

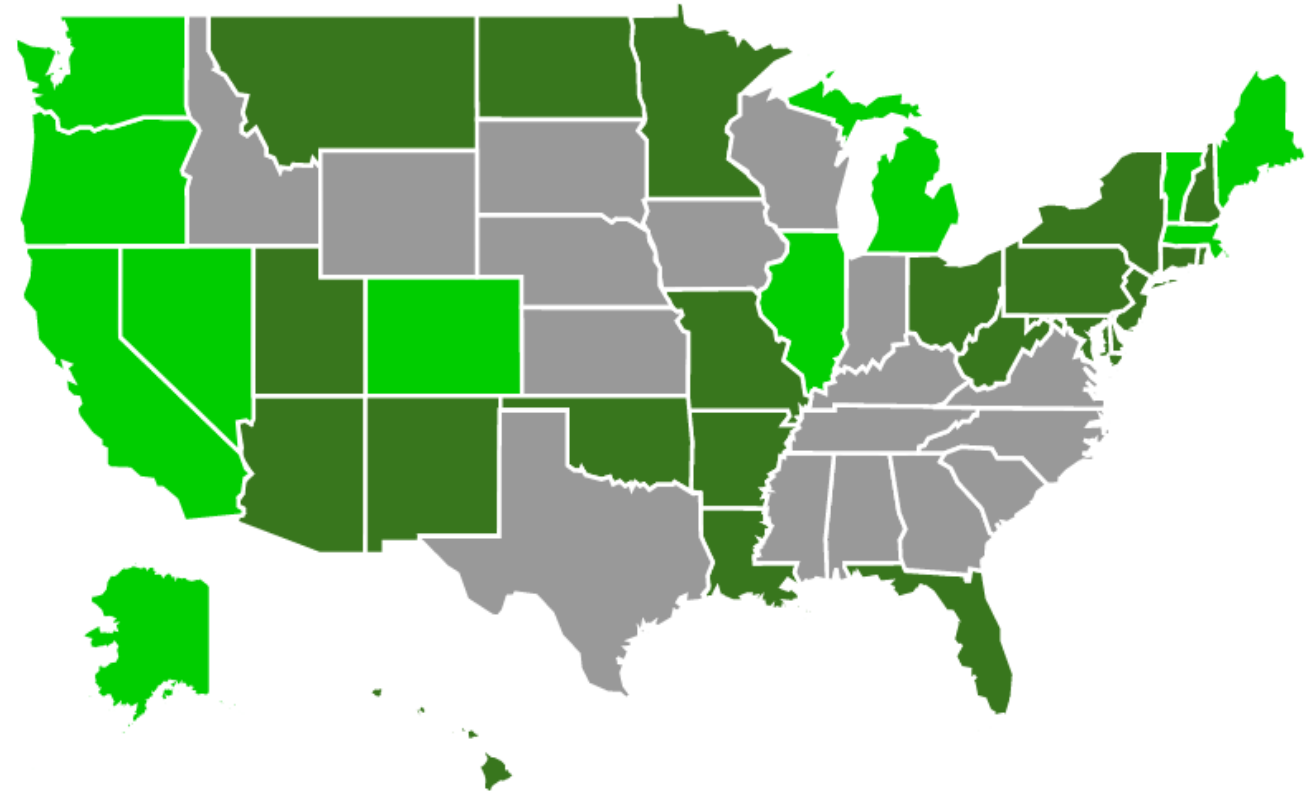
Using Local Control To Push Back on the Marijuana Industry

Western States Marijuana Summit
San Diego, CA
November 6, 2019

Information is current as of June 25, 2019.

From a **GREEN** state?

All is not lost, there
is still work to be
done. We can help.



Marijuana Legalization Status

- Medical marijuana broadly legalized
- Marijuana legalized for recreational use
- No broad laws legalizing marijuana

YES! Opting Out is preferred!

That may not be an option.

Understanding how local control ordinances work means you can advocate from a position of strength!

