



Medicinal Cannabis Updates Ordinance (MCA-2023-00008)

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Planning Division

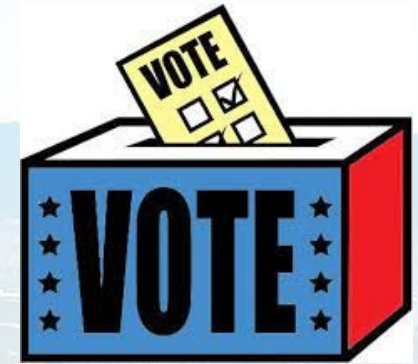
Item 11.

February 20, 2024



How did we get here?

- ✓ In 1996, voters approved Proposition 215, establishing the ability for doctors to prescribe "medical cannabis" to patients and their primary caregivers.
- ✓ In 2022, the state enacted Senate Bill 1186 (SB 1186) based on the premise that there are barriers to medicinal cannabis access for patients in California.





Why are we proposing these updates?



- ✓ Under SB 1186, cities throughout the State of California are restricted from adopting or enforcing any regulation that prohibits the sale of medicinal cannabis to medicinal cannabis patients or their primary caregivers.
- ✓ State law allows cities to adopt local standards for permitting, location, and the operational components of a medicinal cannabis delivery service business.



Existing Limitations

- ✓ The City's current limitations on non-medical cannabis businesses will remain unaffected by the proposed modifications. This includes the prohibition of recreational cannabis sales and retail storefronts for recreational cannabis.
- ✓ For reference, we currently only permit Marijuana Testing Facilities within the Business Park (BP) Zone.



What we can't regulate

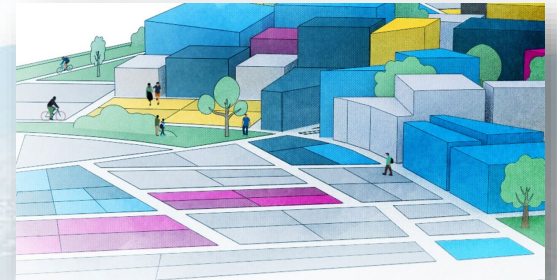
- The number of medicinal cannabis businesses.
- Operating hours.
- Number or frequency of sales.
- Types or quantities of medicinal cannabis.
- Prevention for the establishment of a physical premises.



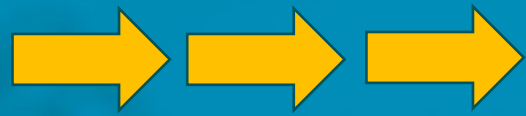


What can we regulate?

- Regulate Zoning requirements.
- Provide parameters for Security and public health and safety requirements.
- Implement licensing requirements.
- Impose or collect applicable state or local taxes.
- Provide regulations consistent with state requirements and restrictions.



Department of
Cannabis Control
CALIFORNIA



Implementation Timeline

- On December 19, 2023, the City Council adopted an Urgency Ordinance establishing a 45-day temporary moratorium. (Vote 5-0)
- On January 10, 2024, the Planning Commission recommended that the City Council adopt the proposed ordinance subject to some minor modifications and for things for staff to look into further. (Vote 5-0)
- On January 16, 2024, the City Council approved a continuation of the Urgency Ordinance established for an additional 45-day days. (Vote 5-0)





Planning Commission Recommendation

- **Research further the utilization of firearms.**
- **Research further the state's definition of Medicinal Cannabis and our own definitions.**
- **Clarification within the ordinance that signs shall contain no advertising of other companies, brands, goods, or services, or of the use.**
- **Adding larger medical facilities as a sensitive use, such as Hospitals, Urgent Care Centers.**



Planning Commission Recommendation

Cont.

- Clarification that facilities shall be limited to the storage.
- Clarification within the ordinance that no product shall be allowed to remain in vehicles without an employee present.
- Clarification within the ordinance that vehicle signage is prohibited.



