



Comprehensive Cannabis Ordinance, Round 2

PLANNING COMMISSION

JULY 17, 2019





Focus of Zoning Amendments

- Reconsider Storefront Retailer buffers
- Allow commercial consumption (lounges)
- Expand Cultivation beyond M District
- Allow Retail Storefront Microbusinesses
- Allow Delivery-only Retailers
- Use Tables and Definition changes



Format of Report

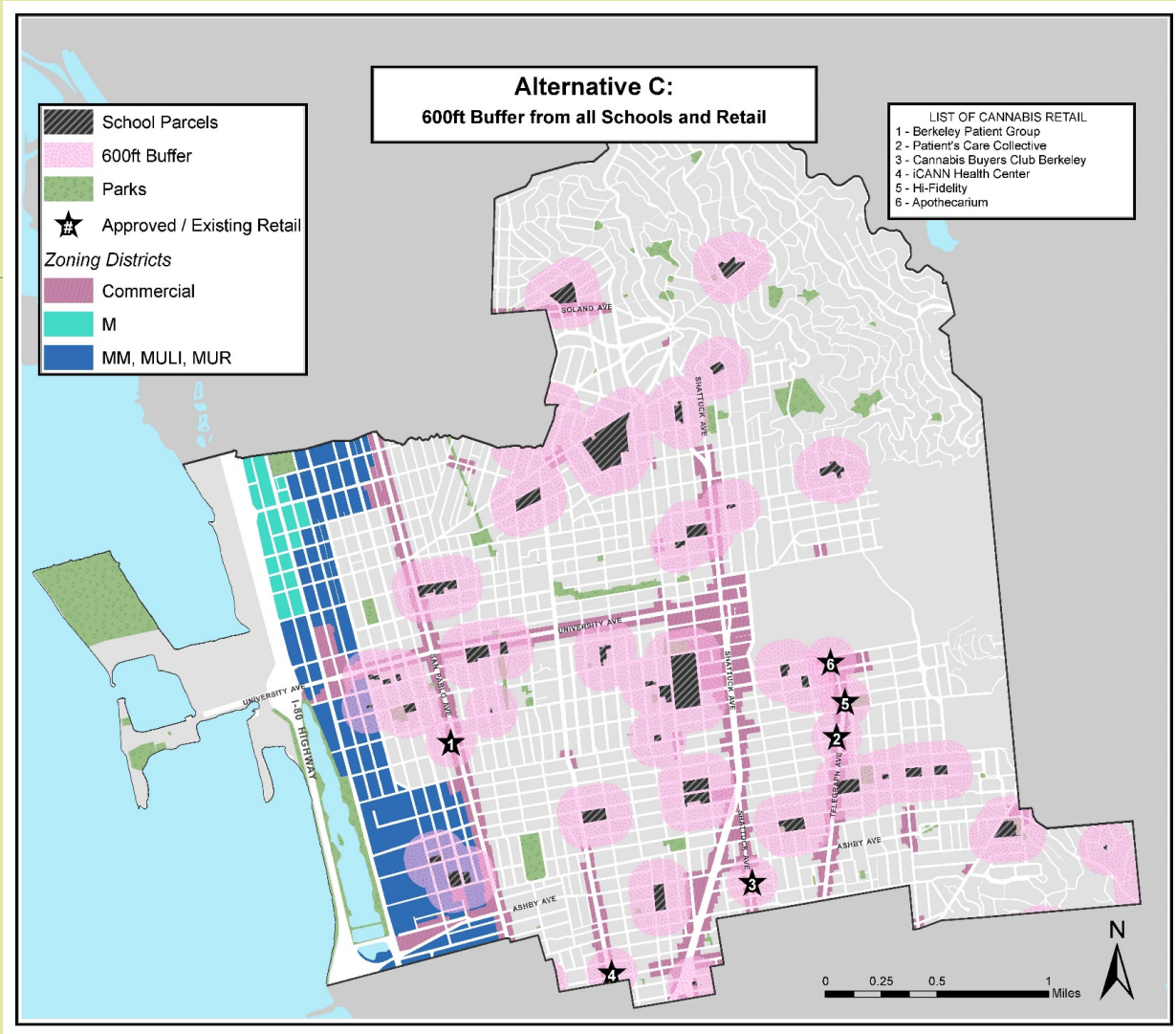
- Policy changes to 23C.25 are highlighted in Attachment 1
- Other changes clarify ordinance
- Proposed language is staff recommendation
 - Alternatives reflect other commission recommendations