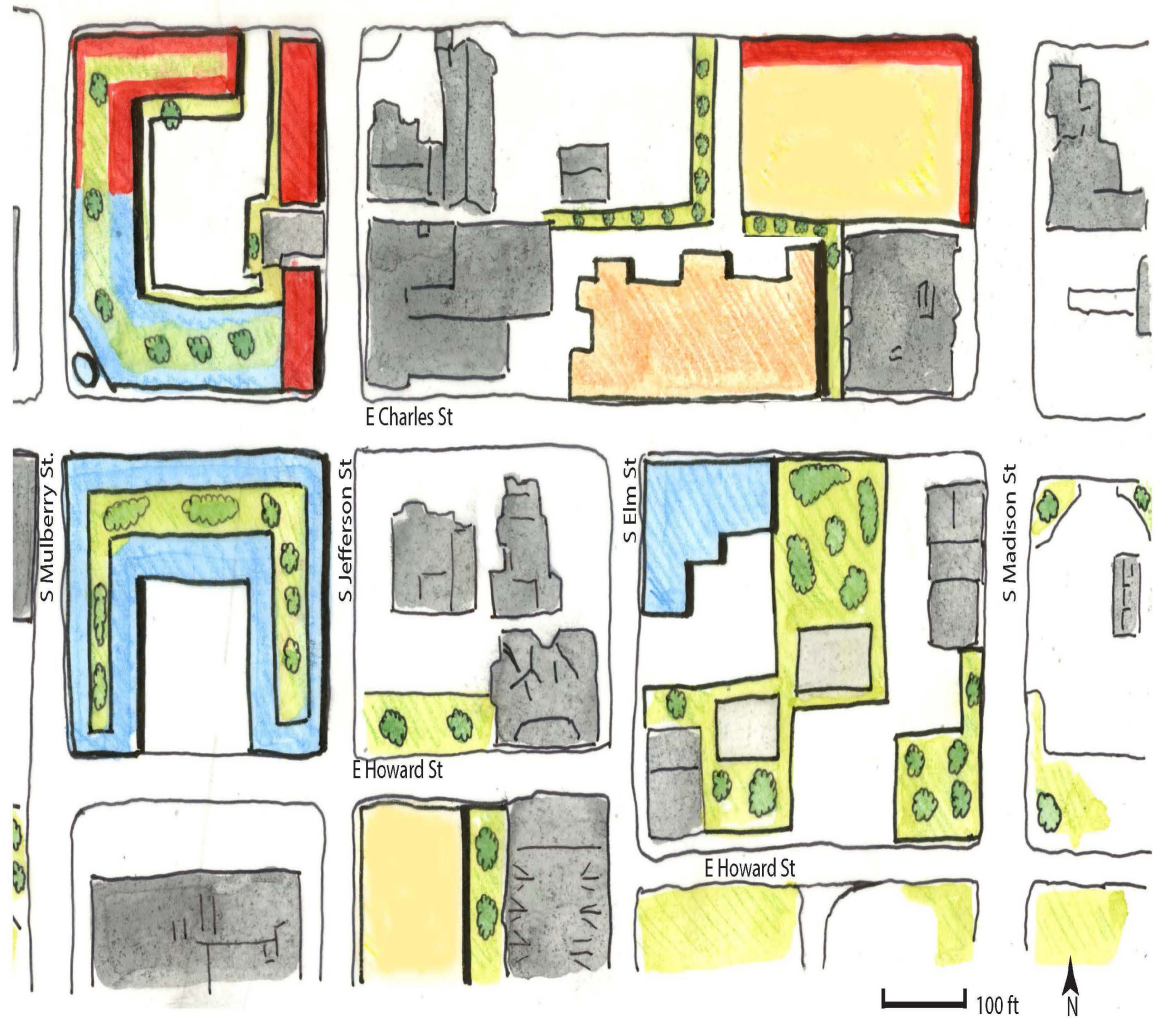


Local Control: Not One Size Fits All

Because communities are not all the same. What works in one community may not in another.

