

# Direction Related to Amendments to Commercial Cannabis Ordinance

---

City Council  
February 16, 2021



## Recent Actions / Current Status

- **October 6, 2020** - 1<sup>st</sup> reading of Ordinance No. 3289
- **November 17, 2020** - 2<sup>nd</sup> reading of Ordinance No. 3289
- **December 15, 2020** - Urgency Ordinance to prevent further action on commercial cannabis failed (3-2)
- **December 15, 2020** - Resolution adopting fees associated with Commercial Cannabis Ordinance continued to March 16, 2021
- **December 21, 2020** – City Council approved a tolling agreement with the City of Buena Park to delay implementation of Commercial Cannabis Ordinance until March, 2021
- **January 19, 2021** – City Council voted to continue action to provide direction on Cannabis Ordinance amendments to February 16, 2021.



# Current Ordinance Components

- Allows **retail, manufacturing, cultivation, transportation/distribution** and **testing** in certain zones.
- **Retail** cannabis (storefront and non-storefront) would be permitted in:
  - General Commercial (G-C)
  - Commercial Manufacturing (C-M)
  - Manufacturing Park (M-P)
  - Manufacturing, General (M-G)
- **Manufacturing, Distribution/Transportation, Cultivation, Microbusinesses** and **Testing** would be permitted in:
  - Manufacturing Park (M-P); Manufacturing, General (M-G) zones
  - Commercial Manufacturing (C-M)



# Current Ordinance Components

- Limit Commercial Cannabis Business Permits by type as follows:
  - Maximum of five (5) retail cannabis facilities (storefront and non-storefront)
  - Maximum of five (5) manufacturing facilities (non-volatile solvents)
  - Maximum of five (5) distribution/transportation facilities
  - Maximum of five (5) cultivation facilities (indoor only)
  - Maximum of two (2) Microbusiness facilities
  - No limit on the number of testing facilities



# Current Ordinance Components

- Separation (buffer) requirements of 800-feet from:
  - Schools (Preschool through High School)
  - State Licensed Daycare
  - Youth Center (defined term) which includes parks/sports fields
- 300-feet separation between retail locations
- No more than (2) Retail Permits per City Council District
- No more than (3) Retail Permits allowed south of Chapman/Malvern Avenue



## How separation buffers are measured

- FMC Section 3.88.250.A.1.c -

“The distance measurements [*for Commercial Cannabis Permits*] shall be the horizontal distance measured in a straight line from the nearest property line of [*sensitive uses*] to the nearest point of the building or tenant space (if within a multi-tenant building) in which the cannabis business is located”



This aerial map shows the Fullerton Metro Center area. The map includes the following labels and features:

- Streets:** W Orangethorpe Ave (top), S Highland Ave (left), S Harbor Blvd (right), and Harbor Blvd (bottom right).
- Zoning Districts:**
  - R-3:** Residential Single-Family, located in the bottom left quadrant.
  - G-C:** General Commercial, located in the top right, center, and bottom right areas.
- Project Areas:**
  - A large blue-shaded rectangular area in the center-right.
  - A large red-shaded rectangular area in the center-right, below the blue area.
  - A large orange-shaded rectangular area in the center-right, below the red area.
- Other Features:**
  - A large white rectangular building in the center-left.
  - A large parking lot in the top left.
  - A large parking lot in the bottom left.
  - A large parking lot in the top right.
  - A large parking lot in the center-right.
  - A large parking lot in the bottom right.

Potentially eligible business location

Ineligible business locations -  
buffer touches building wall

Parcel shown as ineligible on cannabis map because a portion of the parcel is within buffered use