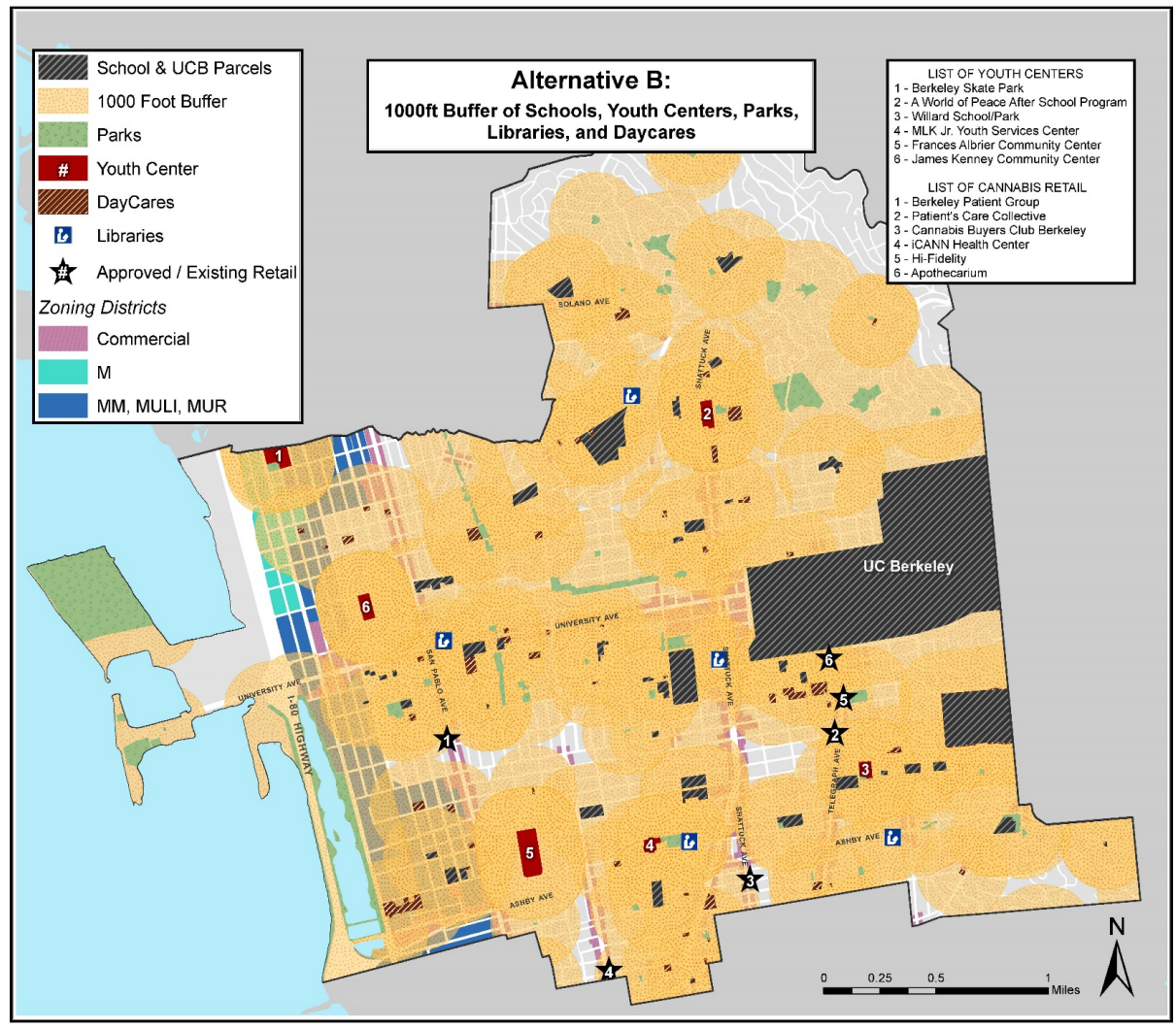


Retailer Buffers (23C.25.010.B.6)

Question: Should Storefront buffers be amended?

- A. 600' from Schools and other Retailers (existing ordinance, Cannabis Commission)
- B. 600' from elementary schools, other Retailers and community centers AND
1,000' from middle/high schools (staff recommendation)
- C. 1000' from Schools, community college, university, day care center, park, youth center or library. (CHC)







Consumption Lounges (23C.25.010.D)

Question: Should Lounges be permitted in Berkeley?

- Would allow cannabis consumption at a Retailer
- Types of consumption
- Special building requirements for smoking/vaping rooms



Location of Cultivation uses (23C.25.020)

Question: Is cultivation an appropriate use in the MM and MU-LI Districts?

- Currently allowed in M District 300' away from Schools and community centers
- Additional buffers recommended for MM and MULI:
 - Schools = 600'
 - Residentially zoned districts + 300' (UP to reduce)



Retail Storefront Microbusiness (23F.04)

Question: Should Microbusinesses at Retailers be treated differently than other Microbusinesses?

- Business types allowed at Microbusinesses
- Business types proposed at RSMs



Delivery-Only Retailer (23C.25.010.C)

Questions: Should D-ORs have quotas?

What discretion should be required?

What locations and buffers are appropriate?

- No customers
- Different criteria based on location



Use Tables and Definitions

Use Tables:

- Add Delivery-Only Retailer language
- Allow Distributors as an incidental use to a Retailer with a ZC in all commercial districts

Definitions:

- Add Retail Storefront Microbusiness
- Add Delivery-Only Retailers to Warehouse Based Non-Store Retail definition



Delivery-Only Retailer (23C.25.010.C)

District	Proposed Location Requirements
C-prefixed districts	With ZC (Staff) or AUP (CHC) Not on ground floor adjacent to sidewalk
M, MM	Under 20,000 – ZC 20,000 – 40,000 – AUP Over 40,000 - UP
MULI	Under 20,000 – ZC 20,000 – 30,000 – AUP Over 30,000 - UP



Questions for Planning Commission

- Change Retail buffers?
- Allow cannabis Lounges?
- Expand Cultivation into MM and/or MU-LI districts?
- Different rules for Retail Storefront Microbusinesses?
- Allow Distributors as Incidental to Retailers?
- Delivery-Only Retailer: Quotas, discretion, locations, buffers?