There are many factors to consider:

- Community readiness
- Political will
- Data to support the policy
- Stakeholder/leaders who care
- A movement of concerned citizens



TIP:

- Learn what policy mechanisms are available in your community and who controls them.
- Understand the procedures on how local ordinances move through the policy process where you live.



California's State Constitution grants local government Police Powers as the land use authority

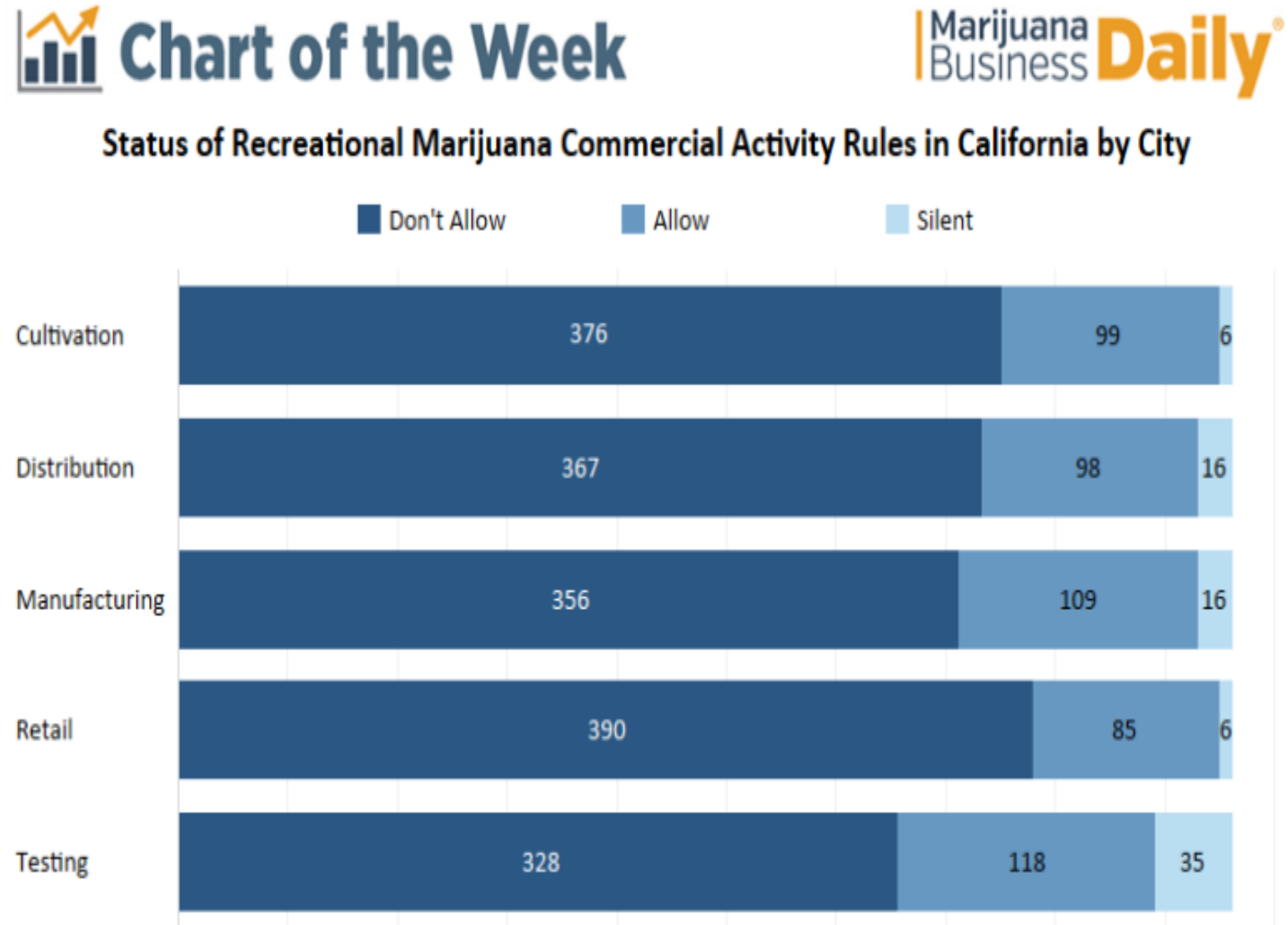
Policy Options:

- **Prohibit all commercial marijuana activities:**
 - Store fronts,
 - Cultivation,
 - Manufacturing,
 - Delivery,
 - Testing.
- **Using zoning to regulate**
 - Buffer zones
 - Sensitive uses
 - Residential
- **Signage & advertising**
 - Outdoor
 - Indoor with outward facing
- **Age restrictions**



Most California municipalities ban commercial cannabis activity

Only 161 of California's 482 municipalities and 24 of 58 counties allow commercial cannabis activity of any sort, according to data from CannaRegs, a website that tracks local marijuana rule developments in the state.

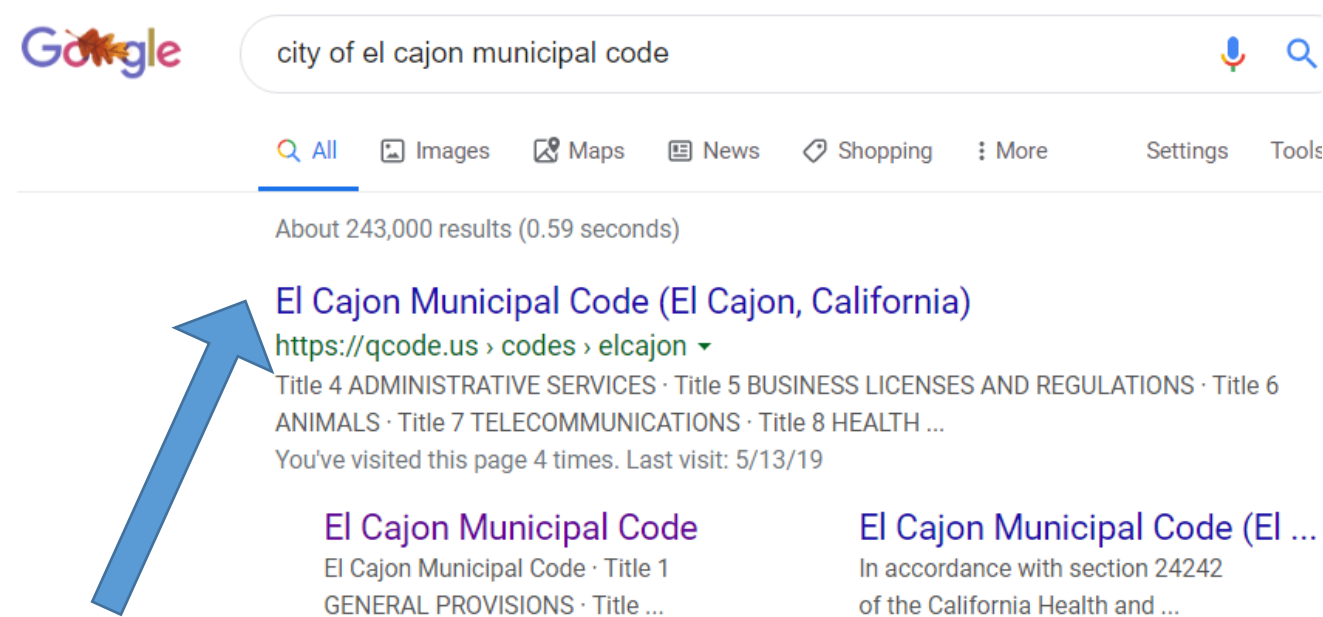


Source: CannaRegs

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Local Ordinance Language is Easily Available