100-foot residential buffer

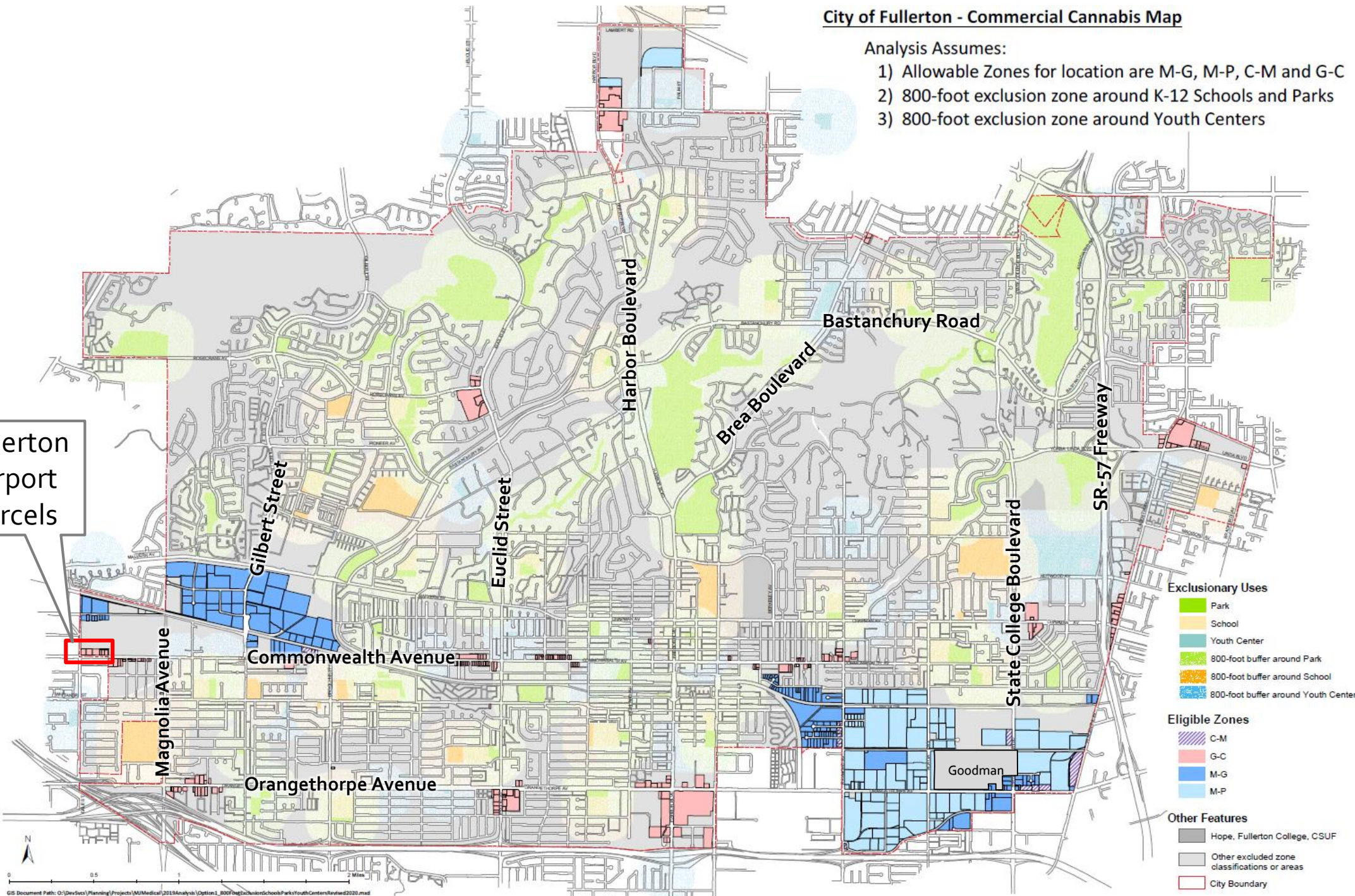


# City of Fullerton - Commercial Cannabis Map

## Analysis Assumes:

- 1) Allowable Zones for location are M-G, M-P, C-M and G-C
- 2) 800-foot exclusion zone around K-12 Schools and Parks
- 3) 800-foot exclusion zone around Youth Centers