Proposed Ordinance - Overview

- **Rescinding the existing temporary moratorium.**
- **Updates existing terminology under MDC Section 16.44.250 “Marijuana and Hemp Use”.**
- **Provides new Definitions (Consistent w/ State licensing terms).**
- **Provisions for required Medicinal Cannabis Delivery Service License (License Required to Operate, Insurance, etc.).**



Proposed Ordinance - Overview

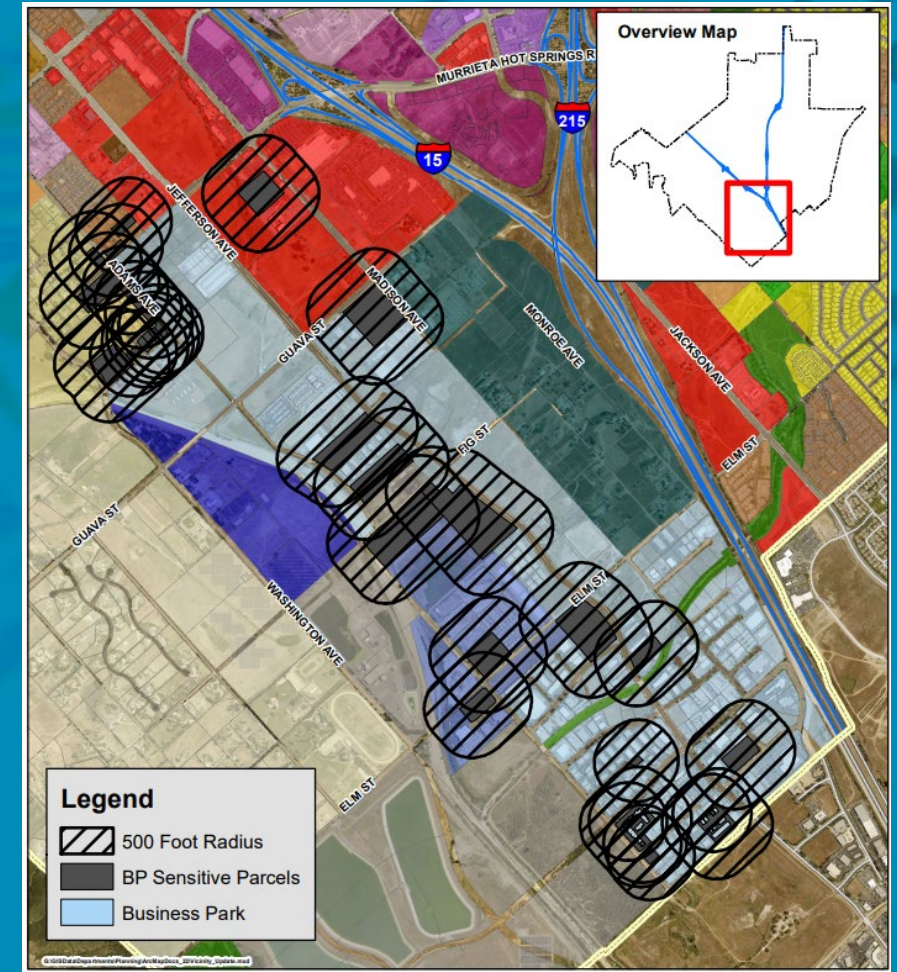
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- **Application Requirements (site and floor plan, safety plan, odor control, etc.).**
- **Operational Requirements (3,000 SF limit on size, compliance w/ state laws, sign limitations, delivery driver standards, prohibited activities, etc.).**