- Google <city name> municipal code



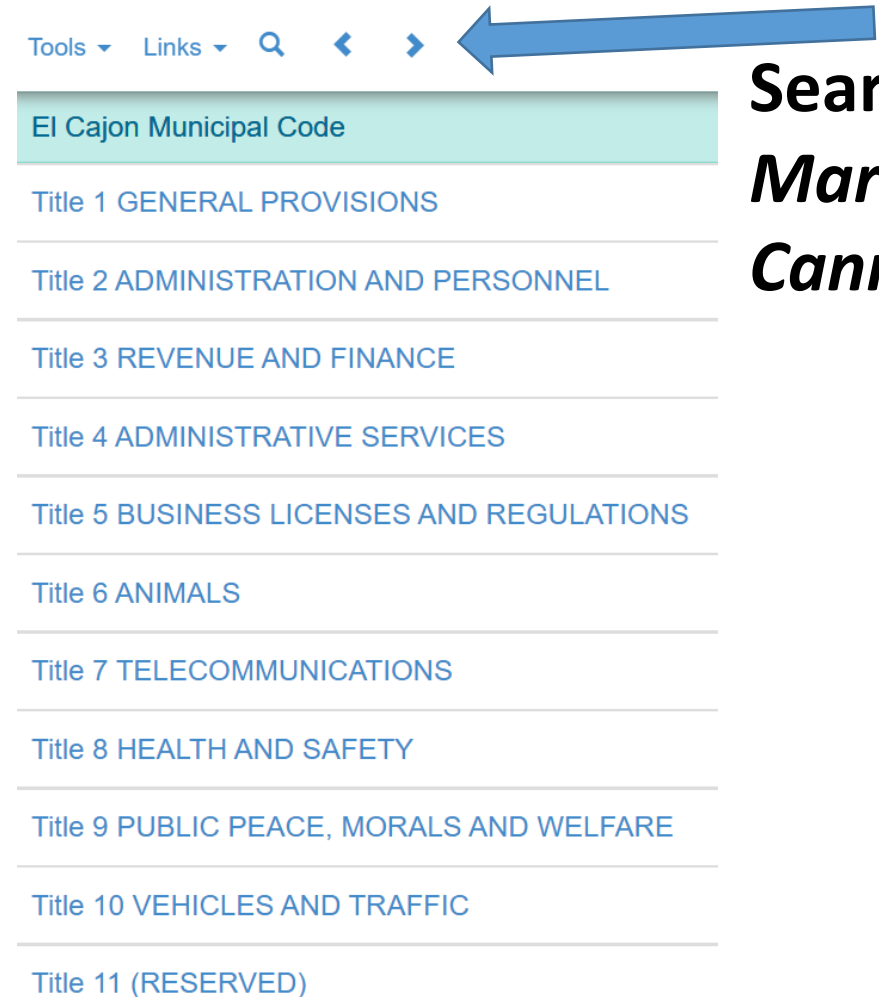
Google search results for "city of el cajon municipal code". The search bar shows the query. Below the search bar, there are tabs for All, Images, Maps, News, Shopping, More, Settings, and Tools. The results show "About 243,000 results (0.59 seconds)". The first result is "El Cajon Municipal Code (El Cajon, California)" with the URL "https://qcode.us > codes > elcajon". Below this, there is a snippet of the code: "Title 4 ADMINISTRATIVE SERVICES · Title 5 BUSINESS LICENSES AND REGULATIONS · Title 6 ANIMALS · Title 7 TELECOMMUNICATIONS · Title 8 HEALTH ...". A blue arrow points to the first result.

El Cajon Municipal Code (El Cajon, California)
<https://qcode.us > codes > elcajon>
Title 4 ADMINISTRATIVE SERVICES · Title 5 BUSINESS LICENSES AND REGULATIONS · Title 6 ANIMALS · Title 7 TELECOMMUNICATIONS · Title 8 HEALTH ...
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El Cajon Municipal Code
El Cajon Municipal Code · Title 1 GENERAL PROVISIONS · Title ...

El Cajon Municipal Code (El ...
In accordance with section 24242 of the California Health and ...