Fullerton  
Airport  
Parcels

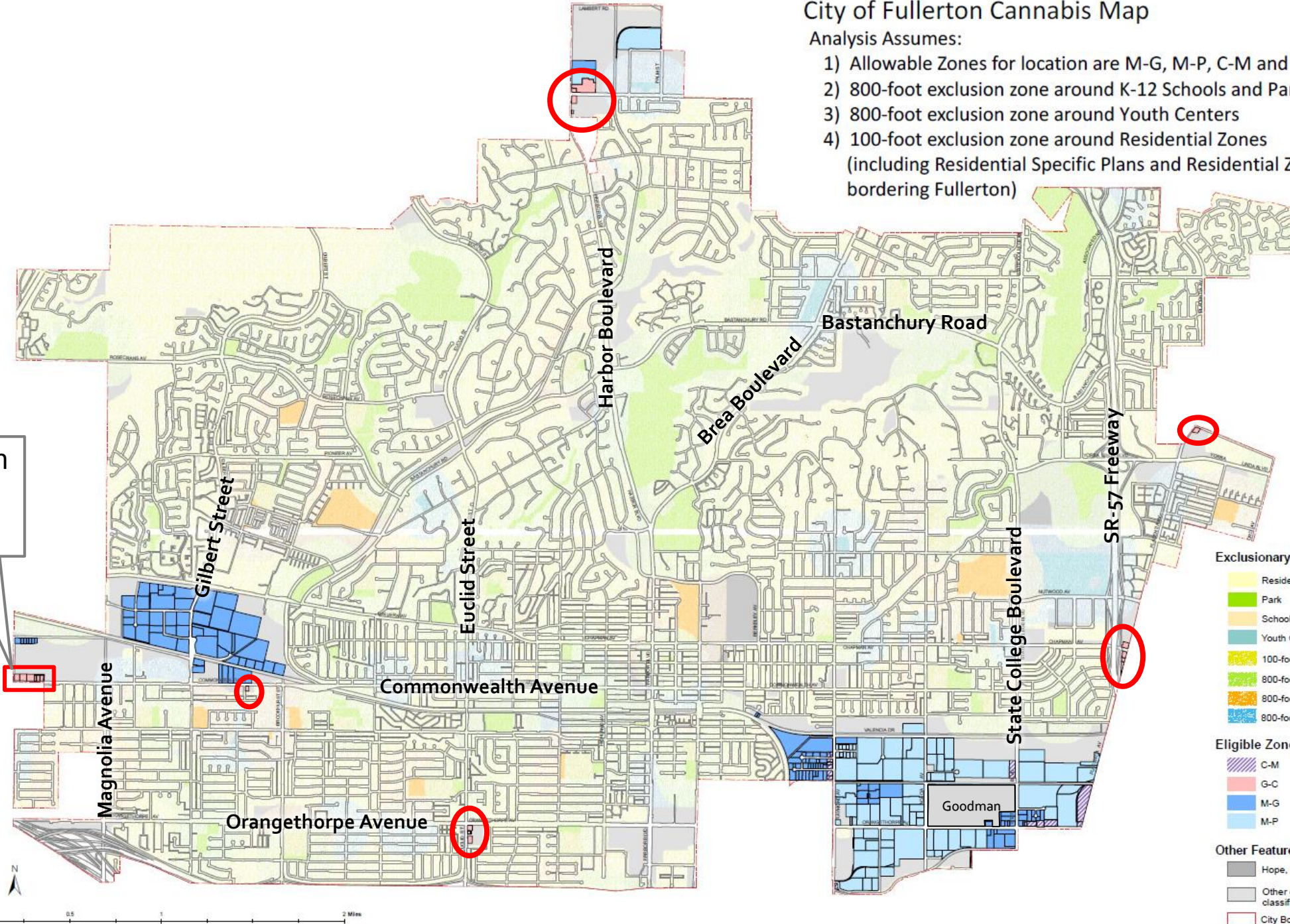




# City of Fullerton Cannabis Map

## Analysis Assumes:

- 1) Allowable Zones for location are M-G, M-P, C-M and G-C
- 2) 800-foot exclusion zone around K-12 Schools and Parks
- 3) 800-foot exclusion zone around Youth Centers
- 4) 100-foot exclusion zone around Residential Zones (including Residential Specific Plans and Residential Zones bordering Fullerton)