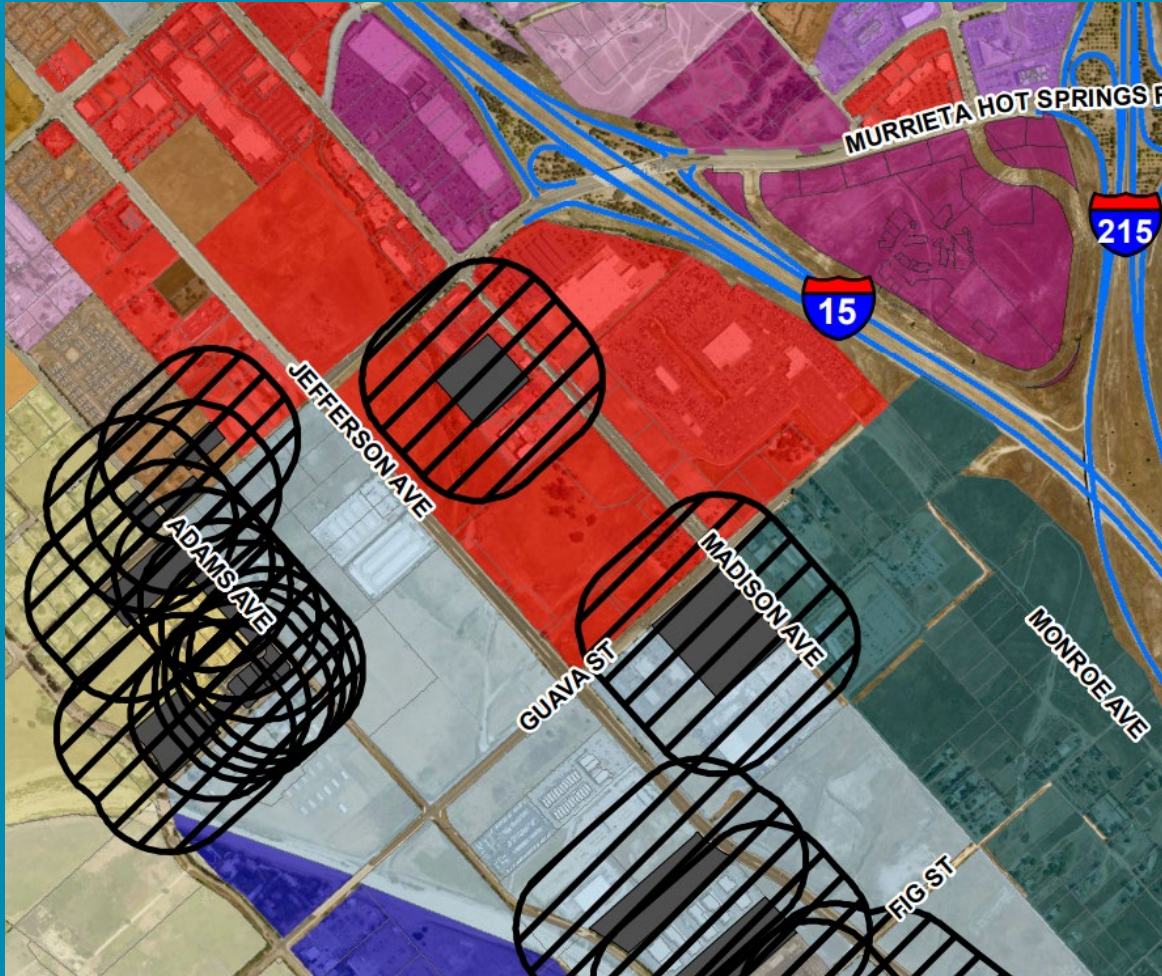
Proposed Updates - Ordinance

Zoning and Location Criteria

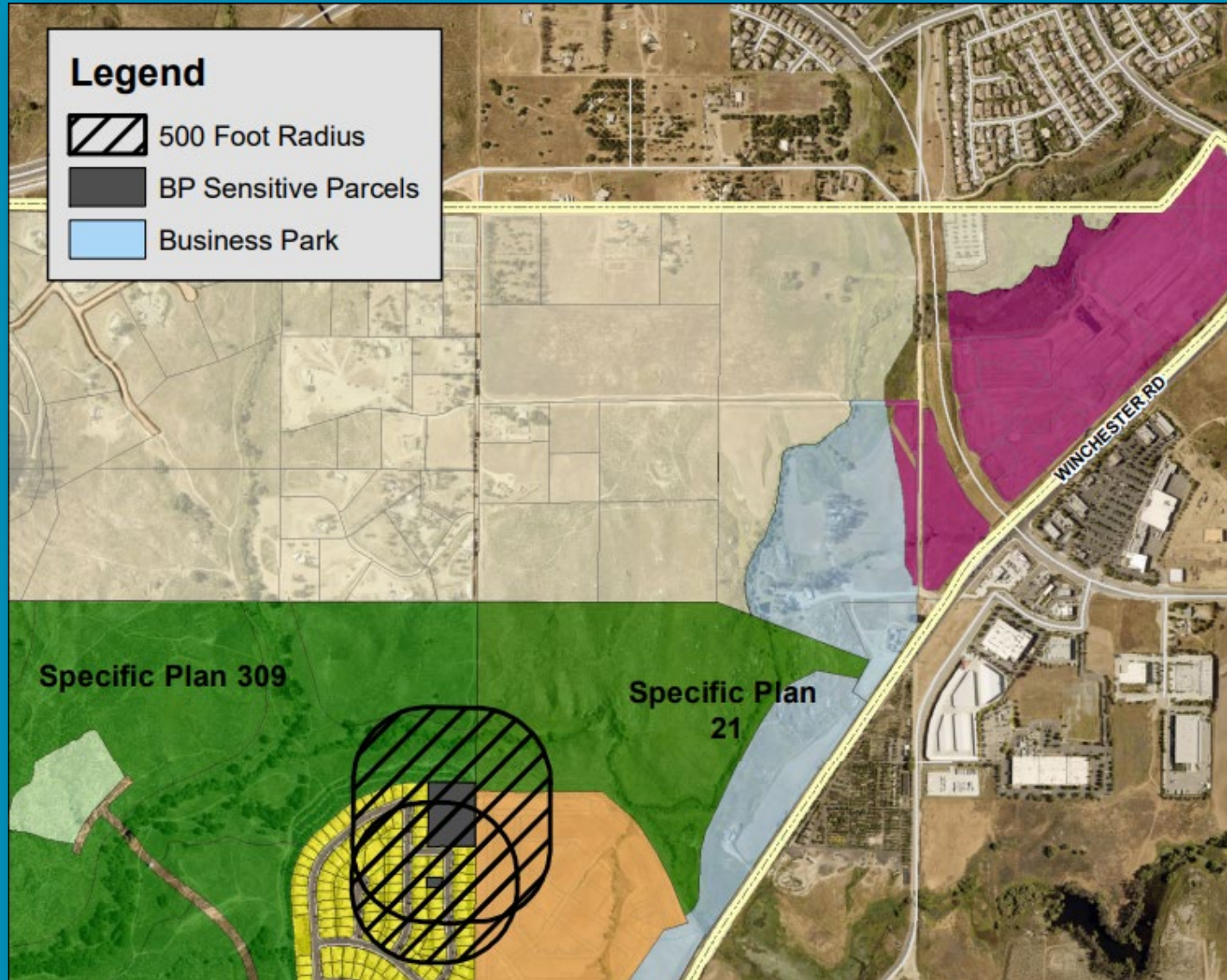
- Sensitive Receptors:
 - Residential zones
 - Public or private schools
 - Daycare centers
 - Churches
 - Public parks
 - Youth activity centers
 - Large Medical Facilities



Zoning and Location Criteria



Zoning and Location Criteria





Recommendation

- 1. Hold a Public Hearing; and**
- 2. Find that the action is consistent with the California Environmental Quality Act (CEQA) Guidelines in accordance with Section §15060(c)(2) and Section §15061(b)(3); and**

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Recommendation

Cont.

3. Introduce Ordinance No. 602-24 entitled: An Ordinance of the City Council of the City of Murrieta, California, Amending Title 16 of the Murrieta Development Code to Revise Sections 16.08.010, 16.10.010, 16.11.010, 16.12.010, 16.13.010, 16.14.010, and 16.44.250 for the Establishment of Medicinal Cannabis Delivery Location and Operational Standards and Miscellaneous Updates to Existing Cannabis Standards.