Click on it



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El Cajon Municipal Code

Title 1 GENERAL PROVISIONS

Title 2 ADMINISTRATION AND PERSONNEL

Title 3 REVENUE AND FINANCE

Title 4 ADMINISTRATIVE SERVICES

Title 5 BUSINESS LICENSES AND REGULATIONS

Title 6 ANIMALS

Title 7 TELECOMMUNICATIONS

Title 8 HEALTH AND SAFETY

Title 9 PUBLIC PEACE, MORALS AND WELFARE

Title 10 VEHICLES AND TRAFFIC

Title 11 (RESERVED)

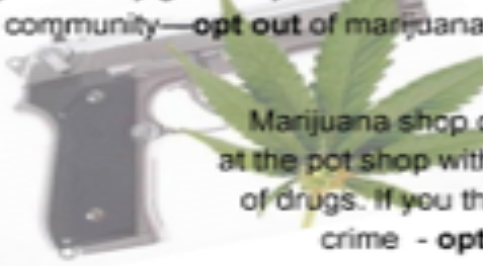
Search:
***Marijuana
Cannabis***

TOP 5 Reasons to Opt-Out of Marijuana Commercialization

Marijuana sales tax revenue will never sufficiently cover the negative impact it creates in your community! **Opt-out** of commercialization!



Marijuana is a cash based industry. Cash and drugs are guarded by guns. If you don't want more guns in your community—**opt out** of marijuana commercialization!



Marijuana shop customers pay with cash. They arrive at the pot shop with a wad of cash and leave with a bag of drugs. If you think that makes them easy targets for crime - **opt-out** of marijuana commercialization!

The smell of the marijuana, alone, drives out neighboring businesses! If you don't like the smell of weed or want it infesting every nearby shop - **otp-out!**

If you don't want your town to be like this! **Opt-out!**



Pick YOUR Top 5:

- Source your data whenever possible
- Make them statements you can say without stumbling
- Make sure your coalition agrees with them
- USE them every chance you can:
 - Testimony at council
 - Speaking opportunities
 - Media: social, print, radio, TV
- Keep them simple, not hysterical

Zoning: Why its important

Not all businesses should be near housing, but some should.

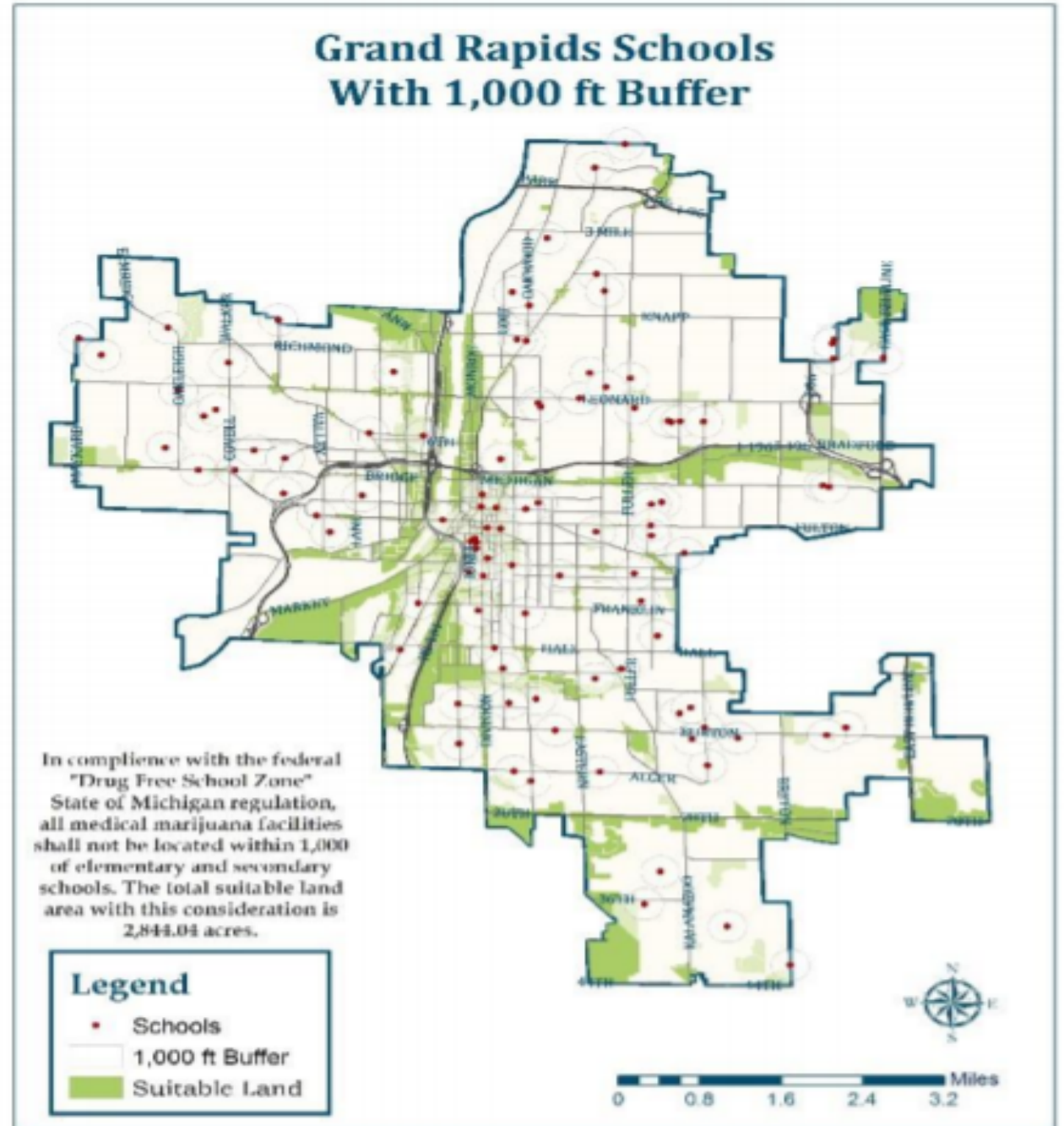
Zoning helps define the relationship between different land uses and how the city's lands should be used.