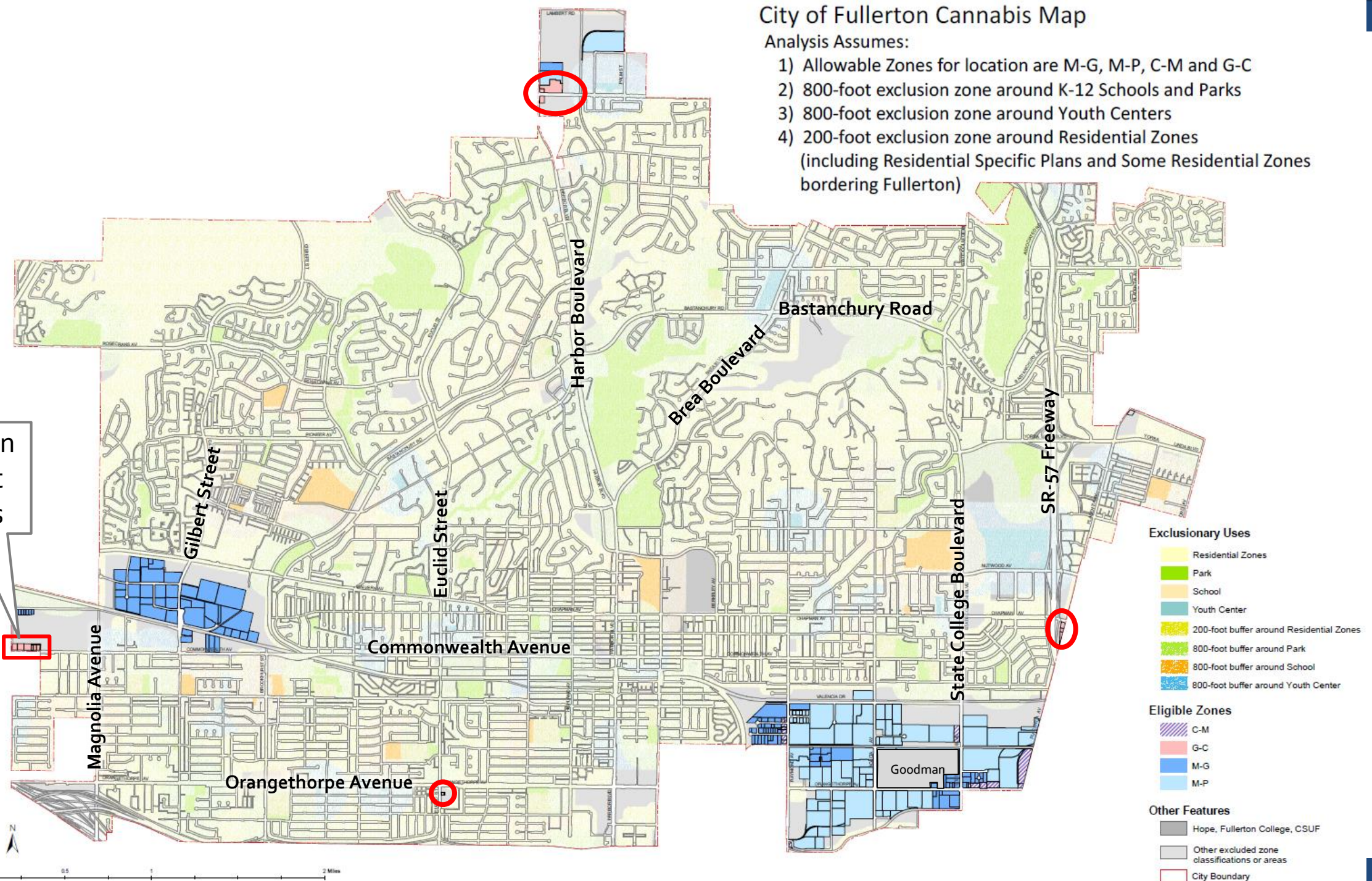


# City of Fullerton Cannabis Map

## Analysis Assumes:

- 1) Allowable Zones for location are M-G, M-P, C-M and G-C
- 2) 800-foot exclusion zone around K-12 Schools and Parks
- 3) 800-foot exclusion zone around Youth Centers
- 4) 200-foot exclusion zone around Residential Zones (including Residential Specific Plans and Some Residential Zones bordering Fullerton)

