to only allow deliveries in the residential zone. While staff is saying that this is simply a "language cleanup" the consequence of this not-so-simple change will be significant.

Today, parking on a city street and dispensing is illegal. However, at every legislative session, Sacramento further loosens restrictions on the selling of cannabis. The moment our legislature permits this activity, our town will have laid the groundwork for mobile cannabis dispensaries to park, plug the meter, and sell out of their vehicle. By the way, if you have been to New York City, that is what happens – vehicles park and sell to people walking by. That is why it is not unrealistic to say that California could go down the same path as New York. There is simply no reason to pave the way for that eventuality if there is an easy fix.

A way to remedy what staff is saying is conflicting language is to define "delivery" apart from "dispensing".

The Adult use of Marijuana Act (Prop 64) defined delivery as:

The commercial transfer of adult-use cannabis or cannabis products to a customer and including the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of adult-use cannabis or cannabis products.

Dispensing has been defined by the cities of Riverside and La Mesa as:

"Mobile Dispensary" means (i) any conveyance, powered or unpowered, licensed or unlicensed manned or unmanned, from which marijuana is offered for viewing; sampling; concurrent or subsequent sale; or is given away; provided; distributed or dispensed; and which (ii) is owned, leased, operated, used, maintained or controlled by a marijuana business.

"Operating a Mobile Dispensary" means parking, stopping, idling, or standing on public or private property for the purpose of permitting marijuana to be offered for viewing; sampling; concurrent or subsequent sale; or to be given away; provided; distributed or dispensed.

Please separate these two concepts and maintain the ban on dispensaries – which was approved by the voters with the 72% No vote on Measure M.

You can allow for delivery in residential zones only, which was the will of the council in 2022.

Lastly and most importantly, reject staff recommendation to permit this activity in the commercial zones.

Carolyn Petty

Staff believes there is a conflict between Ordinance 5.80 legalizing cannabis delivery and Title 17 of our zoning code. Currently Mobile Cannabis Dispensaries exists as a definition in our municipal code, and this is a legacy definition.

Use of the term "dispensing" opens the door for other creative ways of selling cannabis – even if it is illegal today.

Better to strike the word “dispensing” and simply replace with the word “delivery” and define delivery. You could strike the words Dispensing altogether, or clarify and below is language from

Delivery should never be permitted in the commercial zones, this was never discussed.