Buffer Zones:

Ask for 1,000 ft. buffer for sensitive uses:

- ✓ Residential use (not residential zone)
- ✓ Child care
- ✓ Drug treatment/recovery
- ✓ Parks
- ✓ Churches
- ✓ Others.....



Signage & Advertising Restrictions

- ✓ Outdoor & indoor w/outward facing
- ✓ No pot leaves or green crosses
- ✓ No sandwich-board signage
- ✓ No sign-twirlers
- ✓ Cultivation sites should have not signage/ be nondescript



Odor Control!

Regulations must be spelled out for retail, cultivation and manufacturing. If not, neighboring businesses will have serious on-going nuisance with no recourse but to move.





Delivery

- ✓ Require delivery/mobile services be linked to a licensed “brick & mortar” store.
- ✓ Records be kept of age verification & available to law enforcement

Black market and unlicensed operators often use delivery services as cover for their operations.

More on Delivery: IF city wants to allow

- ✓ *All deliveries made by an individual person to an individual person.*
- ✓ *No deliveries made through the use of an unmanned vehicle.*
- ✓ *Delivery not to be made to any public or private school, day care center, treatment facility, youth center, youth-oriented business, public park, or private park.*

In some states, delivery services cannot be prohibited from passing **through** a jurisdiction to reach a destination outside of a jurisdiction that does not allow delivery services.

Cultivation

- ✓ This is what voters in CA were promised:
- ✓ Up to 6 plants
- ✓ Personal use



This is what we got: *Commercialization*

**Embolden cartels cultivating
on public lands**



**Big agra-business & mass
cultivation**



Personal Cultivation

- ✓ Plants must be grown in area out of view from neighbors.
- ✓ Plant must be grown in a secured/locked enclosure.
- ✓ Restrictions can be made to the total number of plants per household regardless of the number of individuals living in a residence.
- ✓ Landlords/property managers, can be prohibit renters from growing and using marijuana at rental properties; including apartment complexes and individual rental units.
- ✓ Restrictions on minimum age can be applied.



Though your state may have
legalized marijuana -

There is still much work to be done in your community!

Don't give up!

- Have a seat on the committee
- Speak to your elected officials, at public meetings, planning boards, community workshops and school boards
- **Get organized!**



Thank you!

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