Fullerton  
Airport  
Parcels

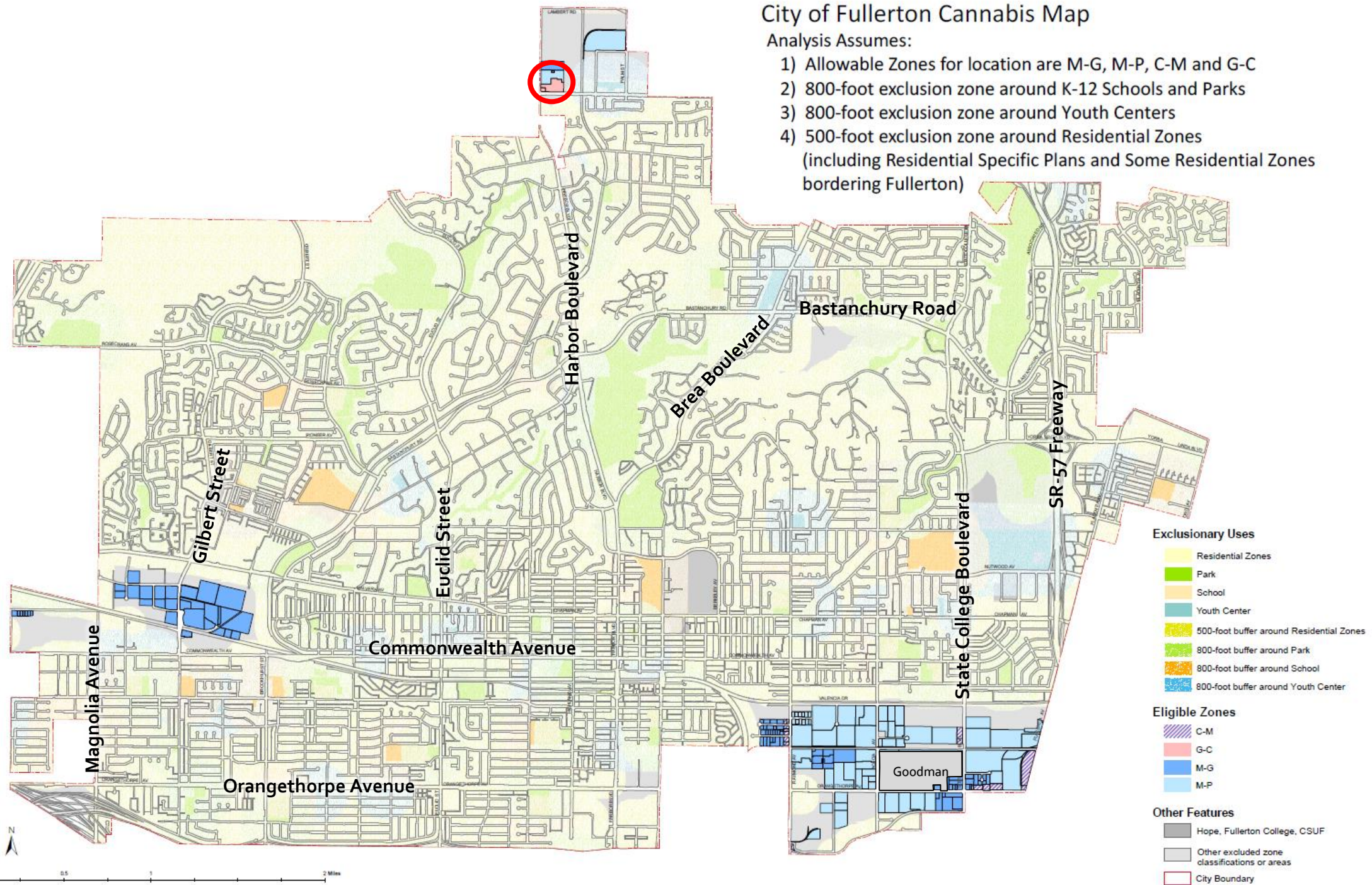




# City of Fullerton Cannabis Map

## Analysis Assumes:

- 1) Allowable Zones for location are M-G, M-P, C-M and G-C
- 2) 800-foot exclusion zone around K-12 Schools and Parks
- 3) 800-foot exclusion zone around Youth Centers
- 4) 500-foot exclusion zone around Residential Zones (including Residential Specific Plans and Some Residential Zones bordering Fullerton)

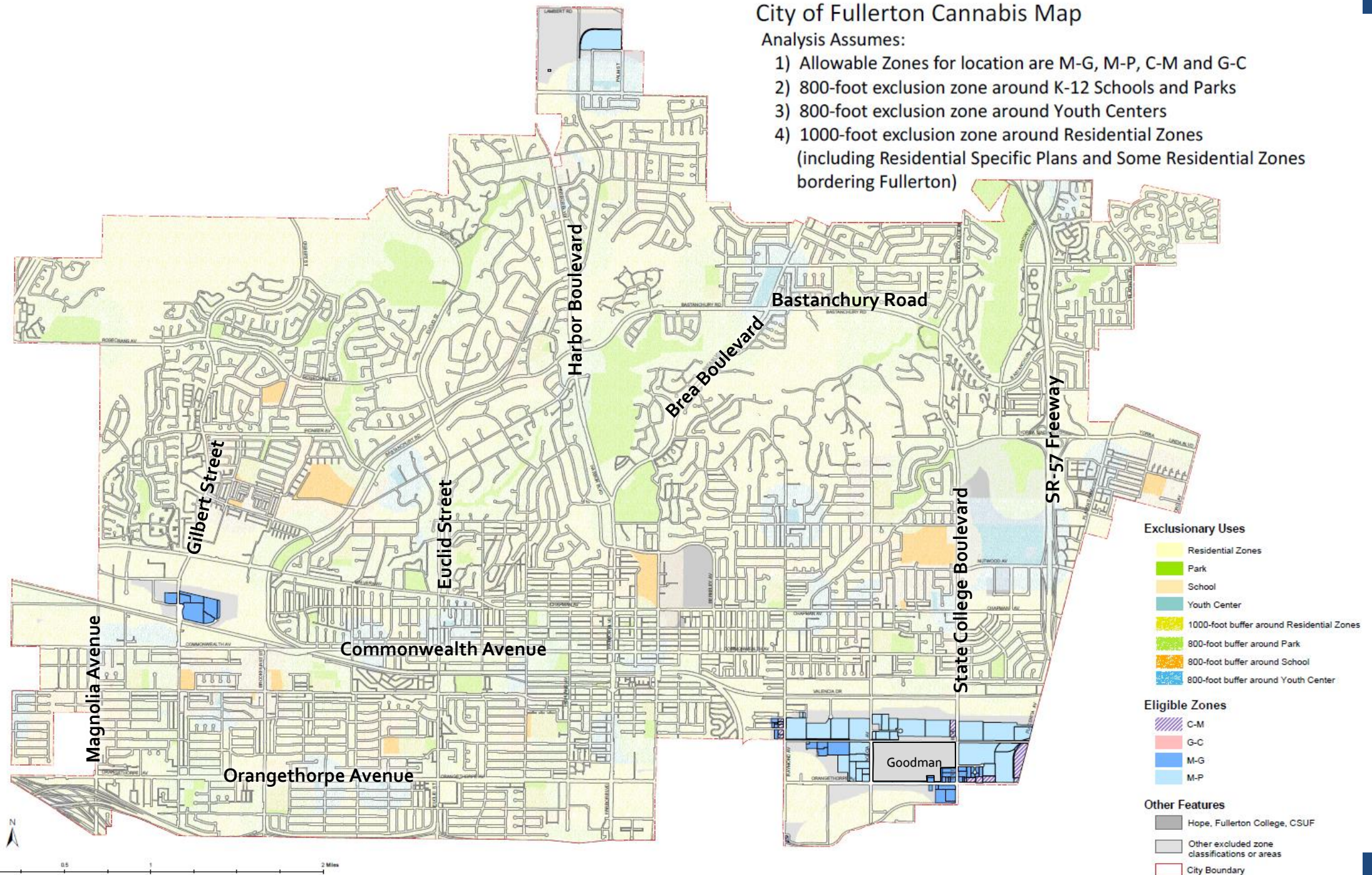




# City of Fullerton Cannabis Map

Analysis Assumes:

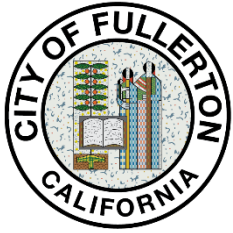
- 1) Allowable Zones for location are M-G, M-P, C-M and G-C
- 2) 800-foot exclusion zone around K-12 Schools and Parks
- 3) 800-foot exclusion zone around Youth Centers
- 4) 1000-foot exclusion zone around Residential Zones (including Residential Specific Plans and Some Residential Zones bordering Fullerton)





# Proposed Ordinance Components

- Selected through a merit-based point system
- Permits renewed annually
- Community benefits required
- Local hiring requirements
- Labor peace agreement
- Development Agreement required
- Extensive security requirements / standards
- Community relations representative for ongoing outreach / education



## Recommended Action

Provide Staff direction related to amendments to Title 3, specifically Chapter 3.88 of the Fullerton Municipal Code, related to commercial cannabis operations including, but not limited to, location of cannabis businesses by type, buffer distances, zones and other location restrictions.



# Direction Related to Amendments to Commercial Cannabis Ordinance

---

City Council  
February 16, 2021